NOV 2 1962 NOV 2 196 Housing

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

TESTIMONY OF MARGARET FISHER, ASSOCIATE DIRECTOR, NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING, BEFORE THE NEW YORK CITY COMMISSION ON HUMAN RIGHTS, AT ITS HEARING ON BLOCK-BUSTING PRACTICES,

WEDNESDAY, OCTOBER 17, 1962

Chairman Lowell, members of the Commission, Mr. Jones:

My name is Margaret Fisher. I am the Associate Director of the National Committee Against Discrimination in Housing. As many of you know, the National Committee is a federation of thirty-seven major religious, civil rights, labor, and civic organizations which, since 1950, have been working through this single-purpose agency and their own programs to eliminate religious and racial discrimination and segregation in housing.

From Chicago and Baltimore, Philadelphia and Los Angeles, Cleveland and Washington, D. C., and many other cities and towns we receive reports of efforts - and often appeals for counsel and guidance - to combat the "block-busters."

"Block-busting," as the term is interpreted here today, is a widespread and most serious problem. The deliberate effort to play upon fears, ignorance, and prejudice in order to incite panic selling in a neighborhood, and thus induce a rapid change in population from white to nonwhite or from an integrated community to a racial ghetto is wrecking the stability of neighborhoods and extending segregated living patterns in many metropolitan areas over the nation.

Of course, the only beneficiaries of the practice are the panic peddlers - the real estate speculators and agents who are out for huge profits on small investments or for fast commissions.

The victims are the sellers, the buyers, and the community at large. The seller, usually the victim of his own apprehensions or prejudice, permits himself to be pressured into selling his property at a loss. The nonwhite buyer, in search of a decent and suitable home for his family - and faced with a discrimi-

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The victims are the sellers, the buyers, and the community at large. The seller, usually the victim of his own apprehensions or prejudice, permits himself to be pressured into selling his property at a loss. The nonwhite buyer, in search of a decent and suitable home for his family - and faced with a discriminatory housing market, pays a premium price - often more than he can afford, and not infrequently more than he can pay out.

The affected neighborhood is stirred to ill will, hysteria, and tension. The community as a whole becomes more segregated in all aspects of its life - and more prejudiced.

Recently, the Chicago Commission on Human Relations conducted a six-month study of the abuses in real estate financing in one area which had been changed by real estate speculators to practically all-Negro occupancy. Thirty-three properties were involved. The Commission found that the average profit reaped by the speculators was 73 per cent. For example, the transactions ran like this:

A house was bought for $7,000 and sold for $13,900 - 98% profit.

Another was bought for $9,500 and sold for 18,300 - 92% profit.

Another, bought for $8,000, sold for $12,500 - 56% profit.

In Washington, D. C., the owner of a home worth $18,000 recently sold it to a speculator for $15,000 - who sold it to a nonwhite family the same day for $18,500. Another panicked owner sold for $9,000 and the "block-buster" sold it to a Negro for $13,500 the next day.

Examples of this type of exploitation are legion - as we know well from similar experiences in neighborhoods in New York City and some of its suburban communities.

It should be said that many responsible members of the real estate industry frown upon the tactics used by "panic peddlers." But it should also be said that the real estate man who shows property in an integrated area or an adjacent neighborhood ONLY to nonwhite prospects, is contributing to the wholesale turnover of that neighborhood.

A number of cities and states have taken legislative or administrative action against "panic peddling" - or "block-busting" in recent years. Shaker Heights, Ohio (a suburb of Cleveland), Baltimore, Maryland, and Kansas City, Missouri, have enacted laws aimed at stopping real estate agents from inciting panic selling in neighborhoods undergoing racial change.

The Kansas City law, which is patterned on a 1961 administrative regulation issued by the Secretary of State of New York, was adopted on May 25, 1962. It provides as follows:

> No real estate broker or real estate salesman shall solicit the sale, lease or the listing for sale or lease, of residential property on the ground of loss of value due to the present or prospective entry into the neighborhood of a person or persons of another race, religion, or ethnic origin, nor shall he distribute or cause to be distributed material or make statements designed to induce a residential property owner to sell or lease his property due to such change in neighborhood. Conviction of any violation of the provisions of this ordinance shall be deemed a misdemeanor punishable by a fine of not less than $100 and not more than $500 for each offense.

The Shaker Heights ordinance was adopted on August 29, 1961. A similar measure, it provides for fines up to $50 for the first offense and up to $500 for subsequent violations.

The Baltimore law, adopted on April 4, 1960, prohibits "any untrue or misleading statement" for the purpose of inducing sales. It provides a minimum fine of $100, maximum of $500, or imprisonment of not more than 60 days, or both.

(A year prior to the enactment of the Baltimore ordinance, Maryland's Real Estate Commission found two Baltimore real estate agents guilty of violating the real estate code because they had "engaged in a continued and flagrant course of misrepresentation. . ." and in "misleading and untruthful advertising. . ." The Commission found that the agents had deliberately attempted to create panic selling among the white homeowners in a racially-integrated neighborhood by such actions as moving a Negro family with a large number of small children - and no furniture - into a house which they falsely claimed they had sold to the family.)

The Pennsylvania Real Estate Commission, in April 1961, became the first state licensing agency to rule that real estate brokers found guilty of inciting panic selling would be liable to revocation or suspension of their licenses.

The regulation also prohibited brokers from subjecting the public to "clear harassment" - by personal contact, telephone calls or mail - in insisting that owners list their properties when they have indicated they do not wish to do so.

Later in 1961, the Secretary of State of New York issued a regulation, the prohibited conduct being identical with that under the Kansas City ordinance, quoted above. Violators are subject to loss of their licenses. The New York State regulation was endorsed by the State Association of Real Estate Boards.

In July 1962, the Connecticut Insurance Commissioner advised the State Commission on Civil Rights that "disciplinary action" would be taken against licensed real estate agents found to be soliciting the sale of residential property on the ground of loss of value due to the present or prospective entry into the neighborhood of persons of another race. The Commissioner termed block-busting a "vicious practice," and said it would come under the heading of "dishonest, fraudulent, or improper dealings."

Also in 1962, the Illinois Department of Registration and Education issued an opinion that "panic peddling" is a violation of the State Real Estate Brokers and Salesmen Act.

Like all cities, our city is a group of neighborhoods. And when the health and stability of any neighborhood is threatened, the entire community is affected. The New York City Commission on Human Rights is to be commended for instituting an investigation of an activity which is a clear threat to the well-being of our town. Thank you.

(Member organizations of the National Committee Against Discrimination in Housing attached.)

# # #

The National Committee Against Discrimination in Housing, organized in 1950, is a non-profit organization composed of thirty-seven major civil rights, civic, religious, labor, and minority group organizations which seek to eliminate racial and religious restrictions from the nation's housing market. Member organizations are as follows:

Amalgamated Clothing Workers of America, AFL-CIO
American Baptist Convention, Council on Christian Social Progress
American Civil Liberties Union
American Council on Human Rights
American Ethical Union
American Friends Service Committee
American Jewish Committee
American Jewish Congress
American Newspaper Guild, AFL-CIO
American Veterans Committee
Americans for Democratic Action
Anti-Defamation League of B'nai B'rith
Brotherhood of Sleeping Car Porters, AFL-CIO/CLC
Commonwealth of Puerto Rico, Department of Labor, Migration Division
Congregational Christian Churches, Council for Social Action, and Race Relations
    Department, Board of Home Missions
Congress of Racial Equality
Cooperative League of the USA
Friendship Houses, USA
Industrial Union Department, AFL-CIO
International Ladies' Garment Workers' Union, AFL-CIO
International Union of Electrical, Radio and Machine Workers, AFL-CIO
Jewish Labor Committee
League for Industrial Democracy
The Methodist Church, Woman's Division of Christian Service
National Association for the Advancement of Colored People
National Association of Negro Business and Professional Women's Clubs
National Catholic Conference for Interracial Justice
National Council of Churches of Christ, Department of Racial and Cultural Relations
National Council of Jewish Women
National Council of Negro Women
National Urban League
Protestant Episcopal Church, Department of Christian Social Relations
Union of American Hebrew Congregations
Unitarian Fellowship for Social Justice
United Auto Workers of America, AFL-CIO
United Presbyterian Church, Office of Church and Society
United Steelworkers of America, AFL-CIO

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
426 West 58th Street New York 19, New York
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Cal. No. 3

CITY PLANNING COMMISSION

Approval, pursuant to Article 15 of the General Municipal Law (Urban Renewal Law) of the State of New York and Title I of the Housing Act of 1949 as Amended, of a Plan for an Urban Renewal Project designated as Tompkins Square, proposed to be developed on a site generally bounded by East 13th Street, Avenue D, East 10th Street and Avenue C, Borough of Manhattan (Tompkins Square Area).

CP-17969 August 14, 1963.

On June 19, 1963, the Housing and Redevelopment Board submitted to the City Planning Commission a Plan for an Urban Renewal Project designated as Tompkins Square and requested approval of the Plan, pursuant to Article 15 of the General Municipal Law of the State of New York (Urban Renewal Law) and Title I of the Housing Act of 1949, as amended. The project site is bounded by East 13th Street, Avenue D, East 10th Street and Avenue C, Borough of Manhattan. A revision of this Plan was submitted on June 24, 1963

HISTORY

In January 1961, the City Planning Commission issued a preliminary report on the Tompkins Square Area recommending the area for consideration for an urban renewal project. In February 1961, the Housing and Redevelopment Board initiated planning for a project in the Tompkins Square Area under provisions of Section 72-k of the General Municipal Law of the State of New York and Title I of the Federal Housing Act of 1949, as amended. At its meeting of February 23, 1961 (Cal. No. 195), the Board of Estimate authorized the Housing and Redevelopment Board to apply to the Housing and Home Finance Agency for a planning advance. The planning advance was accepted by the Board of Estimate on August 24, 1961 (Cal. No. 271).

On May 1, 1961, the City Planning Commission announced its recommendations for the 1961-62 housing and renewal program. In all, 18 study areas were proposed as part of a comprehensive renewal package with emphasis on middle-income housing. The Tompkins Square Area was included as part of this program.

The Tompkins Square Area is within Section M-12 of the Master Plan of Sections Containing Areas Suitable for Development and Redevelopment. Master Plan Map RS-6, adopted by the City Planning Commission on April 22, 1959, includes Section M-12, designated as a Section Containing Substandard and Insanitary Areas Suitable for Clearance, Replanning, Reconstruction or Rehabilitation for Predominantly Residential Use.

URBAN RENEWAL PLAN

A. General Description

The proposed Tompkins Square Plan generally provides for the clearance of a 5-block area located in the Lower East Side of Manhattan. The area is now largely occupied by a mixture of substandard and deteriorating commercial and industrial uses, together with a few residential buildings. The non-residential uses include several automotive and trucking facilities, manufacturing establishments and warehouses. The residential buildings are principally old-law tenements in poor condition. Two institutional buildings, St. Emeric's Roman Catholic Church and School and Public School 34 are in sound condition and fully utilized. These buildings are to be excluded from acquisition under the proposed Plan.

It is proposed to redevelop the area, excluding the religious institution and the public school, with predominantly middle-income housing together with appurtenant off-street parking spaces, recreational areas and local shopping facilities. Space is to be provided adjacent to Public School 34 to allow for future expansion of its facilities. The contemplated residential development would provide approximately 900 apartments in a variety of building types ranging upwards from two stories in height.

The Plan provides for a platform over part of the site. The exterior portion of the platformed area is to be utilized for shops, commercial space and studio apartments for artists. The interior portions are to be used for parking and the roof for landscaped open space.

B. Documents Submitted for Approval:

I. The Tompkins Square Urban Renewal Plan, dated December 14, 1962, as revised June 24, 1963, including the following two maps, each dated December 14, 1962:

Map 1. Project Boundary

Map 2. Proposed Land Use

II. Final Project Report, including the following nine maps, each dated December 14, 1962:

Map 3. Existing Land Use

Map 4. Condition of Structures

Map 5. Property Map

Map 6. Land Disposition Plan

Map 7. Right-of-way Adjustment Map

Map 8. Sewer System Plan

Map 9. Water System Plan

Map 10. Electric System Plan

Map 11. Gas and Steam System

C. Elements of the Urban Renewal Plan

1. Residential Area

The proposed Urban Renewal Plan provides for one residential area comprising Parcel "A" (approximately 1.77 acres) at the southeasterly corner of East 13th Street and Avenue C, with frontages of 373 feet on East 13th Street and 206 feet on Avenue C.

2. Residential with Retail Commercial Areas

The Plan further provides for two additional residential areas in which local retail and service establishments will be permitted in accordance with provisions of the New York City Zoning Resolution relating to Special Regulations Applying to Large Scale Residential Development (Section 78-13). These are:

Parcel "B"

(2.68 acres) on the easterly side of Avenue C between East 12th and East 10th Streets with frontages of 326 feet each on Avenue C and on Szold Place

Parcel "C"

(1.55 acres) on the northerly block-front of East 10th Street between Avenue C and Szold Place with frontages of 190 feet on Avenue C, 357 feet on East 10th Street and 190 feet on Szold Place.

3. Public or Semi-Public Area

The plan also provides for expansion of Public School 34 and its playground area on Parcel "D" (1.54 acres) in the southerly portion of the proposed super-block bounded by East 12th Street, Avenue D, East 10th Street and Szold Place.

4. Excluded areas

Two parcels, within the general Urban Renewal Area developed with compatible uses will not be acquired. These are:

(a) St. Emeric's Roman Catholic Church and School located at the southwesterly corner of East 13th Street and Avenue D (Block 382, Lot 22). This parcel will be contiguous with residential parcel "A" under the renewal plan.

(b) Public School 34 located on the southerly block-front of East 12th Street between Szold Place and Avenue D (Block 381, Lot 38).

5. Street System

Proposed street changes would provide for two super-blocks and several street widenings. It is proposed to eliminate East 12th Street between Avenue C and Szold Place and East 11th Street between Avenue C and Szold Place and between Szold Place and Avenue D. Avenue C between East 13th and East 10th Street is proposed to be widened from 80 to 90 feet.

No changes in the mapped lines of Szold Place and East 10th Street are contemplated. However, it is proposed to widen the roadway of Szold Place from 20 to 30 feet. In order to compensate for the loss of public sidewalk as the result of this widening, a sidewalk easement, within the property lines is to be provided on the westerly side of Szold Place, thus maintaining a minimum sidewalk of 10 feet from East 10th Street to East 12th Street. The roadway of East 10th Street is proposed to be widened from 60 to 70 feet between Avenue C and Avenue D. A 10-foot sidewalk easement within the property lines on the northerly side of East 10th Street will provide for a minimum sidewalk of 13 feet.

Utility easements 60 feet in width are to be provided in the beds of the portions of East 12th and East 11th Streets proposed to be closed.

6. Regulations and Controls

The Urban Renewal Plan provides for the following controls:

(a) Maximum residential density

A maximum combined total of 3520 zoning rooms will be permitted for Parcels "A", "B" and "C". This is equivalent to approximately 587 zoning rooms per net residential acre. ("Rooms" are as defined in the New York City Zoning Resolution adopted December 15, 1960).

(b) Maximum lot coverage and floor area ratio:

50% coverage in Parcels "A" and "C".

20% coverage in Parcel "B". The combined floor area ratio in Parcels "A", "B" and "C" shall not exceed 3.45. No controls other than those to be established under the proposed zoning are to apply in Parcel "D".

(c) Height Controls

In Parcels "A", "B" and "C" a minimum of 5% of the total number of zoning rooms shall be in buildings 2-stories in height. A minimum of 20% of the zoning rooms shall be in buildings up to 8 stories in height. No height limitations are established for the remaining buildings. Height of these buildings will be controlled by zoning regulations,

(d) Commercial Space

Retail establishments in Parcels "B" and "C" shall be in accordance with the Special Regulations Applying to Large Scale Residential Development of the Zoning Resolution, i.e. commercial space may not exceed 2% of the total residential floor area.

(e) Off-street parking, loading and set-backs in all parcels shall be/required in the Zoning Resolution, i.e. a minimum of 50% off-street parking spaces for residential uses.

7. Proposed Zoning

The Plan proposes rezoning of the Tompkins Square Area to an R7-2 district. The area is now in an M1-4 district except for two C1-5 in R7-2 Districts on the southeasterly and southwesterly corners of the area

A strip on the southerly side of East 10th Street between Avenues C and D, outside of the Urban Renewal Area, is now in an M1-4 zoning district. The Plan also proposes a change of this strip from M1-4 to R7-2 so that it would conform to the zoning of the Urban Renewal Area and the adjacent neighborhood.

PUBLIC HEARING

On June 25, 1963 (Cal. No. 3), the City Planning Commission fixed July 17, 1963, as the date for a public hearing on the proposed plan. At the same time (Cal. No. 2) a hearing was fixed for designation of the site as an Area Appropriate for Urban Renewal.

Hearings on both matters were duly held on July 17, 1963 (Cal. No. 41 and 42).

There were 63 recorded appearances at the hearing, 34 in favor of the proposal and 29 opposed.

Those in favor included a number of residents on the site, a representative of the local Congressman, the State Assemblyman and representatives of City-wide organizations, neighborhood groups, religious and political clubs.

Appearing in opposition were several residential site tenants, representatives of City-wide organizations, religious institutions, political clubs as well as individuals and representatives of local neighborhood groups in various parts of the City.

The Chairman of the Housing and Redevelopment Board, in presenting the Plan, highlighted the net gain in the housing supply which would result from the proposed development and noted that there would be a minimum of residential displacement. He stressed the desirability of introducing middle income housing to achieve economic diversity and balance in this neighborhood presently containing a heavy concentration of public low-rent housing. He proposed that approximately 180 units be made available in the new development through "skewed rentals" at lower rents than those for the middle income units.

Some 6,000 units of public housing are now in operation in the immediate vicinity with many of these tenants becoming ineligible for further low-rental occupancy because of increased income. He foresaw the projected middle-income units in Tompkins Square as a step-up resource for many of the families in these adjacent public housing units, making it possible for them to remain in the neighborhood.

The Commissioner of Relocation, appearing in favor of the plan, stated that his department had conducted a relocation survey and ascertained that there are 165 residential units on the site. These accommodate 142 families and 23 single persons. The survey indicated that a substantial proportion of the families on the site would be eligible for public housing and were willing to relocate in public housing. He further noted that there were approximately 367 vacancies annually in normal turnover in nearby public housing at rentals equivalent to those now being paid for dilapidated slum dwellings on the site and that the Housing Authority has agreed to give site tenants priority in filling these vacancies.

Other speakers called attention to the deteriorated condition of the area and contended that the existing non-residential uses had a blighting effect on the surrounding residential neighborhood. The residential buildings were characterized as beyond repair. It was further contended that the proposed development would stimulate the upgrading of residential properties south and west of the area. It was stated that the proposed middle-income housing would provide a more economically and socially balanced neighborhood. Speakers noted that the relatively low number of families to be relocated and the contemplated staging of the development made humane relocation possible. Several speakers commented favorably on the proposed varied building heights and considered that the proposal would result in an aesthetically desirable plan.

Those opposed expressed concern with respect to the relocation of residential tenants now on the site. They also feared that the Tompkins Square Plan approach, involving clearance and redevelopment, would be followed in the adjacent neighborhood and in other areas throughout the City.

Opposing speakers generally agreed that the area was seriously blighted and deteriorated but contended that the buildings could be adequately rehabilitated. It was claimed that families now paying $9-$10 per room per month rental could not afford higher rents elsewhere and that relocation would be a severe economic hardship to them.

It was further contended that previous renewal actions had displaced mostly minority groups such as Negroes and Puerto Ricans and that these groups were never permitted to remain in any area long enough to establish roots. It was stated that Perto Rican immigrants, particularly, had been repeatedly required to relocate. The psychological effect on family structure and the lack of any social or cultural continuity were indicated as adverse effects of relocation. Many of the families in the area, according to statements made, have been residing in the same apartments for ten or more years.

Some speakers opposed the proposed middle-income housing for the area and demanded that only low-rental public housing be constructed so that the present tenants and others could have housing within their income limitations. Others recommended a mixture giving greater emphasis to low-rent/public housing. Several statements were directed generally against middle-income housing programs.

CONSIDERATION AND ANALYSIS

Before consideration of the particular area and Plan, one basic question raised at the hearing must be discussed and evaluated: Is urban renewal a valid procedure if residential relocation is involved?

Many speakers at the public hearing, from all areas of the City, directed their remarks not so much toward the appropriateness of renewal in Tompkins Square or the specific features of the plan, but against "Urban Renewal" in general. The tenor of these remarks was that urban renewal, or any other type of public improvement is in essence an undesirable process if any rediential tenant relocation is involved. Much concern was voiced for the minority groups most affected by such renewal procedures.

The City and its agencies were asked to halt urban renewal activities in Tompkins Square and implicitly, throughout the City. This Commission as the appropriate reviewing agency of the City must weigh the validity of these claims, which would have the effect of limiting all new housing and other desirable development to vacant land and air-rights, where fortuitously available.

A balanced program of urban renewal encompasses use of all renewal tools. Air-rights and vacant land sites often violate all sound planning criteria for housing and therefore should not be used simply because they are available. Where desirable sites are available, the City has developed substantial amounts of low-rent and middle-income housing on vacant land.

Similarly, a rehabilitation program is not a substitute for programs of clearance and redevelopment. Rehabilitation should be used in areas that are basically sound -- though deteriorating -- not as an alternative to redevelopment, but in recognition that the City cannot be rebuilt all at once. It is on this basis that the City Planning Commission, after a comprehensive study of the feasibility of residential rehabilitation, is proposing a major new program to rehabilitate five large areas of the City, considered appropriate for such treatment, including one portion of the Lower East Side(see Rehabilitation Report dated August 14, 1963).

In order to achieve a slumless City, we must aim to deal as quickly as possible with the entire scope of our dilapidated and deteriorating areas, rehabilitating the best areas and clearing the worst. Expanded programs of clearance and redevelopment, accompanied by creative and positive programs for relocation, can eliminate substandard housing. And redevelopment can provide new housing which meets the needs of our people at higher standards than most of our present housing can provide and for a much longer period of time.

In its commitment to an expanded renewal program, the Commission has examined the proposed plan for the Tompkins Square Area in terms of the suitability of the area for the clearance actions proposed, the feasibility of the relocation plan, and the desirability of the proposed plan for redevelopment. It is not a question of whether clearance and redevelopment is proper in this City, but whether or not it is proper in the Tompkins Square Area as proposed.

The Tompkins Square Area represents the last remaining enclave of an old commercial and manufacturing district. This larger area has now been almost completely redeveloped with Stuyvesant Town and Peter Cooper Village on the North and Jacob Riis Houses on the east. The older commercial and manufacturing activities in the Tompkins Square Area have a blighting influence which impedes the renewal of the general area. Their clearance and the redevelopment of the area with new housing will physically link the sound housing areas to the north and east with the older established residential community to the south and west.

There are relatively few residential buildings on the site. Their space arrangements are below present-day standards, and they have deteriorated considerably. In considering the proposed plan, it is not only a question of whether or not it is possible to rehabilitate these buildings -- for nearly all structures can be physically rehabilitated if finances and tenant subsidy are no problem -- but the relative desirability of the proposed new housing as compared to the results achieved if these buildings were excluded and rehabilitated. It is the Commission's judgment that the plan, as proposed, presents the best alternative, by far, and that the new and imaginative housing that it seeks will provide long-term benefits to the City and the neighborhood that outweigh the more temporary inconvenience to the relatively few site tenants involved.

The sensitiveness of the City's relocation program will determine the extent of this inconvenience. Relocation does not necessarily spell hardship. The relocated tenant will also gain through redevelopment if he can find housing which better meets his needs than does his present housing. For this purpose, the Mayor has established a Department of Relocation in order to provide careful, individual attention to the needs and preferences of urban renewal site tenants. Units in public housing in the immediate vicinity will be made available to all eligible families and can provide apartments that should be more satisfactory to many at rentals close to those they are now paying. For other families, every effort will be made to provide decent and suitable housing in the immediate neighborhood or the neighborhood of their choice. Every direction that urban renewal is now taking in our City is geared to insure that it meets the needs of our people -- including those families who must be relocated.

The proposed Urban Renewal Plan with its variety of building types and heights is an exciting step forward in urban renewal planning. It provides many special amenities such as studios for artists, new shopping facilities and space for the expansion of Public School 34. The proposal to shape the distribution of rents so as to provide 180 lower-rent units will foster economic and social integration within the proposed housing. Such integration would help break down the walls which often spring up around exclusively middle-income or low-rent housing and would serve to utilize more fully the leadership of middle-income families in the community. It is the Commission's judgment that the proposed plan will benefit the neighborhood and the City as a whole.

FINDINGS AND APPROVAL

The Commission certifies that the Urban Renewal Plan complies with the provisions of Subdivision 7, Section 502, Article 15 of the General Municipal Law, conforms to the comprehensive Community Plan for the development of the municipality as a whole and is consistent with local objectives.

The Commission certifies that the Urban Renewal Plan is in conformity with the findings and designation of the Tompkins Square Urban Renewal Area under Section 504, Article 15 of the General Municipal Law, as adopted by the City Planning Commission on August 14, 1963 (Cal. No. 2), wherein it was found that such area is substandard and insanitary area (as defined in Subdivision 4, Section 502, Article 15 of the General Municipal Law) and that appropriate renewal treatment would be clearance and redevelopment, and the use and re-use be predominantly residential.

The City Planning Commission hereby certifies its unqualified approval of the Urban Renewal Plan for the Tompkins Square Area, pursuant to Section 505, Article 15 of the General Municipal Law of the State of New York.

FRANCIS J. BLOUSTEIN, Acting Chairman; JAMES FELT, HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, JAMES G. SWEENEY, Commissioners.

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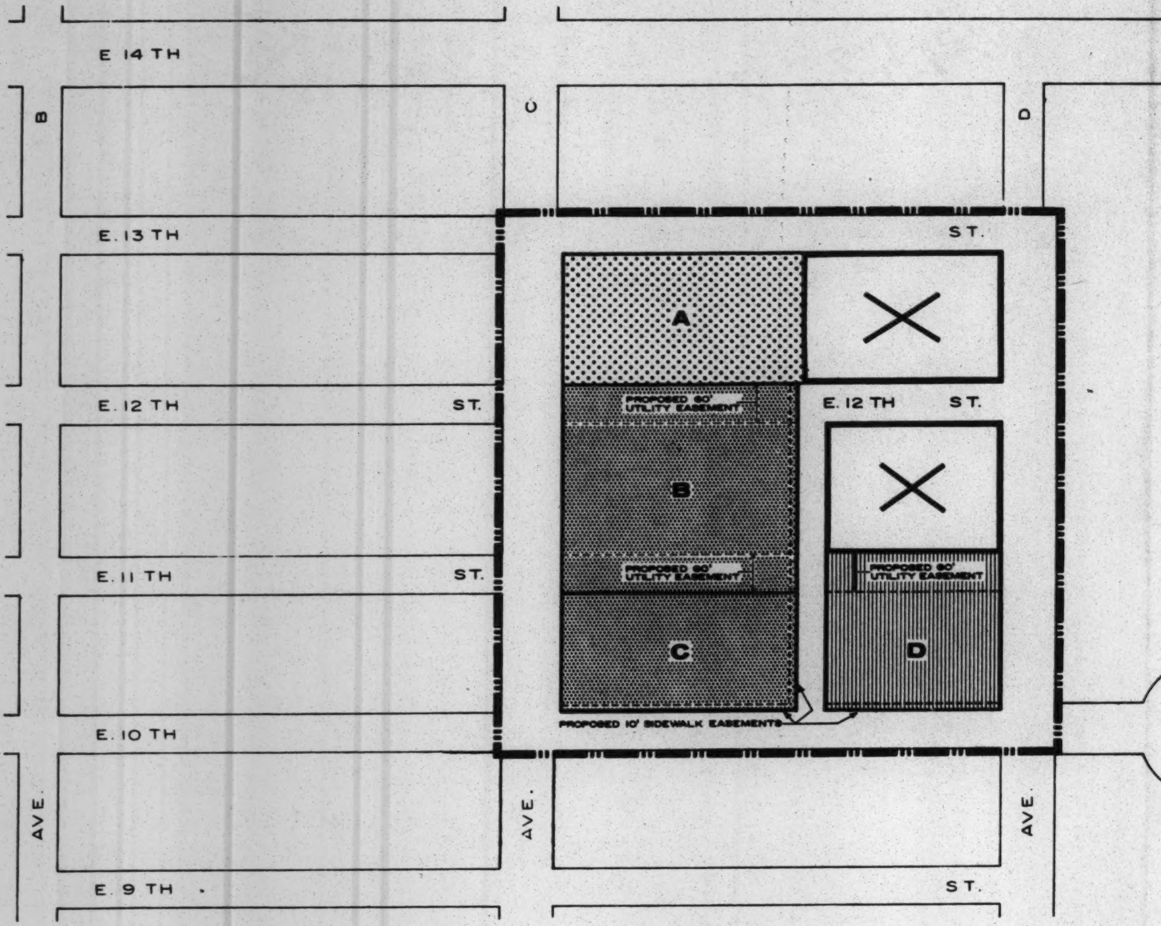
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PROPOSED LAND USE

TOMPKINS SQUARE URBAN

DEPARTMEN

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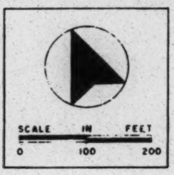
- ▬ PROJECT BOUNDARY
- A PARCEL DESIGNATION
- ☒ EXCLUDED FROM PROJECT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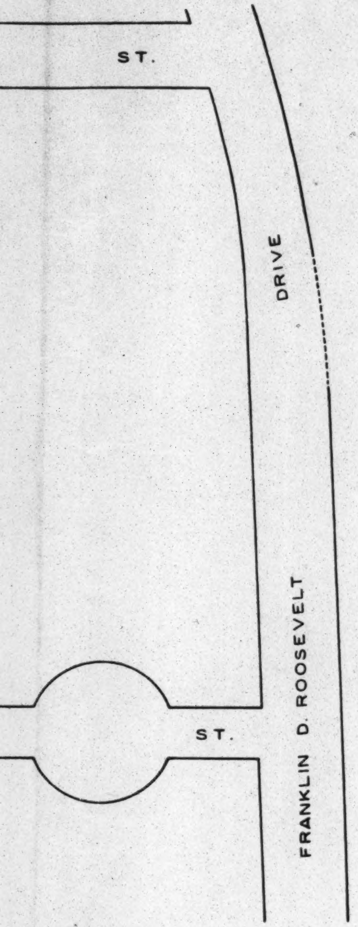
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E MAP

AN RENEWAL PROJECT

ENT OF CITY PLANNING

AUGUST 14, 1963

Metropolitan Council on Housing
215 West 23 Street, N.Y. 11, N.Y.

Joel Friedman

Statement by Hy Bershad, Chairman
Tenants Welfare Committee of
Parkway Stuyvesant Community & Housing Council
1320 Dean Street, Brooklyn 16, New York
PUBLIC HEARING - CITY PLANNING COM.
September 24, 1963

INTRODUCTION

Mr. Chairman, I am not happy about having to oppose designation of the Childrens Museum area for urban renewal. In the past year and a half, many in our community have come to know and admire the efforts of the Community Renewal personnel that have worked so closely with us in trying to achieve a workable program for obtaining better housing. But somewhere along the line, signals were crossed and as a result, a report was issued on August 14th which has caused great concern to the many tenant committees that are part of our Council.

Let me point out to you that almost 4 years ago a few leaders of tenant committees met together to consider how a coordinated program could be developed to stop creeping deterioration in our area's housing. At that time these tenants realized that any community effort would have to include the small resident homeowners who have generally maintained their property and who were certain to suffer severely if the large absentee-owned apartment buildings were permitted to deteriorate further. Out of the give and take of initial meetings held with both homeowners and tenants, the Parkway Stuyvesant Community Housing Council was born andto day this organization includes more than the tenant committees that are centered in the large absentee-owned apartment houses and approximately a dozen block associations composed predominantly of small homeowners. Together we have worked for community improvements such as better street lighting, the new library that we now have, the retention of the Children's Museum in our area, better sanitation, schools and above all, better housing. There is no organization, and, I repeat, no organization in the Children's Museum area which so accurately reflects the thinking of the people of our community on the issue before us today.

We were, therefore, somewhat puzzled at the composition of the Community Renewal Committee that was selected by the City Planning Commission to work with it. The 90% of the community that happen to be tenants were so poorly represented that they composed only about 1/4 of a committee which allegedly represented a cross-section of the community! Astonishing to us was the fact that while our Tenants Welfare Committee, representing more than 1000 tenant families had exactly one representative, another much smaller home-owner group had several times that many delegates. There is no doubt in our minds that this Committee, set up by the City Planning Commission, did not accurately represent the residents of the Children's Museum area.

But let me stress that at first this was not an important factor to us. We had worked with the homeowners in our Council and had found that the parallel interests of both groups could be advanced by cooperation.

But the issuance of the report itself and the attitudes that it has engendered concerns us deeply. The small homeowner tends to look favorably upon a report that would permit him to improve his property while shifting at least a major portion of that cost upon the tenants that reside in his house. The tenants, of course, are quite unhappy. We must also remember that the median income of the tenants in the Children's Museum area is substantially smaller than the family income of the homeowners. The difference between the $6410 for the homeowner and the $4620 for the tenant is a great big $1800 a year, or $35 a week.

THE REPORT

The commission must understand that the concern of the Tenants Welfare Committee over the implications of this Report of August 14th, is indicative of the concern of the 90% of our community who are tenants. We are deeply disturbed over the so-called "study" section of the report which covers the first 42 pages or about 2/3 of the entire report. Repeated conversations with Mr. Rabinow have elicited the information that the material in these pages is merely a study and in no way represents any policy or program. Let's examine this "study" to see if this is so.

The conclusions of the Rehabilitation studies outlined on page 14 of the Report state the following:

> "1. Rehabilitation would be designed tomeet the needs of residents now living in that portion of the housing supply which is presently sub-standard. Since, in general, rehabilitation would result in increases in rentals commensurate with the rehabilitation costs, it is necessary to provide improvements that would bring residential buildings up to the standards of decent, safe and sanitary housing without pricing it out of the means of the existing residents.
>
> "2. Rehabilitation would be carried out primarily with private resources with governmental assistance. All cost estimates are based upon work being done by private owners employing private contractors. This premise stems from a conviction that the enormous potential of private enterprise is both desirable and necessary to achieve large-scale rehabilitation program."

I maintain, Mr. Chairman, that these conclusions are not the conclusions of a simple study. Points 1 and 2 indicate a direction, a guideline for financing rehabilitation by raising rents, a guideline which permits no alternative. Even Mr. Rabinow, when pressed by tenants, was forced to admit that rents would probably have to be raised.

It's one thing to study a neighborhood to determine the condition of its housing, the income of its residents. the amounts paid for rent but it is qualitatively different to propose that rehabilitation of the Children's Museum area shall be financed by increased tenant rentals! And this is precisely what is indicated. In Mr. Bloustein's letter of August 27th to me he states:

> "The scheduled hearing is on the recommendations and proposals for renewal contained in the Rehabilitation Report from page 43 onward. The first portion reports the findings of a study to establish the feasability and problems entailed in rehabilitation. Apparently you believe that the findings of this study are recommendations for renewal; this is a misunderstanding on your part."

There is no misunderstanding on my part, Mr. Chairman. Only a fool prepares a study and then indicates that its implications and proposals are to be discarded. It is simply untrue to claim that there is no relationship between the first 42 pages of this Report and the remaining pages. This report is an organic whole just as the two sides of the same coin. This is evident from the Renewal recommendations which we are opposing here today.

In Section B, page 46 of the Report, is found the Recommendations For the Development Of A Broad Rehabilitation Program. The recommendations list as No. 1 Federal Action and No. 2. State Action. Precisely what action is asked of the Federal and State Governments? Subsidies? Grants? No. The request is for mortgage insurance. Let me quote some of the pertinent sentences in these sections:

> "1. Federal Action
> a) The Federal Housing Administration mortgage insurance program must be pointed specifically to meet the kind of rehabilitation

> problems found in the City. . . . Present standards set by F. H. A. are not applicable to large multi-family buildings which make up the bulk of New York's deteriorating housing supply. . . .

State Action

> "As part of a new State rehabilitation program consideration should be given to a state mortgage insurance administration similar to that of the Federal Housing Administration, to augment and complement the Federal programs insuring the broadest possible coverage in rehabilitation areas."

Now I ask, what is the purpose in requesting mortgage insurance programs? It's simply to facilitate the lending of funds by private institutions for purposes of rehabilitation. And if anyone thinks otherwise, then just let them refer to point 4, Private Action, which says

> "a) It will be necessary to make immediate contact with lending institutions throughout the City to insure that mortgate capital for rehabilitation will be available."

But how, Mr. Chairman, will these mortgages be paid off? The only and obvious answer that is pointed to in this Report is by increasing the rents of tenants. There is absolutely nothing else in your renewal recommendations that would contradict this obvious and implied conclusion.

I have not mentioned Points 3 and 5, the remaining two points in Section B dealing with long-range renewal recommendations. Point 3, dealing with City Action and Point 5, Combined Action, both have certain minor details that we can and do support. The critical consideration, though, is that even these two points buttress points 1, 2 and 4 in outlining a guide for rehabilitation. Point 3 2), for example, states:

> "The City's tax abatement and loan program should be intensified and coordinated with the expanded rehabilitation activities in those areas of the City where every possible aid is needed. . ."

> "b) In considering means to strengthen the City loan program, the possibility of linking it with a mortgage insurance program should be studied."

Almost the entire tenor of Section B is geared toward the provision of mortgage funds for rehabilitation. It's obvious that these funds must be repaid - and at ample rates of interest. It should be clear to everyone that there is no misunderstanding on my part when I say that approval of the renewal recommendations for the Children's Museum area is tantamount to approval of the guidelines indicated in the study, i. e. that rehabilitation shall be privately financed through mortgage capital and that increased rentals shall be used to repay these loans.

CONTRADICTIONS

The "Rehabilitation Report" contains a number of contradictory assumptions, suppositions and premises. One can only wonder whether this was not deliberate so that all points of view could find some paragraph, some sentence, some word that could reassure them and allay their fears. For example, in the Foreword of the Report is found this statement:

> "It is the sections of the City where this older housing is concentrated or found in large numbers that make up the overwhelming proportion of our slum, blighted and deteriorating areas. And quite understandably it is in these areas and in this housing that the segment of our population which can least compete for decent housing is largely concentrated."

How in the world then is it possible for a study to penalize precisely these very same people by calling for rent increases? And of course the families who live in the worst housing and who probably have the smallest income would be asked to pay the largest rent rises -- up to $40 more per month!

Economically the Children's Museum area is not a wealthy area; in fact it is a relatively poor area. The City Planning Commission lists the median income of families in this area as $4800 per year. Contrast this with the median income figure given by the Bureau of Labor Statistics which indicates that Brooklyn as a whole, in April, 1960, had $5816 per family. Thus the median income of families in the Children's Museum area is about a thousand dollars a year less than in Brooklyn as a whole. Despite this fact, rentals in the Children's Museum area are substantially higher than in Brooklyn as a whole. Even in 1962, when our Council published a study of selected housing characteristics in the Parkway Stuyvesant area, it was found that rentals were more than 5% higher than in Brooklyn as a whole! Due to the large degree of mobility of tenant families in this community, the differential is far greater today!

How can a program which states the following be designed to meet the needs of the people of our community:

> "Rehabilitation housing standards can be set sufficiently high to bring residential buildings up to more than minimum level without causing rent increases which would be totally out of the reach of existing tenants." ?

The fact is that, considering that the rent-income ratio is higher in this community than in Brooklyn as a whole, any increase in rentals must be avoided. If anything, programs should be designed to reduce rentals!

We are speaking of an average increase of $16 per month per family, more than $215,000 dollars each year that the people of the Children's Museum area would have to pay out of their already scanty paychecks. Are they in favor of such a program? On page 17 of the Report, the following statement is made:

> "In group meetings and individual interviews, the opinion of local residents has been sought, and this has been in most instances, that they and their neighbors would be willing to pay the projected rent increases for the type of housing improvement proposed."

This is a downright distortion of the feelings of the tenants of our community. I challenge the City Planning Commission to poll the few tenant representatives who participated in the Children's Museum Community Renewal Committee. No one, I repeat, not one, is in favor of the projected rent increases! In fact, Mr. Robert Moore, our lone representative on this Committee spoke out sharply against the entire concept when it was first introduced in June at a meeting where study data was supposed to be 'fed-back' to the community for their appraisal. Mr. Moore's fears and opposition was tempered somewhat when City Planning Commission representatives clained that the increases would be of a minimal nature - possibly two or three dollars a month. To this we may have very, very reluctantly agreed. However, it would be sheer folly for this Commission to be under any illusion that the tenants in the Children's Museum area will support any program that is guided by the premise that rentincreases shall finance rehabilitation.

RENT-INCOME LEVELS

The obvious callousness of the Rehabilitation Report is evident on Page 34 where the last paragraph states:

> "The studies have shown that 32. 2% of all households in the five study areas would be paying 35% or more of their income for gross rent after rehabilitation. However, 24. 4% of the total number of households now have a rent-income ratio exceeding 35%. The fact is that rehabilitation under current programs would increase this percentage by less than 8 points indicates that rehabilitation can be neither the hero nor the villain in dealing with the serious economic problems of these families. "

In other words, we've got a bad situation now and rehabilitation is only going to make it a little bit worse! This is indeed heartfelt concern for the people of our community.

We wonder, too, why the City Planning Commission seems to feel that 25% of income for gross rent is a sort of cut-off point which families can easily afford. On page 34 of the Report, there is this statement:

> "In addition the studies show that almost one-half of the households in all areas would live in vastly improved rehabilitated housing and still pay less than 25% of their income for gross rent. This points to one of the most encouraging findings of this study: ... a large proportion of the housing supply in these areas could be rehabilitated and still remain within reasonable rental ranges."

A thousant dollars a year for rent out of a $4000 income leaves precious little for a father and mother to spend on other vital needs such as food, clothes, carfare and an occasional movie. How, gentlemen, would you like to try to feed, clothe and otherwise rear a family on $3,000 a year?

The fact is that rents in the Children's Museum area are already too high, according to New York City's own standards! For instance, the City's no-cash subsidy public housing and subsidized public housing both relate rentals to income and use about 15% as the desirable level. If public housing charges 15% of income for rentals, why, then, does the City Planning Commission feel that 25% is a desirable ratio? We know that a higher rent-income ratio is socially undesirable and can be paid only at the expense of other items of the family budget. I am not going to say that this program will take the milk out of the mouths of babies, but it amounts to precisely that. You would penalize the young children of our community and their parents who are struggling to make ends meet if you approve a program which will increase their rents!

OTHER DIFFERENCES

There are other very serious shortcomings in this report. While 60% of the buildings in our community have resident small homeowners, the bulk of the community live in apartment houses which are absentee-owned and controlled. Yet, despite this, researchers admit on page 41 that there were no interviews with those absentee owners who bear the prime responsibility for the fact that our community is rapidly deteriorating. In fact, the study, in a circumspect manner, indicates precisely how the speculator, who has been ignoring the Multiple Dwelling Law and the Rent Agency regulations with impunity, can now make a bundle. On page 42 is this gem:

> "An area rehabilitation program also can provide an excellent opportunity for the responsible owner, who finds himself in the position of being an involuntary code violator, to bring his property to sound standards and still realize a reasonable profit."

This 'reasonable profit', incidentally, is only a mere 12% as compared to the 6% profit guarantee of the City Rent Agency and the roughly 4% median rate of return on 981 stocks listed on the New York Stock Exchange!

But what will be the mechanism for limiting rent rises? In rent-controlled apartments, possibly, the City Rent and Rehabilitation Agency may be asked to permit the scheduled increases. But will this program guarantee that in the decontrolled units the increases will be limited? Will these decontrolled units, including some of the worst housing in our community, be put back under rent control as they should have been years ago?

The primary responsibility for poor housing in the Children's Museum area lies with the absentee landlords. They neglect their property while City agencies look the other way. They amass huge profits - just look at how rents have climbed in our community while services and maintenance have taken a nosedive. How then can the City Planning Commission propose a program, let alone ask us to support it, that would further enrich these slumlords? We feel that any rehabilitation program should use as its jumping

(continue on page 12 please)

off point a program to penalize these absentee slumlords, not enrich them. Mrs. Hortense Gabel, the City Rent and Rehabilitation Administrator pointed out on June 3 of this year that:

> "the most powerful incentive to maintaining properties is the threat to the landlords' pocketbook..."

The Planning Commission has apparently either overlooked or ignored this 'powerful incentive' for improvement. Nowhere does this report suggest penalties for absentee landlords who permit their properties, the tenants therein, and the surrounding community to become victims of creeping deterioration!

RENEWAL RECOMMENDATIONS

Let me state that generally we are against the Renewal Recommendations, especially Section B. Recommendations For the Development of a Broad Rehabilitation Program. We say this despite the fact that under point 3 there is a statement that there may be a selective use of tax abatement and point 5 does indicate that there may be consideration of temporary rent subsidies to low-income families so that they can pay the proposed inflated rentals.

We wonder whether point 5 means that the 10 percent of the community that are white tenants 62 years or older and who will be asked to pay 54 percent of their income for rent will receive Dept. of Welfare subsidies? And how about the single Negro tenants who are asked to pay 29 percent of their income for rent; will they too have to submit to City investigation, official forms, red tape that tends to degrade and only adds to the overall City expenditures? Are we, in effect, through our taxes, being asked to increase the already fantastic welfare payments that the City now makes to the slumlords of our neighborhood?

About the only thing that we can find to really agree with are some of the recommendations that are listed in Section A. Recommendations For Immediate Action. We do not agree with all ten listed points but we believe that most of them do have some merit and can be useful in helping to improve the housing inventory.

RENT CONTROL

We particularly need an area office which could be used as a base for City agencies in a program of vigorous code and regulation enforcement. It is especially necessary that the City Rent & Rehabilitation Agency cease its neglect of this area and initiate a special program to help rehabilitate poor housing.

We know that there are critics who are prepared to, as they have numerous times in the past, blame Rent Control for the deterioration of housing in this City. This is utter nonsense! In our community we have seen the buildings at 951-957 St. Marks Avenue: buildings which were removed from rent control through conversions and which then rapidly deteriorated to become the most expensive housing (paid for by the N. Y. City Dept. of Welfare) and the worst slums in the entire area! Let me refer to the article in the New York Times of June 4, 1963, where it was reported:

> "The City Rent and Rehabilitation Administration announced yesterday the restoration of rent controls on seven 'pseudo hotels' for failure to upgrade their premises.
>
> "In making the announcement, Mrs. Hortense Gabel, head of the Agency asserted that the action showed that the 'absence of rent control was no incentive to rehabilitate or even maintain properties in decent, safe and sanitary conditions.'"

The elimination of rent control would, of course, as it has in our community, mean huge rises in rentals, dwarfing even those proposed by the City Planning Commission. On Jan. 19, 1961, when Robert Herman, State Rent Administrator, submitted his report to Gov. Rockefeller, on the Survey Of The Rental & Housing Market, he pointed out that within one year after decontrol rents in White Plains rose 62.8%, in Hempstead 36.9% and in Albany 52.2%! Suffice it to say that the City of Albany has since requested the re-institution of rent controls!

OUR PROGRAM

The Tenants Welfare Committee of PSCHC, representing a large fraction of the tenants who live in the "Childrens Museum" area is extremely interested in rehabilitation in our neighborhood. We have been concerned enough to prepare more than one alternate proposal, In order to eliminate reviewing the several pages that these proposals take up, I'm appending them to this statement. I will mention here briefly one important alternate.

It's a relatively simple proposal. The City of New York should set up a special Bank, detailed in the appendix, which could make 20-year loans to absentee landlords and small homeowners. The City would extend its tax abatement program that now applies to middle-income cooperatives and limited-profit dwelling units, so that each year tax abatement would be granted to the property owner who is maintaining his property in an amount equal to the annual re-payment of the principle and interest of the 20-year mortgage. The Federal and State Governments would be asked to repay to the City subsidies for the implementation of this program. The subsidy program would be coupled with a strong drive for code enforcement and making it unprofitable for slumlords to stay out of the program. Decontrolled units would automatically be put under rent control to help guarantee rent stabilization and maintenance.

The amount involved is surprisingly small, Subsidies by the Federal government alone of the order of $100,000 per year would help the 36,284 residents of the "Childrens Museum" area in obtaining and living in 12,820 clean, decent dwelling units! Surely this is a small price for the Federal or State government to pay when one considers that it costs almost $20,000 to build a single unit in public housing! Here is an opportunity for the government to realize tremendous savings in outlays for housing by rehabilitating an entire community of almost 13,000 dwelling units for the same price that it would cost them to construct 100 new units.

Who can dare say that such a program does not more nearly meet the needs of the tenants and the small home-owners in the "Childrens Museum" area than the proposals implied in the "Rehabilitation Report?"

If the City Planning Commission feels that this proposal or other proposals are unrealistic or undesirable, then we maintain--unlike the Commission which has given us a take-it-or-leave-it ultimatum--that we are not wedded to them. We are willing to consider alternatives and we believe that the Planning Commission should consider our proposals and other ideas seriously. Certainly a program which may affect not only a million dwelling units in New York City, but which may become the prototype for rehabilitating millions of apartments and homes throughout the nation deserves the utmost consideration and study.

It has even been suggested that possibly the Commission might send a delegation abroad to study housing in other lands in much the same way that

Mayor Wagner sent experts to foreign countries to study off-track betting. Some of the best housing in the world, for example, is in Stockholm, Sweden, where authorities have a policy of seeing that rents do not exceed a specified portion of income.

CONCLUSION

If this Commission approves the "Rehabilitation" proposals by designating the "Childrens Museum" area, it will be depriving the majority of our community of the ability to buy decent food, provide savings so that the children of Negro tenants may have the same educational opportunities as white children in more well-to-do areas, and adding generally to the economic burden of an already semi-depressed area. If the Commission will not accept our proposals, then we ask that a brand new pre-designation statement be issued that truly meets the needs of our community. Do not, above all, violate our belief in the processes of Democracy by approving a plan which 90 percent of our community opposes.

****

APPENDIX

The following alternate methods of financing the rehabilitation of the "Childrens Museum" area are not based upon existing practices or laws. Additional legislation and new procedures may be required to institute any of these proposals, but this should not be used as an excuse for refusing to consider the merit that the proposals may contain.

Alternate No. 1

As a first step toward a rehabilitation program the City should impose a "Slum Eradication Tax" on deteriorating and substandard rental units. The tax levied should at least equal the existing property tax currently in effect. Thus, if a slum property now pays a property tax of $2,000 per year, there would be a surtax of $2,000 imposed as a "Slum Eradication Tax" so long as the property remains substandard. This would provide a powerful incentive for the slumlords in the "Childrens Museum" area to clean up and fix up their properties.

This "Slum Eradication Tax" is a logical extension of the City's (and the State's) tax abatement policy. In its current housing program the City grants tax abatement to cooperatives and limited-profit rental units, thus rewarding those who improve the housing stock. The "Slum Eradication Tax" is nothing but a reverse 'abatement,' penalizing those who harm or damage the housing stock.

To encourage the landlord to improve his property, the City could offer another incentive; a low-interest long-term mortgage up to 100 percent of the cost of improvement or rehabilitation. The City should establish a special Renewal and Rehabilitation Bank which would make 20-year loans at 1% interest to landlords in rehabiliation areas. Such loans would greatly reduce the Planning Commissions estimated costs of improvements as can be seen from the following table:

TABLE 1

Estimated Rehabilitation Costs Per Housing Unit By Residential Type, State of Moderate Deterioration, Childrens Museum Area.

Residential Building Type	Actual Cost*	Cost & Interest CPC Proposal**	Cost for Our Plan***	Difference
Frame House	$1,500	$2,988	$1,750	$1,238
Small Masonry Bldg.	$ 800	$1,594	$ 934	$ 660
Old & New Law "T"	$1,800	$3,586	$2,100	$1,486
New Law Excluding "T" & Multiple Dwelling	$1,400	$2,789	$1,632	$1,157

Note: Dwellings in a state of moderate deterioration comprise 84% of units in "Childrens Museum" area.

*Includes General Contractors overhead and profit, but excludes financing costs, return on equity and other charges.

**Includes Rehabilitation costs plus payments for 20 years on a 20-year 6% mortgage covering 60% of the Rehabilitation cost and a 12% return on the equity investment.

***Includes Rehabilitation costs plus payments for 20 years on a 20-year 1% mortgage covering 100% of the Rehabilitation costs.

Thus, in the "Childrens Museum" area the cost of rehabilitating structures in a moderate state of deterioration would be reduced by 40% below the estimates of the Planning Commission. Total costs over a 20-year period for rehabilitating one unit in a frame structure would be $1,238 less in this proposal; in a masonry building it would be $660 less; in an old and new law "T" tenement $1,486 less; and in other buildings, $1,157 less.

This proposal would give the landlord four distinct incentives to improve his property:

1. He will not have to pay the "Slum Eradication Tax."
2. He will be able to borrow funds very cheaply and will not have to make any equity investment.
3. He will increase the value of his property.
4. He will increase his depreciation allowances, thereby reducing his Federal and State income tax liabilities.

In addition, we propose that the City should provide additional help to the small homeowners, many of whom pay a disproportionately large share of their income for financing charges, taxes, fuel, etc. The City Planning Commission survey, for example, reveals that at least half of these households pay 24% of their income for these items. We propose therefore the following:

1. Exempt resident homeowners from the "Slum Eradication Tax."
2. Allow them to offset 50% of the improvements costs against their real estate tax. This would be similar to the provision in the Federal Tax Law which permits corporations to claim tax deductions of 7% of the purchase price of new equipment.
3. Refrain from raising assessed valuations after the rehabilitation improvements have been made.

In order to enable landlords and small homeowners to borrow money at 1%, we propose that the City set up a Renewal and Rehabilitation Bank. The capital for this bank can be raised in the following ways:

a) Capital from the "Slum Eradication Tax."
b) Compel all banks, insurance companies and other financial institutions dealing in mortgages to buy non-voting stock in this Bank. This would be similar to the way the Federal Reserve Bank and the Federal National Mortgage Association operate. This stock would pay no interest but would pay dividends when and if the Renewal and Rehabilitation Bank makes a profit. The City, too, together with its pension funds could buy some stock.
c) The City could borrow money on the open market, According to an advertise-

ment in the Wall Street Journal of September 11, 1963, the City must pay approximately 3.5% on its tax-exempt 20-year bonds. By borrowing such money at 3.5% and re-lending it at 1%, the proposed Bank stands to lose 2-1/2% on each loan. This represents a very small sum, though, only of the order of a few thousand dollars per year for the entire "Childrens Museum" area! This could be made up by the General Tax Fund or even fully financed by the "Slum Eradication Tax!"

The foregoing alternate proposal is in effect an amalgam of many proposals and ideas, each of which can help to finance rehabilitation in the "Childrens Museum" area without adding an extra burden to the tenants of the community who can ill afford any increase in rentals.

Alternate No. 2

We propose that the City of New York set up a special Renewal and Rehabilitation Bank which would be capitalized as detailed in Alternate No. 1. This bank would make 20-year mortgage loans to landlords and small homeowners of up to 100% of the amount needed for rehabilitation of the property. Interest would be at the rate of 1% per annum and the City would extend its tax abatement program that now applies to middle-income housing so that property owners who join the "Rehabilitation Program" would receive a tax abatement each year equal to their mortgage payment for that specific year. A special section of the Building Dept. or a new Bureau of Inspection consisting of inspectors trained to check the progress of rehabilitation in each area would inspect each building in the program annually to certify that rehabilitation is being accomplished and the property is being maintained. If the property is not being maintained, and this can be indicated by inspection and tenant complaints, then tax abatement shall not be granted for that year.

New legislation shall also be promulgated which would help to develop more vigorous Code enforcement by inspectors and City agencies. It should be made unprofitable for landlords to remain outside the rehabilitation program. Those who join the program and have decontrolled units shall have their dwelling units placed under the City Rent & Rehabilitation regulations.

The Federal and State Governments should be asked to assume the cost of the entire program through subsidies or grants. The cost for the "Childrens Museum" area would be minor, of the order of $100,000 per year for 20 years. This compares very favorably with the construction costs of new low-rental units which average about $20,000 per unit. Thus, instead of 100 new low-rental units, the Government would provide with the same funds rehabilitation of the entire community of 12,820 occupied dwelling units!

These are very brief outlines of alternate proposals. We maintain that rehabilitation can and must be accomplished without raising rents. We leave it to the expers of the City Planning Commission to devise programs or utilize parts of ours that will accomplish this end.

-end-

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October 21, 1963

City Commission on Human Rights
80 Lafayette St.
New York 13, N.Y.

ATT: Madison Jones, Executive Director

Dear Madison Jones:

CORE feels that the function of the City Commission on Human Rights would be enhanced by maintaining the voluntary panel of Commissioners which now exists, expanded to include others who have legal training, proveded that this structure is coupled with immediate steps by the Commission to hire its own counsel and to employ a sufficient number of hearing examiners to speed processing of discriminatory complaints.

Sincerely,

Norman Hill
Program Director

NH/mm

OCT 17 1963

MEMORANDUM

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CITY COMMISSION ON HUMAN RIGHTS OF NEW YORK
80 LAFAYETTE STREET, NEW YORK 13, NEW YORK
566-5588

Date: October 16, 1963

To: Private Agency Representatives Invited to June 7, 1963 Meeting on Commission Structure.

From: Madison S. Jones, Executive Director

You will recall that on June 7, as a first step in our discussion on the strengthening of the Commission, we met to consider possible alternative structures. It was agreed at that time that after the Commission itself had thoroughly considered the matter we would report back to you for your comments.

The following six possible alternative structures were considered by the Commissioners at their meeting on September 26.

1. The voluntary panel which we now have... but strengthened with the filling of the vacancy which now exists and one or two of others which shall occur with law-trained individuals.
2. The modified voluntary panel in which the Executive Director serves as a Commissioner.
3. The modified voluntary panel in which the Chairman (of the fifteen-member body) serves also as the paid executive officer.
4. The modified voluntary panel in which the Chairman (as well as the Executive Director) are paid.
5. The paid three-five-or-seven member panel either operating on a full-time basis (e.g. the State Commission for Human Rights) or on a part-time basis (e.g. the Tax Commission).
6. The vertical, conventional City department with a Commissioner at the head and subordinate first, second and third deputy commissioners.

The Commissioners unanimously approved alternative number 1. The workability of this plan is predicated upon the fact that the Commission staff has been strengthened appreciably and that a highly qualified Counsel will be employed in the immediate future. It is further predicated upon the possibility that an amendment to our local law will make it possible for us to employ Hearing Examiners so that the Commissioners will be relieved of the responsibility for sitting as hearing officers on the numerous hearings on housing discrimination complaints.

May I ask that you convey to me any comments in connection with this subject matter before the end of the day, Monday, October 21. I shall report your reactions to the Commissioners at their meeting on Wednesday, October 23.

Thank you.

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City Commission on Human Rights of New York
80 Lafayette Street
New York 13, New York

Tel: 566-5325

POLICY STATEMENT ON THE STATE OF THE NEGRO TODAY

Adopted at Commission Meeting
October 23, 1963

The City Commission on Human Rights of New York was established under a legislative finding that discrimination because of race, color, religion or national origin threatens the welfare of our free democratic society and a legislative mandate to give effect to the guarantee of equal rights. In carrying out our responsibilities, the Commission has concluded that true equality requires us to give new meaning to this legislative command.

Government agencies in this field have traditionally sought to achieve equality by eliminating discrimination against the individual in obtaining an education, in garnering adequate housing, in seeking a job and job advancement. We have long protested that ours is a color-blind society, by which we have meant that the "color" of an individual should not deprive him in any way of his fair share of the essentials of our life -- schooling, housing and employment. It is obvious that no matter how good the intentions of the liberal community such as ours have been, we have not succeeded. We have only to examine the educational lag of the Negro, the housing pattern in every Northern city and the job limitations of this one-tenth of our American citizenry to see that we have failed.

For a hundred years the deliberate "color-consciousness" of a prejudiced and unconcerned white majority has placed the Negro at a competitive disadvantage that cannot be eliminated by old methods and old means.

It is the Negro as a group which has suffered; it is the group which is deprived; it is the group which is discriminated against. Therefore, it is the same group for which affirmative steps must be taken; it is the same group which must receive recompense for the inequities of one hundred years.

This Commission, therefore, urges preferential treatment to deal with the historic and existing exclusion pattern of our society. For a limited period, until the gap is closed, we urge aggressive action in every area to accelerate the minority group's full participation in the benefits of American freedom. Society must work affirmatively for integration rather than negatively for desegregation. Color consciousness as a concomitant of such an effort is necessary and appropriate.

We have already begun so to act. In education, the New York City Board with the support of the State Education Commissioner and this Commission is seeking affirmatively to achieve integration in our schools and to provide special services for Negro children to offset the inferior education they have received in the past.

In housing, the City Housing Authority and the City Housing and Redevelopment Board in conjunction with this Commission have existing and ongoing programs not only to assure non-discrimination but to achieve integrated occupancy in housing at all economic levels.

In employment, this Commission has successfully urged major American firms, based in New York, to take affirmative steps to bring Negroes into job opportunities never before opened to them. And the City administration itself has pioneered in what President Kennedy has now established as the Federal government's own approach, to seek aggressively the employment of qualified Negroes and their promotion thereafter.

We submit that there must be conscious effort to find employment for qualified Negroes, wherever they have been barred in the past. This does not mean the establishment of a "quota" system, a device whose very existence places a limitation on progress. But it does mean the rejection of tokenism -- the placing of two of three Negroes as a gesture toward integration.

This Commission urges such a policy as the only way to give meaning and reality to the concept of "equality in our free society." We submit that this policy is applicable to other minorities, such as the Puerto Ricans, who have been subject to similar inequities. We are one with those who have stated so succinctly "Justice delayed is justice denied!"

Report by the

CITY COMMISSION ON HUMAN RIGHTS OF NEW YORK

on

BLOCKBUSTING

October 29, 1963

The City Commission on Human Rights of New York
80 Lafayette Street
New York 13, N.Y.

STANLEY H. LOWELL
Chairman

MADISON S. JONES
Executive Director

SUMMARY

In the fall of 1962 the New York City Commission on Human Rights initiated an extensive investigation of real estate practices and property transactions in the East New York Section of Brooklyn. This investigation was undertaken in response to a substantial volume of inquiries and complaints from individuals and organizations in the neighborhood, who were distressed by a pattern of operations and activities commonly described as blockbusting.

In the words of a national official of the NAACP, persons who engage in blockbusting seek . . . . . . "by deception, manipulation and the instilling of fear and anxiety, to induce white people to sell out at the lowest possible price in order to exploit the desperate need of colored people for a place to live and charge them exorbitant prices."

This investigation, which led to a series of public hearings on blockbusting, the first ever held by any governmental body in the nation, revealed sordid patterns of racial and economic exploitation of New York City families desperately seeking decent places in which to live. The information developed from this investigation and public hearing, and which this condensed report presents, is vital to the determined effort of the City of New York to achieve a truly open housing market free of artificial barriers based on race, color, creed or national origin.

The Commission's findings and recommendations which comprise the major portion of this report must also, in addition to their import for governmental action, be regarded as having serious implications for responsible leadership in the real estate industry and in the banking and lending community which engages in mortgage financing.

The East New York Section of Brooklyn has been described as one of the most improved areas in that borough. The area, consistent with patterns that have characterized the residential growth of many neighborhoods in New York City, has experienced many changes in population. Originally settled by families of Italian descent, it progressively has been occupied by Jewish, Polish and Greek Orthodox Russian families. During the past decade a small number of Negro families also has been attracted to this predominantly white community and the neighborhood has enjoyed this pattern of racially integrated living in peace and quiet.

According to the testimony of residents, the East New York Section has many attractions that makes its inhabitants reluctant to move elsewhere. Although many houses are 40 to 50 years old, the community as a whole was described by residents as "very desirable." It was reported to have new schools, new Y's, a new library, new parks, new shopping centers, a new street lighting system and excellent transportation. Many of the residents who appeared as witnesses in the public hearings had lived in the East New York Section from 9 to 20 years. Several others who filed complaints had resided in the community for periods ranging up to 38 years.

The crux of the complaints registered by these families was that over a span of two years, their previously stable, integrated community had become a target of intense speculation by real estate operators whose practices and procedures were not only disrespectful and exploitative, but also induced racial tension and disorder.

The testimony presented at the hearing revealed a clear cut pattern of sales practices and procedures designed to panic white home owners into selling their properties and then to resell these homes exclusively to Negro and Puerto Rican families at prices consistently far above market value. These practices ranged from the saturation of the neighborhood with postcards and flyers stressing the availability of ready cash for those inclined to negotiate a quick sale, to a barrage of telephone calls by day and night warning that Negroes were moving into the area, and that property values would soon collapse. Aggressively insistent home calls were made on busy housewives. At least one such caller warned a housewife that her daughters might no longer be safe on the street.

One dramatic technique reported by several witnesses was the deliberate parading of groups of Negroes, presumably prospective buyers, up and down a block to look at houses. These, and several other approaches calculated to panic white home owners into selling their properties in a hurry and at prices lower than the current market value, achieved the desired effect over a span of months. There was a record of extensive turnover in home ownership in the East New York Section and, in each transaction investigated by the City Commission, title always passed from white to Negro or Puerto Rican ownership.

This trend persisted despite the individual and organized opposition of leadership elements in the community. Signs reading, "This House Not for Sale" were placed in many windows but failed to discourage speculative operators. A Council for a Better East New York, comprising nearly 30 neighborhood and block organizations, also was created and worked in close cooperation with staff persons from the City Commission on Human Rights. It should be noted, however, that while this cooperative effort utilizing the Commission's services and professional assistance did have a marked effect, it was not until the entire situation was exposed to public view and public criticism that the speculative activity in the area appeared to end.

The East New York section of Brooklyn is only one of several areas of New York City, where the changing racial patterns of residency holds attractive potentiality for unscrupulous profiteers. This circumstance, coupled with the fact that Negro and Puerto Rican families in their desperate search for decent housing, continue to encounter obstacles which make them easy prey for speculators, sharpens the Commission's hope that this report may lead to corrective action and constructive change.

In this regard, it may be helpful as well as enlightening, to cite the pattern of stages which the Commission found to prevail in the real estate transaction it studied:

(1) Panic selling by the white home-owner. This took the form of willingness to accept a speculator's cash offer, which amounted to substantially less than the current market value of the property.

(2) Resale of the property, after only a short time lapse, to a Negro or Puerto Rican purchaser at an exorbitant markup.

(3) Resort by the minority buyer to the high cost of secondary financing with two or more mortgages, such mortgages being obtained for him by the speculator.

(4) After years of paying the high premiums required to carry the second, non-liquidating mortgage, the new home owner finds himself faced with a large sum due and payable immediately. His alternatives are borrowing a large sum of money to pay off a

second mortgage, attempting to obtain refinancing and facing foreclosure.

(5) In order to save this home he attempts whenever possible, to refinance the sum due. To do this, he again assumes the burden of high premiums because the same conditions that saddled him with heavy mortgage payments at the start still exist - lack of cash, the absence of substantial savings and the inability to obtain a loan through conventional channels. He is on a debtor's treadmill.

A detailed analysis of 11 specific property transactions in the subject area, selected at random, revealed additional facts. This information dramatized the fact that blockbusting activities are as exploitative of the economic interests of white home owners as they are of the economic disadvantages of Negro and Puerto Rican home buyers.

These financial transactions show that:

(1) Although the average price paid by a speculator to a white owner was just under $12,000, the average resale price paid by a Negro purchaser was $20,000.

(2) The assessed valuation of all but four of the eleven properties was less than $10,000, the highest was assessed at $14,000.

(3) The estimated fair market value of the eleven properties ranged from $8,125 to $13,125.

(4) Prices paid by Negro purchasers exceeded fair market value anywhere from 28.5 percent to 118 percent. The average markup was 73 percent.

(5) The interest rates paid by the Negro home owner for mortgages on his property were spectacularly higher than they would have been if he had been able to finance the purchase of his home through an FHA or VA loan or through conventional lending channels.

FINDINGS AND RECOMMENDATIONS

The information developed by the City Commission on Human Rights in conducting its investigation and public hearing of blockbusting activities, presents an unsavory picture of exploitation of racial prejudice for private profit.

The hearing provided insight into the conditions under which blockbusting thrives. It spotlighted the ignorance and latent prejudices of many white residents of a once stable community that made them easy prey to panic when the neighborhood began to change. It highlighted the desperation of minority group families whose difficulties in finding homes at prices they could afford were compounded by a prejudice that made them unwelcome neighbors and forced them to pay exorbitant prices for property that was worth substantially less.

While it is true that sellers and buyers both were victims of unscrupulous real estate operators, the fact remains that these operators, in turn, could not have flourished without the benefit of the adverse set of social and economic circumstances, which still plague most minority families in their efforts to obtain decent housing. These social conditions are represented in the continued prejudice and intolerance which denies the right of Negro and Puerto Rican families to bargain freely in an open housing market. The economic conditions, no less difficult to overcome, are the end result of inequality of opportunity in employment and restricted access to normal mortgage financing resources.

It also should be noted that the blockbusting studies undertaken by the City Commission on Human Rights clearly revealed that real estate operators and not state licensed brokers predominate in this shady market. While the incidence of involvement by licensed real estate brokers in the subject area was noticeably limited, the impression emerged with equal clarity that the real estate profession generally is equated by the public with all who deal in the purchase and sale of homes. This interpretation on the part of the general public has serious implications for the image and prestige of the real estate industry and it would seem to indicate that the profession must share an interest with the City Commission in the prompt correction of the problem of blockbusting.

The same reasoning applies with equal validity to the banking and lending industry in the City of New York. The image of the entire industry, which has the obligation to serve the whole market in compliance with law is affected by the malpractice of a substantial portion of it which declines to make available adequate mortgage financing to Negro and Puerto Rican families.

The issue of mortgage financing, and its availability to moderate income minority families bent upon purchasing their own homes is central to the whole problem of blockbusting. An appeal to the ignorance and prejudice of white home owners was the key factor in obtaining homes for speculation. The unavailability of normal bank financing was the contributing factor in their resale to Negro and Puerto Rican families. While it is true, of course, that no prudent institution should be expected to mortgage properties which have been priced high above their actual market value, the fact remains that Negro and Puerto Rican families would be far less likely to enter into such deals if they knew that adequate mortgage financing would be available to them on their own application. The families who purchased homes from speculators in East New York did so with a conviction that there probably were no other financial arrangements available to them.

The abusive practice of blockbusting as exposed by the City Commission on Human Rights clearly indicates a need for prompt and vigorous corrective action. Program efforts to eliminate this intolerable activity must be multi-faceted, reaching out not only to assist those families who are being exploited, and to restrict those operators engaged in such exploitation, but also, and perhaps more importantly, to promote with the support of responsible leadership in industry, a climate of business morality that rejects racial prejudice and racial exploitation, as both undemocratic and unprofessional.

Finding Re Legislation

There is a complete absence of professional standards and ethics among those real estate operators who, for reasons of financial gain, continue to exploit the racial and economic disadvantage of Negro and Puerto Rican families. The Commission's studies revealed that these speculators operated largely as principals. Since they were not required to carry brokerage licenses, they were able to operate outside the pale of existing City and State Laws and appropriate regulatory agencies.

Recommendation

The Commission's studies clearly indicate a need for the extension of existing laws affecting discriminatory practices in housing. Legislation should be passed to curb racial exploitation by real estate operators who function outside the purview of existing licensing and regulatory agencies. The Commission is aware that such proposals are being worked on by interested parties for consideration and recommendation by City Commission on Human Rights. These proposals will be given prompt and serious review.

Finding Re Housing and Home Finance Industry

There is an inability of minority families to obtain on the free market adequate first mortgage financing which would bring moderate priced existing housing within their reach. This exclusion from normal mortgage finance channels coupled with a complex pattern of mortgage placement practices and the easy availability of second and third mortgages at exorbitant cost make minority families easy prey for speculators.

Recommendation

Banks and lending institutions, including the FHA and VA agencies of government play a pivotal role in the local private real estate market. These institutions and agencies serve the best interest of the general public when they serve the maximum number of families.

I. We strongly urge that banks and lending institutions throughly re-evaluate and examine the entire scope of their operations including all practices, policies and regulations with an eye toward extending their mortgage finance services to a larger segment of the home buying public. Foremost among these considerations should be a review of criteria which are employed in the determination of property values and credit eligibility for mortgage financing.

II. Because minority families of moderate income have been found to encounter undue difficulty in procuring mortgage financing, the City Commission further recommends that responsible leadership in the lending industry make an affirmative and special effort to extend mortgage financing to them.

III. The brokers, managers, institutional and insurance investors in housing also have a role. We call upon these interests to take the initiative in a special effort to encourage the voluntary opening of neighborhoods presently characterized by an absence or paucity of minority families. Such an effort would complement the positive programs of various municipal housing agencies which, in cooperation with the City Commission on Human Rights, are working aggressively to advance a democratic pattern of residency in New York City.

Finding Re Housing Supply

There is a continuing shortage of an adequate housing supply for families of low and moderate income levels in the City of New York. Speculation on any basis, racial, economic, or otherwise, trades on imbalance between supply and demand. In the face of this shortage, many families who have been able to improve their economic circumstances, have not been able to enjoy residential mobility from low to moderate to middle income housing within the city. For minority families the problem is compounded by their continued racial exclusion from neighborhoods of certain economic levels.

Recommendation

There must be vigorous support of all responsible leadership in New York City for the City program to expand the low and moderate priced housing supply. The struggle to balance housing needs with the construction of an adequate volume of units, however, necessitates support and cooperation from every segment of government. In this regard the need for an increased allocation of public housing funds from the State of New York and renewed federal assistance is imperative.

Finding Re Educational Programming

There is a lack of complete knowledge and understanding on the part of the minority community in New York City of the security and coverage of the City's Fair Housing Laws. The Commission on Human Rights is expanding its educational program effort to meet this challenge. Making certain that the general public understands the City's laws against discrimination in housing, may not, however, be sufficient. There are indications that broader, more comprehensive information, including the basic fundamentals of sound real estate and mortgage financing transactions, may be necessary.

Recommendation

There must be a vigorously accelerated educational campaign to make known to the entire public, particularly the minority community, the right of all families to enjoy equality of opportunity in the rental or purchase of housing in New York City without regard to race, creed, color or national origin. Such an effort, asserting the scope and power of the City's Fair Housing Laws should be coupled with informational material and services designed to advise all families on sound principles and fundamentals involved in the purchase and sale of real property.

This latter type of educational effort however requires the services and counsel of the real estate profession. The City Commission on Human Rights calls upon local representatives of the National Association of Real Estate Boards and the National Association of Real Estate Brokers to join in the formatior and presentation of an educational program designed to meet this need.

STATEMENT OF
COMMISSIONER ELEANOR CLARK FRENCH
CITY COMMISSION ON HUMAN RIGHTS BEFORE THE TEMPORARY STATE COMMISSION ON LOW-INCOME HOUSING
October 29, 1963 - AT THE BAR ASSOCIATION BUILDING

The New York City Commission on Human Rights is pleased to have this opportunity to share with the Temporary State Commission on low income housing, its views and suggestions regarding the nature and direction of the state low rent housing program.

The responsibility of government in meeting the needs of its people and serving their general welfare, has greatly expanded during this 20th century, and in no area of activity has this role been more proper nor more imperative than in the housing field. The obligation of government to play a positive role in meeting and uplifting the housing needs and standards of its people no longer is subject to challenge or debate. We have learned on a federal, state and local basis that an investment in the housing standards of our people accures to the benefit of our schools, our economic growth and the viability of our community. A vigorous role by government in the housing affairs of our people becomes therefore an investment in the security and well-being of our nation.

This is especially applicable as regards the housing needs of our low income families. The unmet needs of these families in terms of their dwelling conditions and opportunities directly affect a wide range of other social and economic interest and the Temporary State Commission has a responsibility to examine these interests closely.

The City Commission on Human Rights believes that the development of healthy, democratic communities, racially and economically diversified is foremost among the benefits which accrue from an adequate low-rent housing program. We do not, however, believe that the low-rent housing program of this state is geared adequately to achieve maximum results in this direction. The following comments therefore, seem appropriate:

The Need for An Adequate Supply of Low Rent Housing

In terms of the adequacy of supply and production, the state low-rent housing program is lagging far behind the needs and demands of our low income families. In the City of New York for example, there are over 200,000 low income families whose housing needs can only be met with subsidized low-rent units. The City is striving continously to meet this challenge supplementing its own subsidy program with an expansive rehabilitation and renewal effort. This struggle to balance the needs of our low-income families with the construction of an adequate volume of units demands support and cooperation from every segment of government.

We have drawn heavily upon the resources of the Public Housing Administration and our quota of federal funds is now exhausted.

State assistance for low-rent housing in New York City has been less readily available, however, and our effort to keep pace has been seriously threatened. During 1960, 61 and 62, for example, the state released funds for the construction of only 427 low-rent dwelling units. This diminishing rate of support, when compared with an annual average of more than 2,500 state-aided units in prior years seriously jeopardizes the city's effort to meet the expanding needs of low-income families.

The irony of this restrictive State policy during a period of urgent need in New York City is further compounded by the fact that the State has on hand more than $50,000,000 which could be allocated for public housing.

The City Commission strongly urges, therefore, that the Temporary State Commission join in support of a vigorously accelerated state program which will expand the volume of low-rent dwelling units constructed with state aid.

The Need for Legislative Action

The interests of the City Commission on Human Rights in the low rent housing program extends far beyond the issue of adequacy in numbers and improvement in physical standards. In these days and times, nothing demands greater attention and emphasis by government than the dignity and self respect of its people and their civil and human right to enjoy full equality of opportunity. Low-income families, whose circumstances epitomize economic and often social disadvantage, must receive special attention if the goals of dignity, respect and equal opportunity are to have true meaning. Central to all of their needs, is a decent home in a healthy, democratic environment, free of any barriers of racial or economic limitation.

In New York City we have demonstrated that the development of communities on a free and open basis inures to the benefit of the whole city. We have established a legal standard of non-discrimination in housing and have moved, through positive planning and affirmative action to advance racial and economic diversity in housing.

The State of New York, through its executive laws and administrative standards supports this concept. State-aided housing programs are required to promote racial and economic integration as a condition of state financial assistance.

The City Commission suggests, however, that certain legislative housing policies and procedures affecting racial integration warrant revision.

The Neighborhood Preference Law which requires local authorities to extend priority to families residing within a one mile radius of a project should be repealed. Both the City and State of New York are committed to the advancement of racial and economic integration in housing. But the preference law operates in diametric opposition to these objectives by impeding racial integration in projects located in or near areas which are exclusively white or non-white in character.

There is an urgent need for legislative authority and **support** for the principle of affirmative action advancing racial and economic diversity in housing. The promotion of racial integration in housing as a counter effort in the elimination of segregated patterns of living requires special effort on the part of housing agencies and officials. Such efforts, backed by positive **programs**, are imperative if the established policies of the State of New York are to be given meaning and reality.

Existing statutory prohibitions against discrimination fail to reflect the forward-looking policy that the State already has adopted on this issue. In the absence of legislative support, there is confusion regarding both the responsibility of housing officials to comply with state policy and, the legality of their position. The City Commission therefore, strongly recommends an expansion of existing housing legislation which in recognition of the need to develop healthy, democratic communities, gives statutory authority to plan and program for racial and economic diversity in housing.

The Need for Revision in Current Practices

The City Commission on Human Rights also recommends a thorough review of development costs and administrative procedures affecting the feasibility of constructing small projects. The construction of small clusters of projects on scattered sites is a technique that has many social advantages. The impact of new project tenants on a neighborhood is diminished; the creation of a large economically stratified body of tenants is avoided. Moreover, vest pocket projects, by size and design, can be made to blend into the existing neighborhood and, of course, the prospect of racial integration is enhanced. We must move beyond the mere advocacy of such techniques, however, and provide the state low-rent program with sufficient flexibility to make possible the construction of such units on a feasible basis.

The City Commission on Human Rights also is concerned with the matter of attractiveness and design. There is an obvious correlation between the dignity which responsible leadership in government is seeking to secure for all its people and the attractiveness of the housing developments in which many of these people will reside. We believe that low rent housing projects, in order to attract the broadest possible cross section of applicants should be dramatically beautiful. Public housing, when unattractive and institutionalized in appearance, presents a negative image to the public at large. The stigma of identification with such developments adds to the enormous burden which low income families already carry. When the challenge of blending beauty with location and practical design is faced immaginatively, many of the social problems attributed to public housing will disappear.

In conclusion, the City Commission regards the low-rent housing program as an integral factor in our joint efforts to uplift housing standards and develope healthy, democratic residential neighborhoods. The New York State Low-Rent Housing Program is a vital part of this effort and every phase of its administration, including volume of production, site selection, project size and design, must be geared toward advancing - a pattern of racial and economic diversity in housing.

file

THE CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 Lafayette Street - New York, N. Y.

Stanley H. Lowell
Chairman

Madison S. Jones
Executive Director

FOR PRESS RELEASE: Summary of the Commission's Report on Blockbusting

The City Commission on Human Rights today (Tuesday, Oct. 29, 1963) made public its findings and recommendations resulting from its Hearing on "Blockbusting."

"Blockbusting" has been described as a neighborhood destroying tactic of real estate speculators who, by instilling racial panic in white home-owners, cause them to sell their properties, which then are resold to Negro and Puerto Rican families at prices far above market value.

The Commission recommended:

* Legislative action to drive from the market place unlicensed real estate manipulators whose discriminatory practices fall into the definition of blockbusting.

* A re-examination by banks and lending institutions, including the Federal Housing Administration and the Veterans Administration, of their policies and regulations on the granting of home loans and mortgages. The Hearing found that minority families have great difficulty obtaining first mortgage financing in the free market and are forced, therefore, to turn to speculators for easily available second and third mortgages, at exhorbitant cost.

* Vigorous support by all responsible leadership for the City's policy of expanding the low- and moderate-priced

housing supply. Especially important in this is the need for increased State public housing funds.

* A vigorous educational effort geared to informing the entire public, especially the minority groups, of the right of all families to equality of opportunity in the rental or purchase of housing in New York City without regard to race or color.

Of primary importance in this recommendation is a City Commission program to enlist the help of the National Association of Real Estate Boards and the National Association of Real Estate Brokers. It is pointed out that the activities of the speculators, though acting as principals, reflect on the reputation of the entire real estate industry in the public mind and that it is to the interest of ethical realty persons to lend their assistance in combatting the blockbusting evil.

This report by the City Commission on Human Rights represents the culmination of an extensive investigation followed by a series of public hearings on blockbusting activities. The hearings took place during August, October and November of 1962.

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FROM: CITY COMMISSION ON HUMAN RIGHTS
OF NEW YORK
80 Lafayette Street, New York 13, N.Y.
Office of Public Relations & Information
Tel: 566-5597, 566-5587 — Shirley - call ask if they could send this to N.Y. city CORE groups

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Housing NYC

FOR RELEASE: November 15, 1963 (FRIDAY)

A conference, to be held under the sole sponsorship of the City Commission on Human Rights, on problems of consumers in low-income and minority neighborhoods, which was originally scheduled for Saturday, November 23, will be held instead on Saturday, December 7, 1963, it was announced yesterday (Thursday, November 14) by Madison S. Jones CCHR Executive Director. Time: 9:00 A.M. to 4:30 P.M.

Same day as NY Area Conf

The conference, to be held in the auditorium of the Ethical Culture Society, 2 West 64th Street, will take up the special problems of such neighborhoods, including charges of undesirable practices of some retailers, particularly supermarkets. Also on the agenda will be a description of the agencies available to help consumers, and of the laws on the books for protection of the consumer.

An unusual feature for this type of conference will be invitations to top executives of major food chains serving these communities to take part in the deliberations.

Among community groups invited to attend are:

- The Tenants Association of East Harlem
- The Credit Union of Union Settlement House
- The Consumers Union
- The Commonwealth of Puerto Rico
- The National Ass'n for the Advancement of Colored People
- The New School for Social Research

The Urban League
The Bedford-Stuyvesant Area Services
The Lower East Side Neighborhood Association
Local Parent-Teacher Associations

Councilman Robert A. Low also will take part.

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CCHR - 90 (11-15-63)

File
Housing NYC

THE CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 Lafayette Street - New York, New York

HOUSING CONFERENCE WITH LEADERSHIP OF CIVIL RIGHTS GROUPS AND AGENCIES WITH HOUSING PROGRAMS

NOVEMBER 19, 1963

ORGANIZATIONS REPRESENTED

- CORE
- FHA
- NYSDH
- NAACP
- CCRM
- NCCJ
- AJC
- COMMUNITY COUNCIL OF GTR. NY
- AMERICAN FRIENDS SER. COMM.
- N.Y.C. HOUSING AUTHORITY
- COMMONWEALTH OF P.R.
- WOMENS CITY CLUB
- COMMUNITY CHURCH
- RIVERDALE INTG. REL. COMM.
- N.L.C.
- HANA
- ADL
- URBAN LEAGUE
- CSS - HOUSING DIV.
- NYS. DIV. HOUSING

The meeting was opened by welcoming remarks by the Executive Director, Mr. Madison S. Jones, who pointed out the vital role that those present had played and could continue to play in furthering the Commission's expanding activity in the human rights field.

Mr. Stanley Lowell, Chairman, spoke at lenth about the goals of the Commission and its policy for an acceleration of integration in all areas within the framework of the Laws, and especially employment and housing. He indicated that the economic security of the minorities was one of the first orders of business, because without an adequate income, they could not take advantage of the other equal opportunities for which we are pressing.

Mr. Jack Wood provided the group with the background material for discussion, by reviewing the Housing Division's program in light of the current climate for a more aggressive approach to achieve housing integration. Mr. Wood referred to the several fronts on which he saw the Commission moving, and indicated how he saw these lending themselves to joint cooperative action. The following objectives of the Housing Division were spelled out:

Work with the large real estate firms that control huge segments of the housing market.

Influence the role of the banking and lending institutions to be more receptive to the Negro applicants.

CCHR has a responsibility to review City, State and Federal agencies whose programs directly or indirectly touch on housing.
A comprehensive job of public education on all aspects of the F.H.P. Law and the significant advantages of residing in the open city.

DISCUSSION:

Metropolitan Life Agreement.

As a result of several questions there was considerable discussion revolving around the Metropolitan Life agreement. This reflected a recognition of the fact that the new Metropolitan policy, opening up the Parkchester facilities and expanding minority residence in other developments here in New York City and elsewhere throughout the country, was an invaluable first step. Questions were raised, however, as to whether or not the company's policy had trickled down to all of its management offices. Some agencies are continuing to receive complaints and there is a clear need for CCHR to review on a regular and continuing basis the company's policy and program as provided for in the agreement.

Recommendations for Action & Educational Program to Accelerate Integration in Housing

The Minority Community

There was considerable discussion about the need for programing which would bring about greater movement of non-white families out of the Ghetto areas. It developed that several agencies were planning programs designed to reach and motivate the minority community. These included the Urban League, the NY SCDH, CCRM and AFS. It was agreed that, for a more effective service to the minority community, some plan of coordination should be worked out between the respective organizations - and that CCHR should convene this sub-group so that it could report to this body at the December meeting.

The NAACP representative reported that by obtaining the cooperation of ministers, they had reached more persons who were interested in housing, who were referred to their office on Saturdays and evenings. At this time, information is given them on available housing and the F.H.P. Law, etc. The question was raised about the CCHR, sending the NAACP complaint forms which would enable people to file more promptly and therefore insure a greater degree of success in obtaining the apartment in question. After some general discussion about the value of this decentralized service, the Commission Chairman suggest that CCHR would consider this proposal and discuss plans for putting it in operation..

Other concerns on which action was strongly indicated related to housing conditions which are handled by Buildings & Housing, Dept. of Relocations, H.R.B. and Housing Authority. It was suggested that at subsequent meetings the appropriate staff representative from these agencies, be invited to hear directly from this responsible leadership the various ways their agencies could better serve the people.

There was an appeal for CCHR to do some work in Williamsbridge before it becomes another completely segregated community. There are new one family houses being sold only to Negroes and they are over-priced.

The point was made that one way to combat this is that the agencies and organizations reach more and more of the minority people and provide them with adequate housing information - such as where they can find good buys which compare favorably with Mitchell-Lama housing. That apartment seekers be encouraged to use all the resources available and that the advantages of less congested communities be stressed, particularly in cases of families with school age children.

Factors which have discouraged such movement in the past were discussed, such as the lack of knowledge of the Law and fear of being unwanted. It was generally conceded that the leadership had been remiss in making clear the positive benefits, including better schools, code enforcement, municipal services and a better house or apartment for the money spent.

The Housing & Real Estate Industry:

CCNR in an interpretation of its policy and responsibility indicated that it would prevail upon key agents, brokers and institutional interests to take affirmative action resulting in the voluntary opening up of properties and developments within their control.

It was suggested that a joint meeting be called by CCHR for the religious leaders of each faith, the civil rights leaders and a group of real estate men. The purpose, to put before them the position of this leadership and their attitude toward complete compliance with the F.H.P Law. It was felt that the weight of the religious leaders status would effectively influence the trade.

To further implement a direct and indirect educational campaign with the real estate industry, some specific and technical information should be made available to the community resources by the CCHR's Research Division - It was felt that information should be available, not only for middle income housing, but also for rent controlled housing in widly despersed areas throughout the boroughs. This should also include something of a community profile and some data on vacancy ratio, which could be very useful to the apartment seekers with whom the agencies have contacts. It was indicated that some information is now available and that other pertinent - data is being developed and will be made available.

Before concluding the meeting, the Commission indicated that it was hopeful of the support and cooperation of the agencies represented who are in a position to complement and re-enforce the Commission's program.
Agreed that the next meeting be Tuesday, December 17th at 4 P.M.

file

SUB-COMMITTEE WORKING ON AN ACCELERATED PROGRAM FOR INTEGRATED HOUSING.

December 3, 1963---------City Commission on Human Rights

This meeting was called because it was learned that several of the resources in the field were moving into programs for the acceleration of the housing integration, which would revolve around their working with minority community groups, and from the initial reports it appeared that there was a duplication of effort and a duplication of the contacts. It seemed that in view of the valuable potential of these resources that CCHR should take the initiative in inviting these groups to meet together with CCHR to discuss what each group was doing and how each could help the other

Present:

Miss Fran Levenson--------N.Y. State Comm.
Mr. John Taylor-----------American Friends
Mr. Herbert Forsmith------American Friends
Mrs. Edna Merson----------CCRM
Mrs. Jean Kawesh----------CCRM
Mr. Charles Wilson--------CCRM
Mrs. Betty Hobart---------N.Y. State Comm.

Staff:

Jack Wood
Doris Hayes

The meeting was opened by Jack Wood who then asked that each representative give a brief resume of her current program to implement the FHP Law through direct action in the minority communities.

CCRM: - Mr. Charles Wilson, reporter.

Their program, called "PACE", has been designed to encourage minorities to use all available channels for finding apartments.
To help the applicants think through the process of determining income levels and what part of it they can allocate to rent.
The system of using partnership apartment seekers or checkers has also proved to be very effective.
CCRM plans to implement its committee's speakers bureau.
From a public relations standpoint, many of the existing illusions about the need and extent of the problem should be clarified.
There is a definite need for cooperative effort.
About 60 seekers are presently known to CCRM. Of these it is likely that many will make their own adjustments and will be lost.
Various methods are used to help the seeker, some are more placable than others. One thing that helps is when the applicant is willing to move out of Manhattan. They have more successful results in other boroughs.
Manhattan is overcrowded, rentals are higher and not as many opportunities.
CCRM indicated that they had difficulty in trying to match a particular with a specific applicant.

N.Y.S.C.D.H. - Miss Fran Levenson, reporter.

The N.Y.S. Com. has plans for a slightly different approach. They will start with five pilot areas in which they will make a community profile

covering schools, transportation and other facilities and housing. The areas to be covered; Kew Gardens, Bayside, Astoria, Bensonhurst, Sheepshead Bay, King Bay and Inwood.
The findings from this survey are to be put together in a bulletin, to be distributed to the Negro social and civic groups throughout the City.

There are also plans to work through other organizations having contacts in the neighborhoods studied, urging them to help create a more favorable attitude toward minority residents.

The Association of FHP Committees are also seeking applicants for homes in the suburbs. It was suggested that the volunteers on these committees need some guidance as they proceed with contacts of both the trade and the consumer.

The Urban League - Miss Rita Smollens, reporter.

The U.L. plans to launch a middle-income registry. They wish to avoid any duplication with the other groups working directly with the consumer. They started by gathering names of apartment seekers. They already have a long list of persons who are interested; many of those listed are known to the agency through staff contacts. The question is, what to do with this list, how to find the kind of apartments asked for and within the price range the persons can afford. Most of the seekers wish to live in Manhattan.
The question was raised, do the people know what is available in the housing market and have they gone to a broker, consulted the ads or used the normal channels. The idea being that if the persons have done this, they would know that there is a scarcity of decent apartments under $100.00. Rita feels that she needs help in locating the kind of apartments desired. She plans to contact Negro social clubs, etc. asking that they invite speakers to tell them of the U.L. service and requesting that they send information about it to their membership.

A suggestion was made that people from the white communities be invited to come to the Negro groups to tell them about their neighborhood and to invite them to come out to some special event and meet some of the residents. The purpose would be to help both sides in their attitudes toward each other.
It was agreed that when the U.L. gets its plans started, that when their seekers run into discrimination, that they ask for assistance from CCRM's checkers and from CCHR for their services.
CCRM might be asked to train new checkers in the neighborhood where the U.L. was making referrals. CCHR can be of further help, by initiating its own complaints of landlords, buildings, etc. without the applicant making a personal complaint.
It was recommended that the U.L. separate its cases; so that they could get help from those which related to the various city departments such as, Dept. of Welfare, Reht & Rehab., Housing & Buildings, Housing Authority, etc. If she made contact with these resources, they could be of help in resolving her questions and concerns.

An important comment was made about the value of making a special effort to reach college students who will soon be taking on the responsibility of marriage and a home, so that they start off with the concept of integrated living firmly planted in their minds.

Mrs. Merson felt that there is a duplication of effort and confusion, because the same groups are being contacted by several agencies and for the same purpose. It was agreed that unless the groups here worked out specific areas which they could best cover, and also some method of clearance and sharing, that there could be duplication as indicated.

American Friends Service Committee - John Taylor, reporter. 2 W. 20
OR-5-4200

The Committee has been very effective in Jersey. They have circulated a bulletin, a buyer & seller listing service called "CHOICE". This is widely distributed; the U.L. offices in Jersey have cooperated with them. Committee volunteers go to organizations providing them with information on the laws and the listing service.
In N.Y.C. the focus has been on a co-sponsorship of a Co-op, Bellevue South. This development will be a Mitchell Lama project with ecewed rents. The Committee will be trying to get involved with minority organized groups with programs on the opportunities available in housing and the assets of some of these new communities, in terms of facilities and value of the properties. They plan to select groups of a stable economic level, if there is a wide range, more varied information will be given.
There is a possibility of dividing up on a geographic basis. They are about to start their contacts with groups on a pilot basis. The first meeting will be a panel program, the second meeting will be with a sympathetic builder as a speaker.
In response to a question on what kind of information could be given to groups, John suggested that some answers would come from his agency, the H.R.B., others from the volunteers and their first-hand knowledge of various areas.

The importance of preparing the white community for newcommers was discussed at length, there was different opinions about the value of spending time on this rather than on direct confrontation to encourage the Negro to move out in the open city.
In Chicago, the A.F.S.C. is doing this job of working both sides of the problem, namely, the trade and the consumer. They have a foundation grant which enables them to do a professional job in creating change in attitudes, especially among the whites in a given community.

At the end of the meeting, there were comments indicating that there was real value in this kind of exchange, that now some mechanics for working cooperatively should be developed. The U.L. indicated they would like to concentrate their efforts in upper Manhattan and in the Bronx, around the Concourse. They have not made any group contacts, were waiting to learn what othershad in mind.

Suggestions for Further Action:

1.- Possibility that the Urban League & American Friends, NY State Comm. share lists to avoid duplications.

2 - A working session to develope a set of materials appropriate for approachs in areas to be reached.

3 - A unified appeal by those present.

4 - Best results by each agency presenting its own efforts, but tailor each to complement each other.

5 - CCHR begin to identify what all 4 groups here are doing, by preparing a special brochure, etc.

6 - Groups can share contacts, These groups should plan to reach organizations in Brooklyn & Queens.

7 - There should be a concrete plan to avoid a conflict. New York State Comm. interested in an application or history sheet.

8 - N.Y.St. Comm. & Urban League agreed to work out a joint form for prospective tenants.

9 - Registry card- agreed that CCRM send their card to be looked at- perhaps it could be adopted by each group.

10 - A card to be designed for use at meetings when audience indicates interest in obtaining new housing.

11 - Recommended that a report of this meeting be given at the Dec. 17th meeting. Fran Levenson will make report.

Summary Conclusion

This initial evaluation of the program efforts of these agencies to achieve and accelerate a broader degree of integration in housing in N.Y.C. was very encouraging. While there are some areas of overlap and duplication of effort, it becomes quite clear that each group enjoys certain skills, talents and contacts, which complement the efforts and attributes of the others.

CCRM with a long history of program efforts in the procurement of apts. in New York City, is uniquely qualified by experience and reputation, to perform the function that it does. The other agencies, NYSDH, AFSC and the Urban League are local affiliates of National organizations long established in the field. These agencies are able to draw on a background of proven techniques and experience developed on a local and national basis. The challenge that remains, therefore, becomes one of welding all of these special assets in a close knit, cooperative effort that gets the job done without subordinating the image or individuality of each of the agencies.

The Housing Division of the City Commission, as requested, will provide this coordinative service, assisting wherever possible in the development and implementation of programs which give meaning to equal opportunity in housing.

Read

Housing

DEC 10

THE CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 Lafayette Street - New York, N. Y. 10013 - Tel. 566-2121

STANLEY H. LOWELL
Chairman
MADISON S. JONES
Executive Director

ROBERT F. WAGNER
Mayor

December 9, 1963

Mr. Norman Hill
National CORE
38 Park Row
New York 30, New York

Dear Mr. Hill:

On November 19th, the City Commission on Human Rights met with the key persons in the civil rights field and agency representatives carrying responsibility for housing integration. The response was excellent and it was the consensus of the group and the City Commission on Human Rights that we should come together perhaps on a monthly basis to sharpen our approach and implementation of the broad areas of our respective programs designed to accelerate integration in housing in New York City.

It was agreed that the next meeting be held here at the Commission's headquarters on Tuesday, December 17th at 4:00 P.M., in the Conference Room.

Enclosed is a copy of the minutes in a condensed form and also a reply card for your convenience.

The meeting on December 17th will be preceded by refreshments from 4:00 - 4:30 P.M.. We hope you will be able to attend and share in this invaluable expression of exchange and stimulation.

Sincerely,

Jack E. Wood Jr.

Jack E. Wood Jr.
Housing Director

JEW:ap
Enc.

(FORMERLY THE COMMISSION ON INTERGROUP RELATIONS)

DEC. 1963

TIMES
DEC 24

CITY FUNDS ASKED FOR MASTER PLAN

Ballard Seeks $1 Million a Year to End Improvising

By CHARLES G. BENNETT

The city was called on yesterday to make available $1 million a year to supplant its present "piecemeal planning" with its first master city plan.

William F. R. Ballard, who a little more than two months ago became chairman of the City Planning Commission, declared that "New York can no longer afford to continue to make current decisions without adequate future planning."

He said he believed that the city could not develop properly from now on with planning represented by limited existing master plans covering arterial highways, sanitation facilities and parks and open spaces.

The chairman noted that these master plans were for the most part drafted in the nineteen forties and had since been kept up to date.

Some master planning, Mr. Ballard said, has been done, also on a limited basis, for such specific large-scale projects as Manhattan's civic center and West Side Urban Renewal project.

Penalty of Inaction

Unless the city goes ahead with a full-view master plan, Mr. Ballard asserted, it cannot reap the benefits of two major current Federal and Federal-state studies—the $2,850,000 community renewal program and the $16 million tri-state transportation study affecting New York, New Jersey and Connecticut.

Using Federal funds, the community renewal program is near the end of a first-phase study of appropriate housing and renewal policies for the city. The heavy volume of data, maps, inventories and studies being turned out by the transportation project, Mr. Ballard contended, "can become prime building-blocks for the city's master planning program." This effort is being financed by Federal and state funds.

Mr. Ballard announced his drive for a master-planning group in presenting the City Planning Department's budget beginning next July 1 at a de- budget Director William F. [illegible].

Mr. Ballard submitted a routine budget request of $2,008,[illegible], or $77,484 above current allocations for current programs. He asked for a supplemental allotment of $1 million for the first year of the program for drafting and maintain a master city plan.

Ingredients Stated

"Preparing a master plan for New York is primarily a matter of time, money and determination," the chairman declared. "I will supply the determination, Mr. Budget Director, if you will supply the money, and God grants us the time."

Mr. Ballard made it clear that he would make an over-all master city plan one of the prime objectives as chairman of the planning commission.

As envisioned by him, the proposed master plan—a continuing project—would cover population changes, jobs, determination of sits for public improvements, economic and sociological changes and other such factors. It would take into account, for instance, virtually everything the planning commission would need to be informed of in drafting a capital budget.

It was emphasized that the master plan could never be entirely finished. Constant revision would be required, it was explained, to keep up with changes.

Chairman Ballard   January 15, 1964

Operational Planning Unit   Kingsborough Community College

I. INTRODUCTION: Grounds for Decision

Selection of a site for Kingsborough Community College must be on clear grounds but important information has not yet been provided by the Board of Higher Education. Our investigation shows that six subjects bear on the problem of site selection. The six are:

A. Types of Educational Need
B. New York City Community College
C. Single or Multiple Advantages
D. Location Criteria
E. The Problem of Urgency
F. Temporary and Permanent Steps: The Problem of Costs and Commitment

With these subjects considered, each site can be more carefully evaluated.

A. Types of Educational Need

In its "Long Range Plan for the City University of New York, 1961-1975" the Board of Higher Education speaks of a need for 17,800 more community college seats. However, the Board did not indicate criteria governing the size, function and consequent distribution of community colleges in any one borough. Thus, we do not know if the request for Kingsborough funds is intended for a college large enough to serve all of Brooklyn's needs until 1975 and perhaps thereafter. If this recommendation can be justified, our consideration of sites must be handled on a basis appropriate to these needs. On the other hand, if more than one community college is needed and planned for in Brooklyn by 1975, our site consideration must proceed on a different basis.

Along with size, there are major concerns regarding functions of the community colleges. The Board has indicated two major areas of function. One involves general liberal arts education. In this field, the Board intends to enroll two-year degree candidates and many four-year degree candidates. At the completion of two years' of work, the four-year candidates if their marks are adequate, would be permitted to transfer to the City's senior colleges. By this device, the Board will expand the four year educational capacity of the City's college system and at the same time take enrollment pressure off these overcrowded institutions.

A second major area of function involves specialized technical education in a number of fields. Each one of these curricula will involve two years of full-time study and many will require expensive equipment and specially designed instructional spaces. The most efficient use of such equipment and space is made when there is full use of it, subject to requirements for maintenance, repair and replacement. Consequently duplication of such facilities that results in underutilization becomes very expensive and should be avoided if possible. To avoid underutilization students should be taken from as large an area as necessary. For some courses this area may be as large as a borough, or the entire city. In fact, the New York City Community College which now provides a large number of technical training courses, draws students from all over the City. Consequently, highly specialized technical schools would be located best very near the intersection of major mass transit facilities. On the other hand a general education program and those technical courses which do not require special equipment or spaces, need not be confined to one facility, and therefore can be less centrally located. In Brooklyn, the New York City Community College in the downtown area, reinforces this decentralization possibility.

D. New York City Community College

The New York City Community College in downtown Brooklyn, is administered by a Board of Trustees appointed by the Governor and the Mayor of the City of New York. This college has 2,700 day students and 6,000 evening ones. An expansion program is underway to allow enrollment of 5,000 day and 12,000 evening students. The first expanded freshman class will occur in Fall, 1966 when a large office-type classroom building is completed on the block bounded by Tillary, Pearl, Jay and Johnson streets.

This community college runs day and evening sessions. Day session students are completely enrolled in technical and business courses, as the accompanying table shows. The evening session gives these courses and also offers two-year academic programs and adult education courses. College officials have stated that the day session will shift a good part of its emphasis to academic course work when the new building is completed.

Only about forty percent of the day session student enrollment comes from Brooklyn. In the evening session, less than sixty percent of the students come from Brooklyn. Therefore completion of community college facilities in the other boroughs should result in a substantial increase in the college's ability to take more Brooklyn students. In 1962 only 449 of 1,700 applicants from Brooklyn public high schools were admitted.

The New York City Community College information makes this much apparent. To do sensible site selection, we need an over-all plan for community college facilities, which coordinates the programs and intentions of the Board of Higher Education and the New York City Community College. Obviously there is a need for additional seats now but we cannot make the best decision because necessary information is lacking. On the other hand, this does not rule out application of negative evaluations to some sites, when the facts warrant such judgment.

C. Single or Multiple Advantages

The Board of Higher Education states that the major purpose of a community college is to give more education and training to those who otherwise will not be able to get it. In this sense, the Board claims that location of the facility as a means of upgrading a community is irrelevant to the educational task and therefore should not be considered as a locational determinant. Sharp issue must be taken with this position. In a period of vast social upheaval among the City's minority population -- a period also of scarcity of funds for ameliorative measures, the possibility of securing multiple advantages from every expenditure must be examined closely. If the attempt to secure multiple advantages would seriously injure the primary educational function of a community college, then the Board's position should be respected. However, if such injury cannot be shown, then community upgrading, improvement of minority educational opportunities, or any other demonstrable social and economic benefit must be considered as a locational factor.

Further, the Board has not indicated how a community college program will relate to the future economy of the city and region. Does the Board want facilities for training medical and laboratory technicians, computer operators, interior designers and decorators, draftsmen, statistical clerks, or what? We cannot see if there is a desirable relation between the City's expenditure on education, and the economy's need for skilled workers, without knowledge of the Board's program and of the resons for it. Here, again, the need is evident for deriving multiple advantage from City expenditure. With such benefit in mind, we can secure better priority judgments for expenditure as well as better site decisions.

D. Location Criteria

The previous discussion dealt with factors external to the sites. Here we deal with criteria relevant to the sites as such. The first criterion is negative. The site for a community college should not preempt unique resources suitable for other purposes. For example, it would be inadvisable to take Manhattan Beach which could serve as a valuable recreation resource. Equally, another site in the East New York-Brownsville area would be inadvisable, as it is an industrial center providing jobs for many nearby residents, many of whom are Negroes and Puerto Ricans.

A second criterion deals with mass transit accessibility. Here there are problems involved with scale, and generality or speciality of function. If there is to be only one more community college in Brooklyn, a central location relative to transit is almost imperative. If there will be more than one institution, the location problem changes and other factors, besides transportation, become more significant. If there will be more than one institution, including highly specialized vocational training in some fields, it may be important to have these specialized opportunities at a location central to mass transit.

A third problem concerns evening students who form a significant portion of community college enrollment. After a day's work, these students should not be required to travel to from one end of the borough to the other, in order to acquire further education and training. In terms of this factor alone, far out locations should be discouraged. Since Brooklyn has a large downtown community college, it should be possible to secure some intermediate locations in the borough for future facilities — that is, if more than one such facility is desired.

E. The Problem of Urgency

The Board of Higher Education has stressed the urgent need to expand community college facilities. However, a major site location decision depends on better understanding of the Board's intentions as to size and program of a new community college. Pending such understanding, it is advisable to open a temporary facility in an easily accessible location. Even this step should be preceded by review of the time that it takes to prepare such a facility, and the cost of it. This result can be compared with progress in expansion of community college facilities in other boroughs, especially as enrollment in the New York City Community Colleges is affected.

F. Temporary and Permanent Steps: The Problem of Costs and Commitment

A major problem in approving expenditure of funds for a temporary facility, is in opening the way to permanent use at the designated location. This is the danger in approving temporary location at Manhattan Beach, even if some facilities there are usable at minimum cost to the City. It would be better policy to use a building and location like that at 250 Livingston Street, until a long run solution is achieved.

As for a long run solution, land costs should not be a major determinant in a locational decision. What may appear as a minimal land cost for far-out vacant land or a cheaply available facility like Manhattan Beach, will be expensive to users in terms of increased transport costs and the greater time and energy required to get to and from such locations.

G. Recommendation

1. On grounds of educational policy alone, we do not have enough information from the Board of Higher Education to take a permanent location step. We believe the Board should prepare a long-run size function and location policy for community colleges in every borough and that a statement of this with adequate study materials should be presented to the City Planning Commission.

2. Another major basis for taking steps towards a permanent location for a community college, is to be found in considerations of social policy. The most important such consideration at this time is that of providing increased education opportunity for a population impoverished by segregation and discrimination, and the possibility of doing this should be thoroughly investigated.

3. Specialized technical training involving expensive equipment and classroom design should be left to the downtown New York City Community College at this time.

4. If, after further review, it is desirable to designate a temporary location for beginning a new community college, this should be done with the provision that the college be in a relatively central location.

5. For the present, technical education requiring substantial investment in equipment should be minimized or omitted until the following occurs:

a) there is coordination of the plans and functions of the Board of Higher Education's community college program with those of the New York City Community College;

b) a long-run size, function and location policy with adequate study background is presented to the City Planning Commission by both institutions.

II. SITE REVIEW

Fourteen sites for a community college were investigated. Six sites regarded as relatively far out are Manhattan Beach, Borough Line, Fountain Avenue, Flatlands Industrial Area, Paerdegat Basin, and Stillwell Avenue. Six sites are in mid-Brooklyn. Two involve industrial areas. These are the Brownsville- East New York site and the Old Trommers Brewery site. One site is in back of Kings County Hospital, and another is an urban renewal area around Fulton Park adjoining Bedford-Stuyvesant and the north edge of the Crown Heights community. A fifth is around Ebbets Field and a sixth is in the Bay Ridge area over the railroad tracks at 66th Street. Two sites are in downtown Brooklyn. One at 250 Livingston Street has been proposed solely as a temporary location to get the college under way quickly. The last is an urban renewal site at the Fort Greene Meat Market.

A. The Far-Out Sites

1. The Manhattan Beach Site

This is the site preferred by the Board of Higher Education. The U.S. Air Force used this site but discontinued operations. Only buildings near the entrance to the base are in use for Civil Defense training. The property comprises about seventy acres with buildings of various types and sizes. The nearest rapid transit station is about a mile and a half away. The property is bounded by water on three sides: Sheepshead Bay to the north; Rockaway Inlet off the wall to the east; the Atlantic Ocean to the south, off the area formerly used as Oriental Beach.

A potential advantage of Manhattan Beach is its possible availability within a few months as a temporary facility. The argument is that existing buildings can be prepared shortly for occupancy by an opening enrollment of 400 students. Presumably this would increase to 800 as a two-year program takes full effect in the following year. In the meantime, plans could be made for permanent utilization of the site, and when construction is completed, students, faculty and administration would move from one set of buildings to another, without disruption of the college. The natural beauty of the site is extolled by the Board of Higher Education, which states that the site is easily accessible.

These claims merit scrutiny on several counts. First, this site is a unique resource most suitable for use as a beach. With the City's need for beach area demonstrated in the struggle over Breezy Point, there is no reason to let go of this area for a community college unless there is demonstration that no other locations are equally or more suitable and available. The City Planning Commission believes that much more suitable locations can be made available.

Second, the claim of transport convenience is in error. A site a mile and a half from the nearest rapid transit stop is not easily accessible. Operation at this site would cut evening utilization of facilities to a minimum by making too much of a travel demand on working students. Location of the community college here, brings such a great time-travel barrier into being, that it would deprive thousands of students, many of them minority group members, of the opportunity to expand their career and personal horizons.

Third, there is the matter of size. Manhattan Beach is large enough to take care of all community college needs of Brooklyn for many years. This could mean that need for community college facilities elsewhere in the borough might be diverted by the argument that land was available in Manhattan Beach. Consequently, achievement of a pattern of equitable distribution of community colleges throughout the borough, would be threatened seriously by this project. This threat is increased by the fact that the Board has not announced any policy with regard to size, function, and distribution of community colleges in Brooklyn.

On these grounds, we believe that any opening of the door to use of Manhattan Beach as a community college, even temporarily, is dangerous. If a temporary facility is badly needed, other sites should be sought and used.

2. The Borough Line Site

This is a largely vacant area around the intersection of Linden Boulevard and Conduit Avenue at the Brooklyn-Queens border. There are a few scattered frame homes, many in apparently poor condition. The land is below grade. An open sewer runs through the area. There are scattered residences and the community, largely Italian, may be expected to oppose any taking.

A large community college plant could be located on this site. However, the site has many disadvantages. The land would require extensive fill and preparation. Rapid transit is almost 3/4 of a mile away. Day as well as evening students would have difficulty in getting to the site. Unless other development takes place in this area, we would get a developed area surrounded by below grade land.

3. The Fountain Avenue Site

This is the location of the proposed State Mental Hygiene facility. The land is below grade, practically all vacant with some scattered frame residences in apparently poor condition. The New Lots Avenue terminal of the IRT is nearly a mile from the northern edge of this site.

The reasoning used for the Borough Line site applies to this one. A large community college could be located here. However we may not want a large college and site. Then we would have a developed site surrounded by below-grade undeveloped land. Land development would require extensive fill and preparation. The lack of nearby rapid transit plus the far-out location would result in major use of the college as a day facility, and minimize its use for evening study. Inquiries made to the state in connection with a proposed Mitchell Lama development resulted in a firm refusal on their part to relinquish their hold, even though the land is City-owned.

4. The Flatlands Industrial Area Site

No specific area was indicated by the proponents of this location. Although scattered vacant land is available, none of it appears suitable. Transportation is generally poor although a portion of the larger area is served by rapid transit.

5. Paedergat Basin

With the ~~unfortunate demise of~~ announced change of plans for the Paedergat Basin housing proposal, it was suggested that City-owned land may be available. In view of transportation considerations, however, this location has little to recommend it, being about 2 miles from the nearest subway. In addition, much of the City-owned land is apparently

the change reduces the scope of the proposal &

committed to a voluntary hospital and for public school facilities as well as housing

6. Stillwell Avenue

The Stillwell Avenue area has been designated in the 1962-63 Urban Renewal Program. The recent decision to build the Shorefront High School on the site has reportedly destroyed the housing and redevelopment potential of the larger area. With the passage of Amendment 5 exempting sanitary and combined sewer construction from the debt limit, the filling in of Coney Island Creek and the possible assemblage of up to 85 acres becomes feasible. If such could be the case, sufficient land ideally located with respect to transportation and the future community college pattern would be available to permit housing, a community college, and other facilities. The problems are those of time since 5 - 10 years would be required to process the site and make it available under Title I. Still, if a long-term plan for more than one community college were developed, the mass transit network around this location would make it ideal for serving southwestern Brooklyn. The Conely Island branch of the Independent Subway, and the Sea Beach and West End lines of the BMT converge on this site. However, since land processing would take much time, this site should not be the first one developed for a new community college. 7

B. The Mid-Brooklyn Sites

Six mid-Brooklyn sites have been suggested for the community college. Two are mainly industrial areas. A third is the old Kingston Avenue Hospital just north of Kings County. The fourth is the Fulton Park Urban Renewal site. A fifth is around Ebbets Field. A sixth borders on the Bay Ridge-Sunset Park area.

1. The Old Trommer's Brewery Site

This is a large block bounded by Broadway, Jamaica and Bushwick Avenues and bordering on Evergreen Cemetery to the northeast. The site is now occupied by a large New York City Transit Authority garage, repair shops and storage yards for the Transit Authority's BMT Division and a large Safeway gas station with parking lots. The site is well served by transit; the Canarsie and Broadway lines of the BMT and the Fulton Street line of the Independent.

Transit-wise the site is easily accessible to many areas of Brooklyn which have been requesting a community college. These areas include East New York, Brownsville, Bushwick, Bedford-Stuyvesant. However, a number of factors militate against selection of this site. First, the existing transit uses cannot easily be duplicated or relocated elsewhere. Second, the site is practically at the intersection of major traffic arteries leading to the Interboro Parkway. These arteries are East New York Avenue, Jamaica Avenue, Atlantic and Bushwick Avenues and Pennsylvania Avenue. If a Bushwick Expressway is built, it may impinge on the site. This confluence of avenues and traffic creates obstacles to easy pedestrian access. Moreover, the site appears to be hemmed in by the cemetery and elevation of BMT lines around it. Thus the site appears as an isolated piece of land in a non-residential setting, with little room for expansion.

2. The Brownsville-East New York Industrial Area Site

This site is bounded by Pennsylvania Avenue, Junius Street, and Atlantic and Belmont Avenues. It is an area of mixed residential and industrial occupancy in which many minority persons work and live. Many of the buildings are in poor condition. Stops on the Canarsie and Broadway lines of the BMT and the Fulton Street line of the Independent system, serve the area.

Undoubtedly transportation to the area is good, and many Queens students could get to a community college at this location. The poor condition of many buildings makes clearance feasible. There are two major factors adverse to location of a community college here. First, it is one of the important decentralized industrial areas of the city. This function should be increased in the future, and in recognition of this the Planning Commission has zoned it for industrial use. Second, many of the jobs here are held by minority people and are badly needed by them. Substantial clearance for a college would reduce their employment and increase our immediate welfare costs.

3. The Kingston Avenue Hospital Site

This is a block of about 12 acres bounded by Winthrop Street, Rutland Road, Kingston and Albany Avenues, just to the north of Kings County Hospital. A little over three-quarters of an acre has been turned over to the League School for Seriously Disturbed Children. The property also has a new $8,000,000 central laundry which serves the City's entire public hospital system; a nurses dormitory; a mental hygiene clinic housed temporarily in a building on the property; a small residence area for other hospital personnel. There are in addition a number of unused nineteenth century buildings in poor condition. The State recently considered rehabilitating and re-using these buildings, but decided that it was uneconomic to do so. Downstate Medical University is just across from Kings County Hospital on Clarkson Avenue. To the west of the site is the Wingate High School. The nearest subway stop is on the IRT Flatbush Avenue line about half a mile away.

Mr. Richards of the Department of Hospitals was questioned about re-use of this site. A study has just begun on future program needs of Kings County Hospital. This study will take about a year to complete. Until then, they will not know whether or not this land is needed for the hospital program, and they are unwilling to let go of the property at this time.

The things that recommend Kingston Avenue are the following: the major part of it is available for re-use without extensive demolition or relocation of residents. It is a pleasant site, with some trees and grass area. It is situated among a number of institutions with which it might interact functionally, and also could relate to the surrounding residential community. It is possible that with the surrounding medical facilities, a specialized community college of medical technology could be advantageously located here.

There are disadvantages. The property is not well located in relation to mass transit. Therefore any proposal for a specialized facility such as medical technology would have to be evaluated carefully. This need for evaluation is more pertinent as New York City Community College already has a medical technology program under way. If serious consideration is given to this idea, coordination would have to be arranged among the Downstate Medical University, Kings County Hospital, the Board of Higher Education and the New York City Community College. All of this presumes that the Kings County Hospital study shows or allows for such use of the Kingston Avenue property.

Use of the property for a liberal arts junior college would offer different advantages and problems. It is probable that a college at this location would be supported enthusiastically by the surrounding white middle-class population, and could quickly become a community resource as well as an educational center. However, a number of problems are posed by the nature of the property and its location. It is not a large area and unless a decision to build high were made, it could not accommodate a large enrollment. If there were a large enrollment, much additional traffic, noise and need for commercial facilities might be generated, to the detriment of the immediately surrounding residential area. These possible problems would require careful study.

4. The Fulton Park Site

This is part of a renewal area in the City Planning Commission's 1964 program. The area, 56 acres suitable for clearance, is between Fulton Street and Atlantic Avenue, Albany and Ralph Avenues, excluding the block occupied by St. John's Hospital. There are also eight acres in bad condition on the north side of Fulton Street between Fulton Park and Brevoort Houses. The area is mainly residential with stores on Fulton Street. Population is mainly Negro. The Independent subway runs along Fulton Street with stops at Utica and Ralph Avenues. Students from Queens can reach the site via the Independent line. Students from northern Brooklyn, using the BMT lines can transfer to the Independent system at Broadway Junction and reach the site in two or three stops. The site is on the southern edge of Bedford-Stuyvesant and the northern edge of Crown Heights.

Problems of the site arise from need for substantial relocation which will take time, and from the cost of land acquisition. However, the site will be cleared for rebuilding anyhow, and start of new construction does not have to wait for total clearance. The expense may be offset by Federal write-down on land, and construction subsidy for the college. Some advantages not found in most of the other sites may be found here. A community college in this location can be a symbol of the City's determination to combat poverty induced by discrimination and segregation. It may aid in the educational saturation campaign being planned for areas like Bedford-Stuyvesant and follows the Mayor's purpose of providing avenues for economic and cultural advance through improved youth services. In addition, it can stimulate improved land development and home maintenance in the Bedford-Stuyvesant and Crown Heights neighborhoods; areas like the one around Fulton Park and the nearby Children's Museum.

5. Ebbets Field Area

The Ebbets Field Area was designated by the City Planning Commission as part of the 1962-63 Urban Renewal Program. The project area is generally bound by Empire Boulevard, Bedford Avenue, Carroll Street, Franklin Avenue, President Street and the right of way of the Franklin Avenue shuttle.

This area is in close proximity to Prospect Park, the Brooklyn Botanic Gardens, major recreational, cultural and business facilities. It is served by both the BMT and IRT subway lines, and connection with the IND is made via the Franklin Avenue shuttle.

With the demolition of the stadium, many of the uses and services linked with that facility have been terminated. The result is that the area is presently characterized by vacant or under-utilized land and structures, many in a dilapidated condition. In addition, intensive non-residential uses have created a blighting influence on the basically sound residential core. The total area recommended for redevelopment by the City Planning Commission, including street closings, totalled 20 acres.

A portion of the redevelopment area may be required for school and playground purposes. It may be possible for the balance to be divided between housing and a community college. As in other Title I proposals, a delay of from 5 years upwards would be involved before the site could be made available. Because of the uncertainty regarding the availability of construction funds however, this seeming delay may not be any longer than that experienced on any other site, no matter how readily available now.

? we made specific recommendations ?

6. Bay Ridge

The City Planning Commission has been giving preliminary consideration to a proposal for a State-aided Mitchell Lama development utilizing the air rights over the Bay Ridge Division of the Long Island Rail Road. Some doubt exists as to the desirability of having housing at this location, however. To date, no satisfactory proposal has been submitted which meets the minimal requirements of the City Planning Commission. The site in question is bound by 65th Street, 4th Avenue, the prolongation of 66th Street and 2nd Avenue, and comprises 7.7 acres.

7

Violent community opposition to the housing proposal has been indicated, and the opponents have advanced alternate proposals including one for an inter-city and local bus terminal and shopping center. A community college may prove to be an acceptable use to the community. The area is served by one rapid transit line on Fourth Avenue. The obvious advantages are that neither relocation nor delays such as those characteristic of Title I projects are involved. On the other hand, no write-down is available and the cost of platforming may be high. Ample precedent however exists in the expansion of Brooklyn College and the air rights development for Bronx Community College near Hunter College.

C. Downtown Brooklyn

Two sites in downtown Brooklyn were suggested. Comment on both follows.

1. 250 Livingston Street

This structure, presently in use by the Federal Government but soon to be released, has been proposed for temporary quarters for the Kingsborough Community College. No assessment has been made of the physical plant. The location in downtown Brooklyn is excellent with respect to transportation. Unfortunately this location is also the closest to the New York Community College, and while the representatives of the Board of Higher Education have stated that the curricula of the two colleges would be different, the expansion plans of New York Community College definitely include an expanded liberal arts program.

2. Fort Greene Market Area

This area was designated in the 1963-64 Urban Renewal Program. The area consists of 18 blocks totalling some 85 gross acres of which approximately 9 involve air rights over the Long Island Rail Road. The area is ideally located at the hub of transportation facilities. Other educational, cultural, recreational and commercial facilities make this site ideal. Although Title I write-down can make a site available at reasonable cost, a delay of at least from 5 to 10 years from now would be involved before the site alone become available. The major disadvantage to this location apart from time is its proximity to New York Community College.

Two Unreviewed Sites

Two additional sites which may be suitable but which have not been reviewed are: 1) the area bound by Livonia Avenue, Hopkinson Avenue, Riverdale Avenue and Strauss Street. This area is served by the New Lots line of the IRT. Clearance through Title I would be required with the attendant delays. 2) The area bound generally by Van Sinderen Avenue, Sutter Avenue, Christopher Avenue, and East New York Avenue. This area is characterised by high deterioration, vacant buildings and empty lots. Again Title I would be required because of the magnitude of the clearance problem and the necessity for land write-down.

Recommendation

The site recommendations follow the conclusions listed in the previous section. The immediate proper course of action is to have Kingsborough Community College locate temporarily at 250 Livingston Street or some other central site. The Ebbets Field and Fulton Park sites merit serious consideration as locations serving the northern part of the borough and the advantages of each in relation to the City's needs deserve the fullest discussion. Stillwell Avenue is well located to serve the southwestern part of the borough but because of time lags in land preparation possibilities should be seen as a second priority in new community college development in Brooklyn. On the basis of its standard of 120 square feet of gross floor area per day session pupil and its projected 1975 capacity of 3,000 for the Kingsborough Community College, the Board of Higher Education requires a gross floor area of 360,000 square feet or approximately 9 acres of floor space. Depending upon design, considerably less or more than 9 acres of site would be required. The 60 acres at Manhattan Beach appears unduly excessive even for the most optimistic projections of future enrollments.

Nyc Housing

~~Card Joint Meeting~~

CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 LAFAYETTE STREET, NEW YORK 13, N.Y.

JAN 17 1964

MEMORANDUM

Date: Jan. 14, 1964

To: Members - Civil Rights Housing Advisory Council

From: Housing Division, CCHR

Subject: Minutes of December 17, 1963 Meeting

The second meeting with the leaders of the civil rights organizations and other agencies engaged in programs to accelerate housing integration, was held on December 17th at 4 P.M. in the Conference Room.

Mr. Jack Wood, Chief of the Housing Division gave the following resume of the Division's activities:

Real Estate Board:

On December 12th, representatives of the Real Estate Boards of Brooklyn, Bronx and Queens met at the Commission to discuss proposals for a closer working relationship and a cooperative effort to insure application of the F.H.P. Law throughout the entire city. Two major points which were fully discussed at the meeting will have a significant effect on the housing problems of the minority people.

1- It was agreed by those present, that CCHR should be the agency to press for uniformity of Real Estate policy and practices as required by several city and state agencies with enforcement powers. The Real Estate Board representatives contended that it is confusing to the men in the real estate business to be accountable to the demands and compliance requirements of several government agencies with housing functions because each operates in a different way and there is some overlapping of functions.

2- The second item of importance which will have bearing on the implementation of the Law, was a proposal that CCHR take the initiative in setting up a city-wide series of workshops on the buying and selling of property, to be scheduled for each of the boroughs. This would be a community educational program supported by the Trade and those present thought that it would be possible to have wide participation from the Boards as speakers, and consultants.

Metropolitan Life:

CCHR recently held a conference with Mr. Frank Lowe, and Mr. Raymond Reingler, vice-presidents of the Company. The purpose was to obtain a progress report on their policy of integration in all of their housing facilities. CCHR suggested that a series of seminars for their rental agents and management persons be held at the Commission. The purpose of these sessions would be to focus on the human rights aspects of the Law, to interpret the housing problems of the minority, and to throughly discuss the responsibility which they have to carry out the F.H.P. Law in all of their properties.

CCHR Complaint Centers:

Mr. Wood advised the group that in response to demands, the plan to expand CCHR Complaint Facilities was being prepared and by the time of the next meeting of this group, he hoped to announce a complete design, with agreements and operational details carefully worked out and ready to be put into operation.

Sub-Committee on Housing Integration - by Fran Levenson:

The sub-committee met to discuss and exchange plans for an acceleration of integration in housing. The Urban League has more direct contact with the Negro community and receives more requests for rent controlled apartments with reasonable rentals. The Urban League hopes to meet this need by making referrals in the parts of the city where this property exists, but they want to protect the applicant from discrimination, therefore they will work closely with the resources helping to bring about a wider acceptance of the Law.

CCRM will continue its program as in the past, but will also make direct contact with community groups to interpret the Law, encourage and support those who are seeking housing outside the restricted neighborhoods. The information that CCRM receives on listings, etc. will be made available to other agencies.

The American Friends Service will cooperate with this city-wide drive and will arrange for speakers to meet with groups of Negroes and Puerto Ricans.

The New York State Committee Against Discrimination in Housing, has a two pronged approach. They will work in the neighborhoods now all white and they will also make a special effort to meet with the Negro groups in the community to encourage them to move into the open city.

At the conclusion of this report, it was agreed that there would be subsequent progress reports to this body.
CCHR agreed to prepare a pamphlet discribing the services each agency has to offer the community.

A portion of the meeting was devoted to a discussion of a name for this group. Several suggestions were offered. The one which seemed to most adequately express the function of the group was, "The Civil Rights Housing Advisory Council."

The function of sub-committees dealing with various facets of housing was discussed and the names of several committees with potential members were offered. Some of the committees that were suggested and the members who either volunterred or were recommended are as follows:

COMMITTEE ON LEGISLATION

Eleanor Vaughn,	CHPC
Barbara Reach,	CCS
Fran Levenson,	NYSCADH
Joe Robison	A.J.C.

Representative NAACP Legal Comm.

COMMITTEE ON TRAINING SEMINARS

Bob Rendall
Morris Sass
Roger Schaffer
Bill Valentine
Dr. Dodson
Ruth Senior

COMMITTEE ON PUBLICLY ASSISTED HOUSING

John Hyman
Bill Valentine
St. Claire Bourne
Ernestine Friedlander
John Taylor

It was understood that membership on all of the sub-committees would remain open to council members unable to attend the December meeting. Other items which were proposed and will be given further consideration deals with:

1) A review of new techniques and strategy to accelerate integration in housing and,
2) A review of CCHR investigation and enforcement procedures.

In response to questions regarding the role and responsibility of the sub-groups, Mr. Wood indicated that it was not intended that the sub-groups engage in specific programs since such efforts would only serve to duplicate programs being carried out by member organizations. The Community Service Society and NCDH, for example, jointly provide very effective services in city and state housing legislation. The value of the committees instead would be to bring to the attention of the whole advisory council, matters which, in their judgement, require the review, support or concerted action of the advisory council as a whole.

Members of the Advisory Council are requested to note that the next regular meeting of the Council will be held on January 28th at 4:00 P.M. This change from the customary schedule of meeting on the third Tuesday in every month has been made to enable us to provide the Council with a full report on housing matters which will be taken up by the Commission at its regular monthly meeting on January 23rd.

NYC Housing CHR

file

HUMAN RELATIONS ADVISORY COMMITTEE

January 8, 1964
10:00 A.M.

AGENDA

WO-4-5656,
X335

I Old Business

- A. Statistics Requested
  - 1. Distribution.
  - 2. Explanation and answering of questions by Dr. Larry Kaplan, Director of Bureau of Research, Planning, and Reporting.
- B. Report by Jack Wood of City Commission on Human Rights
  - 1. Informing relocation tenants of rights and procedures for open occupancy in rentals.
  - 2. Encouraging minority group relocation tenants to seek apartments outside the ghetto.
  - 3. Requiring landlords in difficulties with CCHR to list vacant apartments with Department of Relocation as a sign of good faith.
- C. Report by Vincent Mace of Local 32B on Superintendents aiding Finders Fee Program.

II New Business

- A. Finders Fee Program. – standard neighborhood definition
- B. Staff Training Programs for Departments of Relocation and Real Estate.
- C. Questions and Suggestions from Committee on other topics.
- D. Next meeting: February 19th because second Wednesday of February is a holiday.
- E. Closing Remarks.

THE CITY OF NEW YORK

City Planning Commission • Department of City Planning

2 LAFAYETTE STREET • NEW YORK 7, N. Y. • WOrth 4-5558

WILLIAM F. R. BALLARD
Chairman
FRANCIS J. BLOUSTEIN
Vice-Chairman

Commissioners
JAMES FELT
HARMON H. GOLDSTONE
ELINOR C. GUGGENHEIMER
LAWRENCE M. ORTON
JAMES G. SWEENEY

SAMUEL STEINBERG
Secretary
RICHARD K. BERNSTEIN
Executive Director

January 17, 1964

Hon. Abe Stark, President
Borough of Brooklyn
Borough Hall
Brooklyn 1, New York

Dear Mr. President:

Following the public hearing on the proposed site of the Kingsborough Community College at Manhattan Beach at the last meeting of the Site Selection Board, you asked me to review this problem and submit recommendations to you prior to the next meeting on January 20th.

While the time has been short, our previous knowledge and studies of this matter, and the work we have been doing in our on-going planning and urban renewal programs have permitted us to review the salient aspects of the situation. On the basis of this review, our recommendations are as follows:

1. Manhattan Beach is totally unsuitable as a site for a Community College. Even if there were no other considerations, this site would have to be ruled out on the grounds of its inaccessibility to mass transportation, a prime requisite in considering the location of a Community College. In addition, its potential for recreational use is exceptional and it should be developed as a public beach and recreation area as a matter of sound and forward-looking City policy.

2. On the basis of the best knowledge presently available to us, and after having reviewed a number of potential sites, we believe two sites best meet present criteria for location of the Community College. However, we think the City would be ill-advised to make a final determination on the location of a permanent home for the Kingsborough Community College before the Board of Higher Education spells out in more detail its total program for community college

development. The sites we favor are the Ebbets Field Urban Renewal Area and the area around Fulton Park which we are considering for the 1964 renewal program. In addition, the Atlantic Terminal Renewal Area with its great accessibility to all parts of the Borough needs further consideration, even though it is located close to the existing New York City Community College, and the Stillwell Avenue Renewal Area should be explored as a future site if there is to be a decentralized program with more than one college. While the sites above listed have, in each case, some disadvantages, as well as advantages, they are on all counts superior to Manhattan Beach for a Community College.

3. The establishment of the Kingsborough College should not be delayed by the above considerations. We strongly recommend that it be established at the earliest possible date in rented quarters, preferably in Downtown Brooklyn, pending determination and development of its permanent site.

Each of the points discussed above merits further explanation for your consideration.

1. A community college must have easy mass transit access. A public college in the City of New York serves many thousands of students from every part of a borough as well as the city. These students include the rich and the poor, the white and the black, those who go to school by day and those who work by day and study at night. In New York City, a community college should provide maximum opportunity to all of these students, to all segments of the population. We should not ask many of them to pay double fares to go to school. We should not ask the thousands who must work by day and study at night, to go from one end of the borough to the other to further their educational aspirations. In a city like New York with a population constantly striving to improve itself, it is unthinkable that we would put a community college anywhere but on a mass transit line. For these reasons, the added travel and expense imposed by an isolated location, such as Manhattan Beach, should be avoided at all costs.

The potential and need of Manhattan Beach for recreation use is well-known. It is a unique area which cannot be replaced or located elsewhere. The existence of this beach would greatly increase the alternative choices for those who do not want to go to recreation areas which are very heavily utilized because of easy access to mass transit. True, lack of such easy access can be regarded as a handicap, but it is not so serious for a beach when there are a number of alternatives available, and many of the City's families can use automobiles to reach the area. Further, a family has a choice of whether it wants to make the trip to a beach, but a student has no choice. He must go to his class.

2. The Commission reviewed a number of sites, some suggested by outside groups and agencies, and some by its members and staff. On the basis of sound land-use and locational criteria, it found that many sites were not suitable. In listing the acceptable sites for the Kingsborough Community College, the major criteria were mass transit accessibility and the potential for using the great vitality of a higher educational institution to meet the needs and desires of the City's people for more learning, more training, a better life. Here, the City Planning Commission cannot view the opportunity for higher education in a narrow perspective. It believes that wherever higher educational institutions exist they must be geared to serve all the people in their vicinity and not just their immediate students. In New York City where there are so many poor people, discouraged people, where so many believe that there is no place and no chance for a better life, the community college can be a center of inspiration, an educational force in the broadest sense, reaching out with all its resources to bring an added word of hope and a new vista of opportunity. The college can work with high school students, with drop-outs, with adult education, with vocational training and retraining, with many ways of opening up the culture and advantages of a larger world to the people around it. It can deal with the young, the not-so-young and the aged as a major force in community life. Clearly, these possibilities would be minimal in the isolated Manhattan Beach location.

The Commission will not make a definite site recommendation at this time as important information must be secured from the Board of Higher Education in regard to the future size, function, number and location of community colleges in Brooklyn. If there will be just one more community college in the borough, providing both liberal arts and technical training, a central location for the college is imperative. If there will be more than one college, a decentralized pattern of location is possible, but the need for location on mass transit lines is not removed. Further, coordination of the Board's plans with those of the New York City Community College is desirable so that the City can be certain that both the liberal arts and the technical training needs of the borough's students will be satisfied.

In accordance with the requirements outlined above, the Commission finds that there are four sites which may be suitable for a community college. These sites are described below.

Ebbets Field Area

The Ebbets Field area was designated by the City Planning Commission as part of the 1962-63 Urban Renewal Program, and recently the Board of Estimate authorized the Housing and Redevelopment Board to apply to the Federal Government for study funds. Part of the redevelopment area has been designated by the Planning Commission for school and playground use. A larger area has been recommended for a conservation program. A community college would be consistent with the broader purposes of this area development program, which also would include new housing.

The project area is generally bounded by Empire Boulevard, Bedford Avenue, Carroll Street, Franklin Avenue, President Street and the right-of-way of the Franklin Avenue shuttle. It is in close proximity to Prospect Park, Brooklyn Botanic Gardens and major recreational, cultural and business facilities. It is served by both the BMT and IRT subway lines and connection with the IND is made by the Franklin Avenue shuttle. With the demolition of the stadium, many associated uses have been terminated. Consequently the area is presently characterized by vacant or underutilized land and structures, many in a dilapidated condition. In addition, intensive non-residential uses have created a blighting influence on the basically sound residential core. The total area recommended for redevelopment by the Commission, including street closings, totalled twenty acres.

Fulton Park Area

This is part of an area being considered for the City's 1964 renewal program. There are more than 50 acres, much of which may be suitable for clearance in the blocks between Fulton Street and Atlantic Avenue, Albany and Ralph Avenues, excluding the St. John's Hospital block. The area is mainly residential, with stores along Fulton Street. Population is largely Negro. The IND subway runs along Fulton Street with stops at Ralph and Utica Avenues. Students from Queens can reach the area via the IND, and from northern Brooklyn there is a transfer to the IND at Broadway Junction. The site can be reached also from the eastern part of the borough by mass transit. Thus because of its location this site can serve a broad central and eastern area of Brooklyn. Further, a community college here can act as a focus for a total educational program which the City in any case is determined to undertake in areas like Bedford-Stuyvesant and surrounding communities. As indicated earlier, the contribution of a college in the area to this program could be of incalculable value. Moreover, the college would stimulate improved home maintenance and land development in the Bedford-Stuyvesant and Crown Heights neighborhoods; areas like the one around Fulton Park and the nearby Children's Museum.

Atlantic Terminal Renewal Area

This area was designated in the Commission's 1963-64 Urban Renewal Program and subsequently approved for renewal planning by the Board of Estimate. It consists of eighteen blocks, totalling some eighty-five acres, with nine acres involving air-rights over the Long Island Railroad. From a Borough-wide point of view, there is no better mass transit location. The BMT, IRT and IND all have station stops in the area. Further, the Long Island Railroad has its Brooklyn terminal there. The existence of a network of surrounding educational, cultural, recreational and business facilities, makes this site an ideal one in many ways. However, complex renewal planning for this area is likely to require more time to work out than plans in other renewal areas including the relocation of the Fort Greene Meat Market, the possible reconstruction of the Long Island Railroad Station and an overpass and grade separation of Atlantic and Flatbush Avenues. In addition to the time factor, another element to be considered is the relative proximity of this site to the New York City Community College.

Stillwell Avenue

The Stillwell Avenue area was considered in the Commission's 1962-63 Urban Renewal Program. The Commission also held a public hearing on housing for this area, but a recent decision to build the Shorefront High School on the site has complicated the development problem. Consequently, the Commission is now studying the possibility of enlarging the area. If this can be done it will make a suitable site being well-served by mass transit lines. The Coney Island branch of the IND and the Sea Beach and West End lines of the BMT converge on the site. With this network, the site is ideal for serving southwestern Brooklyn. However, under the best of circumstances, land development would take a considerable amount of time and we would recommend this site only if more than one community college is needed.

3. The City Planning Commission strongly supports the Board of Higher Education's request that we move quickly to open a Kingsborough Community College in temporary quarters. While the determination of other factors leading to a permanent location for the college is being made, there is no reason why we cannot press the search for a temporary central location which is accessible to all. The Commission believes that a location central to mass transit is as necessary for temporary quarters as for permanent ones. The Board of Higher Education, itself, has suggested the possibility of securing such a facility at 250 Livingston Street. It is an eight-story fireproof building on Livingston Street with a twelve-story extension through to Schermerhorn Street, in downtown Brooklyn. The building, occupied by the Veterans Administration, was scheduled to be vacated by the beginning of 1964. The total area of the building is approximately 300,000 square feet, with seven elevators and a modern heating plant, all in reportedly good condition. We urge that this building and other central area possibilities be quickly investigated so that the college can get underway without delay. We do not see temporary rental of such quarters as an obstacle to such action, as other schools have gotten underway in similar circumstances.

In conclusion, the Commission appreciates the opportunity afforded to make known its views on this matter. We are ready at any time to discuss this subject further, in any manner or form you deem advisable.

Sincerely,

William F. R. Ballard
Chairman

Jo fac, file

Housing

JAN 24 1964

FOR RELEASE
FRIDAY, JANUARY 10, 1964

CITY OF NEW YORK
OFFICE OF THE MAYOR

Mayor Robert F. Wagner and Milton Mollen, Chairman of the Housing and Redevelopment Board, today announced the Board's plans to create a new middle income community of 1,600 families complete with school, recreation, parking, shopping and commercial facilities, plus major expansion of Pace College and Beekman-Downtown Hospital, in the Brooklyn Bridge Southwest urban renewal area bounded by Beekman, Fulton, Pearl, Frankfort and Nassau Streets.

Calling for an estimated public and private investment of approximately $80 million, the development will replace some 15 acres of blighted commercial and industrial buildings in an area long prominent in the City's history but virtually stagnant since the turn of the Century.

"This development," said the Mayor, "marks a major advance in my comprehensive program to achieve maximum increase in housing supply, and to create new, healthy communities in the neglected backwaters of our City's older sections. The plan is an integral part of the many public and private activities which have made the burgeoning growth of Lower Manhattan one of the most impressive development stories in our City's history. It provides for the expansion of two major institutions which play vital roles in the area's life, and is designed as a major enhancement and support of such future developments as the Civic Center Complex, the World Trade Center, and the Stock Exchange-Battery Park development.

"The Housing and Redevelopment Board's thinking also foresees future development of the area to the East, which will be undertaken after the Fulton Fish Market, slated for relocation in the City's coordinated program of markets modernization, has been established on a new site."

Mr. Mollen, commenting on his agency's proposal, said that it is also "designed to provide a link among the various present and proposed major developments in adjoining areas, and to inject a whole new element into the life of the Lower Manhattan area.

"Across the street from the seat of the City's government, and within walking distance of other major developments and the downtown business and financial hub, it will provide a housing resource that will serve all of them. It will bring the 24-hour activity of community life to an area already notable for its daytime vigor

"The development site itself is rich with historic associations dating from the City's earliest days, when it was known as the Great New York Swamp, first a hunting ground, then a semi-rural neighborhood, and later the home of the tanning and leather industry. It embraces the sites of the Tammany Wigwam Hotel and the first Tammany Hall, and includes what was once the City's great Newspaper Row. Today, virtually all of the physical relics of this colorful past have been replaced with office and loft buildings that are largely substandard and blighted. For more than a half-century the site has been in a decline. Now, in tempo with the resurgence of the entire surrounding area, it will be reclaimed to the residential uses for which it was once preeminent, and for institutional uses which complement the Civic Center and the center of the nation's finance and commerce."

Mr. Mollen said the site presently contains 171 commercial and industrial structures of which 143 are deteriorating or dilapidated, housing approximately 700 business concerns. There are approximately 15 dwelling units, all in non-residential buildings with deficiencies, and all housing single persons.

In place of these, the plan provides for a complex of residential, institutional, and commercial structures of varying heights. A sharp drop in grade from Park Row toward the East River is used to establish terrace levels or "podium" structures for service and other facilities, with major structures and landscaped open recreation and community areas above. Major development features contemplated under the plan are:

A major new residential development in the 11-acre parcel generally bounded by Fulton, Pearl, Frankfort and Gold Streets. Dominating the site will be five tower buildings, each between 25 and 30 stories in height, and containing approximately 1,600 middle income apartments ranging in size from efficiencies to three bedroom units. All will be oriented to provide sweeping views of the East River, The Harbor, or the Civic Center. A two-story, 640-car parking garage will extend through the center of the site, its roof landscaped and developed as a public plaza and pedestrian thoroughfare, with recreation and community facilities including a restaurant and outdoor cafe, and providing a focus for the residential section as well as a continuation of pedestrian malls which will extend through the balance of the site to the Civic Center.

Also provided are: 1) additional local retail shopping at various points throughout the development, with a total of 42,000 square feet of shop space; 2) Three landscaped playground areas of approximately one acre each; 3) A three-story retail shopping center structure to serve the surrounding area, at the corner of Fulton and Pearl Streets; 4) A six to eight-story office building at the corner of Gold and Frankfort Streets; 5) A small office building on Gold Street between Beekman and Ann Streets; 6) An elementary school for grades K2.

The housing portion of this site is proposed for State mortgage and City tax assistance under the Limited Profit housing program. Total cost of developing the entire parcel is estimated at approximately $42 million. Sponsor is Tishman Realty and Construction Company, 666 Fifth Avenue, New York City, and architects are Kelly and Gruzen.

A major new educational complex on the parcel generally bounded by Gold, Frankfort, Nassau and Spruce Streets. Sponsor is Pace College, a 57-year old Downtown institution which grew from an evening school of accountancy and business law to a college of liberal arts and business administration with a present enrollment of 1,500 daytime undergraduates, and some 4,400 evening students including 425 in the graduate division. Presently housed in its own building at 41 Park Row and adjacent annexes, Pace also has a branch in Westchester County. It plans on the new site to develop a two-story podium, surmounted by two taller structures, one five stories and the other 11 stories, which will contain new Graduate School quarters; a 200,000 volume library, microfilm and recording center; a 600-seat theater; a 2,000 seat gymnasium; educational television and communications, language, mathematics, science and student personnel centers; dormitory space for 560 students and faculty members; some 60 classrooms; a cafeteria; and faculty and student commons and conference rooms.

The roof of the podium will be landscaped and used for assembly and recreation. A central sunken courtyard will provide additional assembly area and exposures for the cafeteria and lounges. Theater, gymnasium and other appropriate facilities will be available for community use.

Total development cost of the Pace expansion is estimated at approximately $12 million. Architects are Skidmore, Owings and Merrill.

--Expansion of Beekman-Downtown Hospital from its present 200-bed capacity to 300-beds with all necessary ancillary facilities and services, tentatively planned as a two to three story building atop a low platform on the easterly portion of the block bounded by Gold, Spruce, William and Beekman Streets. This is adjacent to the hospital's present 11-story building on the westerly portion of the same block.

- more -

The hospital, housed in its present quarters since 1953, is the successor of institutions which have served the Lower Manhattan community since 1906. It is the only institution of its kind below Canal Street, and serves an area with a day-time population of some 650,000. In 1962 the hospital admitted 4,869 patients and registered more than 6,500 ambulance trips, nearly 20,000 emergency visits, and more than 18,000 out patient visits.

Total development cost of the hospital portion is estimated to be approximately $4 million. Architects are Skidmore, Owings and Merrill. Planning consultant is Edwin A. Salmon.

The block bounded by William, Beekman, Spruce and Nassau Streets, also within the site area, has been designated for future institutional or educational use, but no sponsor has as yet been designated. Two office buildings at the westerly end of this block, fronting on Nassau Street, are excluded from the development. Also excluded is a Transit Authority power substation in the southeast corner of the site, on Cliff Street between Fulton and Beekman Streets.

Over-all architectural design of the development will be coordinated by Housing and Redevelopment Board staff. A major feature will be pedestrian bridges connecting the various parts of the development to separate vehicular and pedestrian traffic. The entire development will be joined to City Hall Park by a distinguished, sculpted pedestrian bridge across Park Row which will be designed so as to enhance the Civic Center area, and profide a continuous flow of pedestrian traffic from the park to all parts of the development. The plan calls for street widenings where increased vehicular traffic flow is anticipated, on Fulton, Gold and Pearl Streets, and creates superblocks by closing portions of William, Cliff, Spruce and Beekman Streets.

Total cost of planning and site acquisition for the Brooklyn Bridge Southwest development is estimated to be $21.7 million. Proceeds of sale of parcels to the sponsors is estimated to be $5.5 million. Of the remaining $16.2 million estimated net project cost, it is anticipated that the Federal Government will pay $10.8 million, the State of New York $2.7 million and the City $2.7 million. The Federal Government will also provide a relocation grant of $1.6 million.

- more -

Taxes on the site, even after partial tax exemption for the middle income housing and full exemption for institutional uses, are expected to rise from a present annual return of $465,000 to an estimated $1.8 million, or a gain of approximately $1.3 million per year.

Permission to apply for an advance of Federal funds to plan the Brooklyn Bridge Southwest development was first granted by the Board of Estimate in January, 1960. Planning was completed in June, 1963. Preliminary approval of the Federal Housing and Home Finance Agency was received in December 1963. The plans are now subject to review and action, after public hearings, by the City Planning Commission and the Board of Estimate. They have been transmitted this week to the Planning Commission, with a request that the Commission set an early date for a public hearing.

# # #

1/10/63

FACT SHEET

BROOKLYN BRIDGE S.W.	An urban renewal plan to redevelop a blighted section of downtown Manhattan to provide housing for approximately 1,600 families under provisions of the Limited Profit Housing Companies (Mitchell-Lama) program; to provide new commercial development; to provide for the expansion of Beekman Downtown Hospital and Pace College.	
ESTIMATED CONSTRUCTION COSTS:	residential (Limited Profit)	$29.7 million
	commercial	12.4 million
	institutional (hospital)	4.0 million
	institutional (Pace College)	12.0 million
		$58.1 million
ESTIMATED PROJECT COSTS:	Gross Project Cost	$21,757,883
	Disposition Proceeds	5,500,000
	Net Project Cost	16,257,883
	Federal Capital Grant	10,838,589
	City and State Share	5,419,294
	Federal Relocation Grant	1,600,000
TAX GAIN:	Present Real Estate Tax	465,000
	Estimated after development	1,800,000
	Gain (approximate)	1,335,000
PROPOSED FINANCING:	residential (Limited Profit)....	90 per cent mortgage loan from New York State for 50 years at initial interest rate of 3½ per cent
PROPOSED TAX EXEMPTION:	residential (Limited Profit)....	50 per cent for 30 years
	commercial	none
	institutional	100 per cent
BUILDINGS PROPOSED:	residential (Limited Profit)....	5 25-30-story buildings; 2-story podium
	commercial......................	4 2-8 stories
	institutional (hospital)........	extension, 2-4 story
	institutional (college)..........	5-story administration bldg. 11-story dormitory building 2-story podium
PARKING:	640 enclosed spaces for residential; additional space for institutional and commercial users.	
SITE:	General location in lower Manhattan, Civic Center area. Bounded by Beekman Street and Fulton Street on the South; Pearl Street on the East; Frankfort Street on the North and Nassau Street on the West.	
AREA:	residential (including some local commercial)	7.04 acres
	commercial	3.96 acres
	institutional	4.64 acres
	Total Area	15.64 acres
RELOCATION:	residential:	approximately 15 single person householders
	commercial:	approximately 700 business concerns
SCHOOLS:	Public and parochial elementary schools north of project area, within walking distance. A K-2 school proposed as part of residential redevelopment for kindergarten through second grade.	

- more -

TRANSPORTATION :	All rapid transit facilities are within walking distance of project area. Several bus routes on Park Row, one block from site.

SPONSORS:

residential (Limited Profit)...	Tishman Realty & Const.Co.Inc.
commercial....................	Tishman Realty & Const.Co.Inc.
institutional (hospital).......	Beekman Downtown Hospital
institutional (college)........	Pace College

ARCHITECTS:

residential (Limited Profit)...	Kelly & Gruzen
commercial....................	Kelly & Gruzen
institutional (hospital).......	Skidmore, Owings & Merrill
institutional (college)........	Skidmore, Owings & Merrill

Brooklyn Bridge Southwest Urban Renewal Area

SUMMARY OF DEVELOPMENT PROPOSALS
(to accompany concept plan and composite view)

The plan for the Brooklyn Bridge Southwest urban renewal area establishes controls which will permit the residential and institutional sponsors to develop a new complex of housing, community facilities, commercial and institutional structures designed to serve the growing Lower Manhattan community and provide a link between adjacent present and proposed development areas. These include the Civic Center and Downtown business and financial center, and housing north and east of Brooklyn Bridge. Major overall features include use of a sharp drop in site grade from Park Row toward the East River to permit development of two-story terrace or "podium" structures for service and other facilities, topped by some taller structures, and landscaped open space for recreation and community activities. The plan also provides for separation of pedestrian and vehicular traffic flow. Various parts of the development are connected at terrace level with pedestrian bridges, and the whole is linked with City Hall Park by a pedestrian overpass. Vehicular traffic flow is accommodated by widening of Fulton, Gold and Pearl Streets, as well as the already widened Water Street. The plan also calls for closing portions of William, Cliff, Spruce and Beekman Streets.

The following summaries provide further detail as to the major features of development contemplated under the plan by the various sponsors:

Residential and Commercial Development (Bounded by Fulton, Gold, Frankfort and Pearl Streets). Sponsor: Tishman Realty & Construction Co., Inc. Architect: Kelly & Gruzen

In plans for the housing, commercial, retail and community facilities the sponsors and architects are placing emphasis on the relationships of the proposed facilities to major projects slated for adjacent areas. The plan is aimed at creating a distinctive urban community which will be related and linked effectively to surrounding areas and proposed new projects.

Principal features of the proposal call for:

* five housing towers, each between 25 and 30 stories in height, providing approximately 1,600 apartments, units ranging in size from efficiency to 3 bedrooms. All apartments are being oriented to provide sweeping views of the East River, Harlem or Civic Center. (#3 on concept plan)

* three landscaped playgrounds of approximately one acre each. (in open areas on concept plan)

* a 3-story retail shopping building to serve the development and surrounding areas, with approximately 146,000 square feet of space, plus other retail shopping at various points for local shopping comprising 42,000 square feet. (#6 on concept plan)

* a 2-story, 640 car covered parking garage, extending across the center of the site. The roof of the garage will be developed into a public plaza and pedestrian thoroughfare to establish, in effect, an extension of the system of pedestrian malls which are to run through the Civic Center to this site. The roof will also contain recreational and community facilities, a restaurant and outdoor cafes to serve as a focal point of the entire project. (#8 on concept plan)

* an elementary school for kindergarten through second grade. (#4 on concept plan)

* a 6-8 story office buidling of approximately 500,000 square feet. (#5 on concept plan)

* a 6-8 story office building of approximately 44,000 square feet. (#5 on concept plan)

Institutional Development (Bounded by Gold, Frankfort, Nassau and Spruce Streets).

Sponsor: Pace College. Architect: Skidmore, Owings & Merrill

Plans for the expansion of Pace College call for the construction of a 250,000 square feet low base or podium, across its entire site, tapering from ground level at the portion fronting on Nassau to a height of 20-feet above ground level at Gold Street. Rising out of the podium will be a 5-story administration building and an 11-story dormitory building. The upper part of the podium will be landscaped and used for assembly and recreation. A central courtyard will provide additional assembly area and an exposure for a cafeteria and lounges. (#1 on concept plan)

Principal features of the proposal call for:

Podium

* science and mathematics center containing laboratories, classrooms, faculty research facilities and faculty offices.

* language center with electronic language laboratories and classrooms.

* gymnasium with facilities to seat 2,200 for general meetings and 1,000 for intercollegiate basketball games.

* theatre with seating facilities for 600, plus studies and workshops.

* cafeteria with accommodation for 700.

* student personnel center with office for admission and registration.

Administration Building (westerly structure)

* library with facilities for 200,000 volumes and seating for 700, plus a microfilm library and a recording center.

* graduate school with facilities for 1,500 students, including classrooms, seminar rooms, faculty offices, a business reserach center and administrative offices.

* computer center to serve the mathematics, science and business research areas of the college.

* general faculty center for 150 full-time and 250 part-time faculty.

* educational television and communication media center, with studio and workshops for a closed-circuit television system.

* a Hall of Management honoring outstanding business leaders chosen by the Advisory Council of the College for its annual "Man of Magagement" Award.

Dormitory Building (easterly structure)

* rooms to house 450 to 500 students.

* student and faculty center with conference rooms, lounges, dining areas, meeting rooms and club and recreation rooms.

Institutional Development (bounded by Gold, Spruce, William and Beekman Streets)

Sponsor: Beekman-Downtown Hospital. Architect: Skidmore, Owings & Merrill

The additions and improvements to Beekman-Downtown Hospital are being designed to utilize a site of approximately 22,000 square feet, and will extend the present building to occupy the entire block bounded by William, Spruce, Gold and Beekman Streets with a one-story terrace structure, topped by a two-story extension architecturally compatible with the existing 10-year-old white brick building (#2 on concept plan). It will add 100 beds to the present 200, and will increase the space available for acute care of patients. Coupled with construction of the extension will be a remodeling of present hospital facilities which will permit expansion of various departments and services. Ancillary services will be expanded and out-patient facilities increased to accommodate up to 300 ambulatory patients per day.

DISC COMPLAINTS
KINGSBORO

THE CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 Lafayette Street - New York, New York

Minutes of the Housing Advisory Council Meeting - February 18, 1964 - 4:00 P.M.

Organizations Present:

The Commonwealth of Puerto Rico
Corona, East Elmhurst NAACP
Greenwich Village, NAACP
Astoria Branch, NAACP
Brooklyn Branch, NAACP
NYC Branch, NAACP
Anti-Defamation League
National Committee Against Discrimination in Housing
Committee on Civil Rights in Metropolitan New York
Community Council of Greater New York
Queens College, CORE

The fourth meeting of the Housing Advisory Committee was held on Tuesday, February 18th in the Conference Room at CCHR. Mr. Wood briefed the conferees on the press release conference which had been held at the Commission's offices at 10:00 a.m., February 18th. Mr. Madison Jones announced to the press that the City Commission is going into a cooperative agreement immediately with ten civil rights agencies. The immediate result will be the opening of seventeen housing complaint offices in the four boroughs. Complaints may be filed at these 17 offices which will be staffed by 10 private agencies including;

The American Jewish Congress
The American Jewish Committee
The Urban League of Greater New York
The Anti-Defamation League
The Commonwealth of Puerto Rico
The Congress of Racial Equality
The Congress of Puerto Rican Hometowns
CCRM
NAACP
NYSDH

This all came about on November 19th, when the Housing Division convened the first of its regular monthly meetings with representatives of local civil rights agencies. Since that time, the Commission has engaged in working out the details of a series of agreements with a selected group of private civil rights agencies with staffed office facilities in in New York City. The Commission has been approached by several private civil rights agencies interested in the possibility that their offices might join with CCHR in a cooperative effort to accelerate racial integration in housing. As this program proceeds, however, and as minority families expand their interest in the City's entire housing supply, the volume and frequency of housing complaints are expected to increase. Expanded complaint facilities would make it easier and more convenient for families who may encounter discrimination in the borough or neighborhood in which they live.

All of the staff persons from offices participating in this agreement were briefed by Mr. Witner of the Enforcement Division of CCHR and Mr. Gomez of the Legal Division in a half day seminar. These persons were informed about how to take complaints, the complaint forms, the provisions of the Law, etc. Mr. Wood announced that the agreements were finally in operation and would appear in most of the NYC newspapers. CCHR also plans to advertise the opening up of the complaint offices on T.V., Radios and subways. It was indicated to the conferees that if they had any ideas in which CCHR can help in this connection; such as ways CCHR can give support - refining the complaint forms or procedures etc., they would be welcomed by the Commission.

There was lengthy discussion concerning the agreements. Betty Hoeber suggested that something be done about the telephone directory. "It is extremely difficult to get in contact with CCHR or the agencies that are entering into this agreement. People are misled about the agencies. They think Housing deals with the problems of the Housing Authority. Mrs. Hoeber suggested that there should be a heading in the telephone book marked "Housing Complaints." Several of the agencies present expressed their interest in going into this agreement. Mr. Wood stated that if these additional agencies maintain regularly staffed offices, the Commission would consider adding them to the original ten.

Mr. Wood indicated that besides the agreement with private agencies, the Commission, in the next two or three weeks, would discuss this program with several other municipal agencies including:

The Department of Welfare
Neighborhood Conservation
The Department of Relocation
NYC Rent & Rehabilitation Administration

Sub-Committee

At the first meeting with the Housing Advisory Committee, it developed that several agencies were planning programs designed to reach and motivate the minority community. These organizations included:

The Urban League of Greater New York
The NYS Committee on Discrimination
    In Housing
The Committee on Civil Rights in
    Metropolitan New York
The American Friends Service Committee.

It was agreed that, for a more effective service to the minority community, some plan of coordination should be worked out between the respective organizations and that CCHR should convene this sub-group for that purpose.

The sub-committee has held two meetings, one in December and one in January. Each of the organizations has prepared a brief resume of its current program to implement the FHP Law through direct action in the minority communities. It was decided by these four organizations that pamphlets a nd application forms will be carried by each of them on their speaking engagements and passed out to the public. The Commission will produce a brochure describing program activities of each of these agencies. The booklet will inform prospective renters and buyers that the civil rights groups and fair housing committees in the metropolitan area, with the backing of the City Commission, are ready to help them take advantage of the Fair Housing Practices Law. In addition, the Commission has agreed to produce a common application form for use by all agency members of the CRHAC.

The purpose of using a common application form is to make certain that all twenty members of the council will be recording the essential information required of families in order to help them obtain housing. The use of the common application form also will simplify the interchange of information as various agencies refer applicants to one another for assistance. The Public Relations Staff of CCHR also is engaged in the preparation of both the "Open City" brochure and the application forms. This material will be distributed in volume to all members of the council as soon as available.

Kingsboro Community College

There also was considerable discussion on the possible designation of Manhattan Beach as a site for the construction of the new Kingsboro Community College. Members of the CRHAC unanimously agreed that this was a matter affecting housing as well as educational interests and that the designation of the Manhattan Beach by the Site Selection Board would be a serious blow. Most of the representatives indicated that in behalf of their agencies, they would either write letters to the Site Selection Board or present testimony in oposition when the Board held its hearing on Feb.. 27. Most of the organizations appeared to favor Fulton Park as the most favorable site.

The next regular monthly meeting of the Civil Rights Housing Advisory Council will be held in the Commission's offices on Tuesday, March 17th at 4:00 PM.

CITY PLANNING COMMISSION

February 26, 1964

MEMORANDUM Regarding Proposed Site for the Kingsborough
Community College, Borough of Brooklyn (SS 113)

Background:

The matter under consideration by the Site Selection Board constitutes a planning decision of major proportions affecting the future growth and development of our City's higher education program, and the determination of how a valuable 65-acre beachfront shall best be used.

It has been proposed that this site, at the tip of Manhattan Beach, be purchased at a token price from the Federal Government to be used for a two-year community college. This proposal came many months after the Department of Parks submitted a plan for the use of this area -- once known as Oriental Beach -- as a park and beach extension of the heavily used Manhattan Beach which lies due west of it.

While the branch proposal has never been directly resolved as a matter of public policy, the Board of Estimate passed a resolution on November 21, 1963 recommending that the former Air Force Base at Manhattan Beach be acquired for the development of a community college. The matter was referred to the Site Selection Board for action, and public hearings were held December 20, 1963, continued on January 20, 1964, and then continued to February 27, 1964.

The Capital Budget, as submitted by the City Planning Commission on January 3, 1964, set aside $632,000 in City and State funds for the Kingsborough Community College with the following caution:

> "The new Kingsborough Community College has funds in the Proposed Budget to equip rented quarters, pending the acquisition of an appropriate permanent site. At the request of the Board of Estimate, the Site Selection Board currently has before it a proposal to use the abandoned Maritime Base at the tip of Manhattan Beach for the new Community College. It has been proposed that the deteriorating barracks and facilities on the Base be used as temporary headquarters for the college. The Commission has stated that this 65-acre waterfront site is particularly ill-suited for a community college -- a contention that was strongly upheld by speakers at the public hearing. The Commission is preparing its recommendations for alternate sites for the College. Meanwhile, we would urge that the funds assigned to the Kingsborough Community College be used to equip appropriate space elsewhere for initial operations until a more accessible, more centrally located permanent home is found."

This item has been continued in the Mayor's Executive Capital Budget of February 1, 1964.

Prior to the Site Selection Board's January 20th meeting, the Chairman of the City Planning Commission advised the Borough President of Brooklyn of his opposition to the Manhattan Beach Site for a community college and agreed to submit a report on alternative courses of action:

In a letter dated January 17, 1964, the Chairman wrote to the Borough President of Brooklyn, in summary:

> "1. Manhattan Beach is totally unsuitable as a site for a Community College. Even if there were no other considerations, this site would have to be ruled out on the grounds of its inaccessibility to mass transportation, a prime requisite in considering the location of a Community College. In addition, its potential for recreational use is exceptional and it should be developed as a public beach and recreation area as a matter of sound and forward-looking City policy.
>
> 2. On the basis of the best knowledge presently available to us, and after having reviewed a number of potential sites, we believe two sites best meet present criteria for location of the Community College. However, we think the City would be ill-advised to make a final determination on the location of a permanent home for the Kingsborough Community College before the Board of Higher Education spells out in more detail its total program for community college development. The sites we favor are the Ebbets Field Urban Renewal Area and the area around Fulton Park which we are considering for the 1964 renewal program. In addition, the Atlantic Terminal Renewal Area with its great accessibility to all parts of the Borough needs further consideration, even though it is located close to the existing New York

> City Community College, and the Stillwell Avenue Renewal Area should be explored as a future site if there is to be a decentralized program with more than one college. While the sites above listed have, in each case, some disadvantages, as well as advantages, they are on all counts superior to Manhattan Beach for a Community College.
>
> 3. The establishment of the Kingsborough College should not be delayed by the above considerations. We strongly recommend that it be established at the earliest possible date in rented quarters, preferably in Downtown Brooklyn, pending determination and development of its permanent site."

These points were re-emphasized and elaborated upon in a subsequent exchange of correspondence with the Borough President.

Analysis:

There are two major and overwhelming considerations which argue against this site for the Kingsborough Community College:

1. An unpolluted, oceanfront beach is a precious resource in this -- or any City -- and logic, as well as the public interest, would dictate that such waterfront lands be held in public ownership for recreational purposes. The City of New York is not so rich in beachfront resources that it can afford to develop on its beaches other uses which can be sited elsewhere. This is especially true in view of the intensive summertime use of our City's beaches.

2. The Manhattan Beach Site is probably the worst possible location for an educational facility to serve large numbers of students who must rely heavily on the City's transit system for transportation. In this time of crisis in our City, when we are involved in an all-out war against poverty; when we are straining all our resources to discourage school drop-outs -- to whet the intellectual appetites of our young people and raise the horizons of the deprived residents of our City, it seems wholly illogical and somewhat rash to seek out a remote

location. A two-fare, or sometimes even a three-fare, trip to a remote "community" college can severely penalize youngsters from poor homes and also the ambitious adults who seek to improve their lot by studying at night while working during the day.

Poor Transportation Access

We believe that the transportation difficulties posed by the Manhattan Beach site would be significant in discouraging a large number of students from attending this college.

An analysis was made by the Planning Commission of the travel time of almost 300 Brooklyn students enrolled in the evening liberal arts program at New York City Community College in Downtown Brooklyn. It should be noted that this educational facility has a very high proportion of students from lower-income and minority families, and that the sampling taken by the City Planning Commission study was representative of these groups.

It was found that the average student would be required to travel 55 minutes from his home to the college, and that almost forty per cent of this sampling would require more than an hour and a quarter travel time to get home. One out of every six students surveyed would be required to pay three fares to get from school to home. In contrast, sites recommended by the City Planning Commission for this college would cut average travel time by from 30 per cent to **50** per cent and save the average student from $60 - $100 a **year** in carfares.

Educational Opportunities

Closely related to the accessibility problem is the matter of the working student who cannot afford day study. Inspection of enrollment data shows that colleges with good mass transit accessibility have a high ratio of evening to day enrollment. Brooklyn College, with good accessibility, has over 18,500 evening enrollments compared to 9,900 day enrollments, almost two to one. Queens College with poor mass transit access, has 10,450 evening and 7,400 day students, a ratio of less than one and a half to one.

These statistics can be reinforced by data from other City colleges. They point to two facts. First, out-of-the-way location discourages the working student, and can be said to discriminate against him. Second, such location does not make full use of facilities in the evening. Apparently evening sessions can accommodate two to three times day enrollments. When there is no such ratio of use, the college facilities are being underutilized. 7 At the January 20th hearing, Board of Higher Education officials announced that the anticipated enrollment at Manhattan Beach would be 5,000 evening and 5,000 day students. In this location their forecast of this one-to-one ratio is likely to be correct. Unhappily, this would be an underutilization of the facilities and is an acceptance of a low return on the City's huge investment in higher education.

Questions on Educational Policy

In its January 17th memorandum, the City Planning Commission pointed out that there are fundamental questions relating to the future size, function, mumber, and location of community colleges which have yet to be clearly resolved by the Board of Higher Education.

We wish to re-emphasize our belief that higher education must not be viewed in a narrow perspective. We believe that wherever higher educational institutions exist they must be geared to serve all the people in their vicinity and not just their immediate students. In New York City where there are so many poor people, discouraged people, where so many believe that there is no place and no chance for a better life, the community college can be a center of inspiration, an educational force in the broadest sense, reaching out with all its resources to bring an added measure of hope and a new vista of opportunity. The college can work with high school students, with drop-outs, with adult education, with vocational training and retraining, with many ways of opening up the culture and advantages of a larger world to the people around it. It can deal with the young, the not-so-young and the aged as a major force in community life. Clearly, these possibilities would be minimal in the isolated Manhattan Beach location.

The Need for Rapid Action

There is no dispute on the need for added community college facilities and the desirability for starting to acquire both temporary and permanent quarters as quickly as possible. We believe the construction of permanent facilities at the Manhattan Beach site for community college use will require many years and could proceed not much faster than any of a number of other sites suggested by the Planning Commission. In addition, the cost of ultimate development on this 65-acre site would be substantial, and it raises questions which must be resolved in terms of future Capital Budget outlay for higher education and the relative worth of this single project as compared to the total needs for higher education in this City. We are fearful that the surface attraction of a site which seemingly can be had for a bargain price may prove to be an extremely costly detour in the development of a sound educational and capital construction program for the Board of Higher Education.

We also believe that suggestions that the present facilities at Manhattan Beach could be used for temporary college use are not based on full appreciation of existing conditions. Members of the Planning Commission over the past years have inspected the site carefully and it is our judgment that the deteriorated condition of the structures and the physical plant is so acute that the proposed renovation to accommodate 400 students could not possibly be completed by September for the money now proposed in the Capital Budget. Further, we would strongly recommend against investing further in the attempt to salvage structures that were built twenty years ago for temporary use.

We believe the fastest and wisest course of action is to rent temporary quarters as quickly as possible for the Kingsborough Community College while a decision is made regarding a permanent site. A number of suitable rented facilities are available, including 250 Livingston Street which had been suggested earlier by the Board of Higher Education.

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CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 LAFAYETTE STREET, NEW YORK 13, N.Y.

MEMORANDUM

To: Members of the Civil Rights Housing Advisory Council

April 15, 1964

From: Jack Wood

Subject: Electchester Houses

On March 26, the CCHR Housing Department convened a mediation conference between members of the Mid-Queens Citizen Committee representing several Long Island civil rights agencies and Mr. Harry Van Arsdale and members of the Board of Directors of Electchester Houses. At issue was the racial character of occupancy in Electchester Houses and the establishment of policies and procedures to bring about a constructive change.

A working paper was prepared by the Housing Department to make clear the position of the City Commission and to recommend certain techniques and procedures which might be used to promote and maintain a pattern of integration in Electchester. The meeting ended with an announcement by the Electchester management that it would work vigorously to promote broader integration in its development and that it would accept and follow the CCHR recommendations for implementation. A copy of the recommendations is attached for your review.

Your agency has a very important role to play in guaranteeing the success of Electchester's new policy. The effectiveness of this effort will depend on the support that it receives from the private agencies. Electchester is an extremely attractive and desirable low cost cooperative. Carrying charges for four room apartments after down payment run as low as $80.00 per month.

I hope that you will do your part by making known the availability of Electchester as a housing resource and by encouraging minority families to apply.

Requests for applications should be directed to

Mr. George Link, Chairman
Electchester Renting Committee
161-04 Jewel Avenue
Flushing 65, New York

THE CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 Lafayette Street - New York, N. Y. 10013 - Tel. 566-2121

STANLEY H. LOWELL
Chairman

MADISON S. JONES
Executive Director

ROBERT F. WAGNER
Mayor

AFFIRMATIVE STEPS AND PROCEDURES RECOMMENDED BY CCHR TO INSURE THE EFFECTIVENESS OF AN INTEGRATION PROGRAM IN ELECTCHESTER

1. Securing Applicants-
A specific statement of the methods that Electchester will employ to contact prospective applicants in the minority community. Suggested techniques would include advertising in Negro & Puerto Rican news media and the establishment of a working relationship with offices of the Urban League, NAACP, New York State Committee on Discrimination in Housing, The Committee For Civil Rights In Metropolitan New York and the Commonwealth of Puerto Rico.

2. Evaluation & Review-
Representatives of Management and the Mid-Queens Committee should meet at regular intervals in order to evaluate the effectiveness of Electchester efforts to secure minority applicants. The City Commission recommends that such conferences be held on a quarterly basis. Reports should include the number of applications received from minority families in the preceeding three month period. On the basis of these figures, the Commission shall determine whether there is a need for Electchester to expand its efforts to include other types of publicity.

3. Vacancies and Assignments-
As a measure of the sincerity of Electchester's efforts, reports shall include a statement of the number of units that have become available in the preceeding period together with a statement of the number of non-white applicants who were assigned dwelling units during the same period.

4. Insuring Sound Community Relations-
The City Commission would also be interested in receiving notice of any problems or difficulties arising from the implementation of this agreement. The timely receipt of such information will help to insure the absence of tensions in intra development human relations.

Appd 3/26/64

Housing

Report on "Interracial" Ads

COIR had been disturbed for some time by the increasing use of the term "interracial" in real estate advertising. It appeared, after checking, that this had become a clear-cut euphemism for "Negro" housing, and that it was contributing to the preservation and development of segregated housing. Upon passage of the municipal Fair Housing Practices Law, we felt that the term served as a direct contradiction to the spirit and letter of the law.

It was decided first to discuss the matter fully with representatives of the newspapers, to present our views and solicit their reactions and suggestions. A letter was sent to advertising managers of all daily papers, expressing our general concern and inviting their participation in a meeting to discuss the problem. Representatives of most of the papers attended this meeting, in July 1958, in COIR's offices. There was good and free discussion with general support for COIR's position, and agreement that if all papers dropped such terminology there would be no serious repercussions. Some papers said they already refused such ads; others said they had instituted or reinstituted the practice upon pressure from outside sources.

COIR offered its services to the papers in handling any complaints which might arise from discontinuance of this practice. Upon this basis all present indicated that if COIR would formally request discontinuance of the practice in letters to their publishers, they believed the papers would comply.

Such formal request was sent to all publishers, in a letter outlining the concensus of the meeting. The letter expressed confidence that newspapers would wish to support the official city policy of non-discrimination. It was not phrased as a "demand."

By mid-September, all New York daily papers had informed COIR that they had discontinued use of such terminology. These papers included:

Brooklyn Daily
Civil Service Leader
Daily Mirror
Daily News
Herald-Tribune
Journal-American
Journal of Commerce
Long Island Press
Newsday
New York Post
New York Times
Star Journal
Staten Island Advance
The Chief
Wall Street Journal
World Telegram & Sun

COIR believes that the prompt voluntary compliance on the part of the newspapers is very encouraging, pointing to other areas where voluntary compliance with the Fair Housing Practices Law may be sought without resort to enforcement powers.

COIR has asked that any complaints be referred to this agency. A number of complaints from advertising agencies, builders, and brokers who sought to place "interracial" ads have been referred.

Personal conferences with such complainants have stressed COIR's basic position: that all housing is equally open to all under the Fair Housing Practices Law -- hence, such designations are superfluous if meant in good faith, and harmful if used as a synonym for "Negro housing."

Some complainants have been trying to protect an investment in what was obviously inferior quality housing geared to the restricted Negro market; others maintain that COIR is depriving Negroes of the opportunity to locate housing which is open to them. The Negro home-seeker, they charge, does not go out into the general market, despite his legal right to do so.

COIR is now directing a considerable part of its educational program toward informing the minority citizen of his rights in housing, and encouraging exercise of these rights to bargain in the open market for housing.

However, responsibility for this educational job, and the overall enforcement program on the Fair Housing Practices Law, cannot rest with the Commission alone. The full cooperation and support of the general public and of community and civic organizations is needed to make the law effective. There are several ways in which community organizations can support COIR's program:

> Keep us informed of activities which appear to violate the Fair Housing Practices Law. (Example: After the agreement to stop use of "interracial" ads some advertisers sought to substitute other devices such as "integrated", or "Attention Harlemites." Alert readers in civic groups have helped us to track these down. Civic organizations can help COIR by informing newspapers of their opposition to such practices.)
>
> Help COIR convey its "knock on any door" concept to minority groups who have been conditioned to look for housing only in restricted areas. Encourage them to use the open market, and to refer complaints and difficulties to COIR.
>
> Help develop an open market through educational programs designed to affect practices of the real estate industry, tenants, and apartment-seekers.

STATEMENT OF WILLIAM F. R. BALLARD
CHAIRMAN, CITY PLANNING COMMISSION
AT MEETING OF SITE SELECTION BOARD ON
MONDAY, APRIL 20, 1964
REGARDING KINGSBOROUGH COMMUNITY COLLEGE

I am not pleased at the prospect of the City Planning Commission's becoming the City's newest minority group -- at least so far as this Site Selection Board is concerned. Nevertheless, I have no alternative but to cast a firm "Nay" to the proposal to acquire Manhattan Beach Maritime Base property for the Kingsborough Community College.

The position of the Planning Commission has been unequivocal in this matter: (1) the proper land use for the area in question is for public recreation because of its shorefront location and relative inaccessibility for regular everyday travel. (2) the site involved is so poorly located in relationship to public transportation facilities that it will serve to discourage daily attendance by young people who work during the day or who live in areas like Bedford-Stuyvesant, Bushwick, Greenpoint, and other two-fare or three-fare zones; a community college should be sited to bring maximum educational opportunity to the whole community, and this site could not be more remotely located.

It is most unfortunate that Federal policies are so tangled that lands can be acquired for $1 for educational purposes -- but not for public recreational use -- at a time when the Department of the Interior is carrying out a vigorous campaign to conserve beachfront lands for public use, even at the cost of acquiring vast tracts of such land for national beaches.

It is apparent that a $1 lure has trapped the City into another act of expedience. I suspect that this attractive no-down-payment offer will require us to build an excessively costly facility unrelated to proper land use or to common sense goals for future development of the City.

Neither I nor the many residents of Brooklyn who are dubious about Manhattan Beach as a college site can find much solace in any proposed compromise which will provide a second community college in another section of the borough, presumably located in rational proximity to subways.

Incurring the expense of a second college to compensate for the improper location of this one is a weird sort of planning indeed.

CITIZENS BUDGET COMMISSION, INC.

51 EAST 42ND STREET
NEW YORK, N. Y. 10017

AREA CODE 212
TELEPHONE: 687-1390

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H. E. WILSON
ROBERT WINTHROP

June 9, 1964

Mr. Sidney Rivkin
Chairman, Citywide Housing Committee
Urban League of Greater New York
204 West 136th Street
New York, N.Y. 10030

Dear Mr. Rivkin:

Enclosed you will find a letter addressed to Mayor Wagner setting forth the opposition of the Citizens Budget Commission to the use of Manhattan Beach for the proposed Kingsborough Community College.

I would hope to be able personally to give this letter to the Mayor on June 16 at 4 p.m. In any event, should I be unable to be there, we shall take the necessary steps to get the letter into the Mayor's hand by the time of your appointment with him.

Sincerely,

John M. Leavens

John M. Leavens
Executive Director

JML:jg
encl.

June 15, 1964

Hon. Robert F. Wagner
Mayor, City of New York
City Hall
New York, N.Y., 10007

Dear Mr. Mayor:

The City-wide Housing Committee of the Urban League of Greater New York has asked us to join them in appealing to you to reverse the decision to locate the proposed Kingsborough Community College at Manhattan Beach.

The objection of the Citizens Budget Commission to the use of the dilapidated barracks at Manhattan Beach for college purposes rests on a simple premise: that scarce beach-front property, potentially available for public use, should be used exclusively for purposes of recreation. We share the opinion of the City Planning Commission that the Manhattan Beach site is particularly ill-suited for a community college, both absolutely, in physical location terms, and relatively, in relation to the residences of its potential students.

We agree that extension of the City's Higher Education system deserves the top priority you have assigned to it. But we feel that a new college ought to be centrally located both with respect to where its students are and with respect to convenient subway transportation. Manhattan Beach fits none of these criteria.

We urge you to require the appropriate City agencies speedily to find a suitable location for the new community college that will more effectively increase the higher education opportunities for our young people, and, at the same time, preserve sound land use.

Respectfully,

Robert W. Dowling
President

RWD/pm

ema

COPY

Put names on cards

MAYOR'S HOUSING CONFERENCE SCHEDULE

DATE & SUBJECT	COMMISSIONER & DEPARTMENT
First Session	
2:30 Monday, December 2nd The City, the Tenant and the Landlord	Milton Mollen-Housing Policy Board & Housing Executive Committee Frank Lazarus-Department of Real Estate Hortense Gabel-City Rent & Rehabilitation Administration
Second Session	
2:30 Monday, December 9th Code Enforcement	Harold Birns-Department of Buildings Dr. George James-Department of Health Frank Lucia-Department of Sanitation
Third Session	
2:30 Monday, January 6th Urban Renewal & Public Housing - Planning and Implementation	William Ballard-City Planning Commission Milton Mollen-Housing & Redevelopment Board William Reid-City Housing Authority
Fourth Session	
2:30 Monday, January 20th Social Services in Housing	James Dumpson-Department of Welfare Herman Badillo-Department of Relocation Stanley Lowell-City Commission on Human Rights
Fifth Session	
2:30 Monday, February 3rd Plans and Legislation for the Housing of the Future	All of the above Commissioners

PLACE - City Council Chambers

City Hall

Assuming, for the moment, that the legal court appearanse of the tenants and rent strikers are important for the purposes of the rent strike itself, then it would appear that the necessary effort to accomplish the following is necessary.

There should be a list of all buildings in the rent strike, perhaps some indication as to the number of apartments in the building as a whole and how many of those are actually today withholding rent.

It should be ordered today the report from the Building Department as to violations presently on record for each of these buildings.

Review of the violation records which I returned for the Building Department (which would include the violation index of the Health Department) there should be made to see that the violations are of a nature to support a successful defense in court of "constbuctive eviction" (that is that the tenant has been substantially deprived the beneficial use of the apartment). In the event that is not so from the record and the conditions of the tenant's apartment or the building overall ~~xxxxx~~ warrant a re-inspection to adequately raise defense of "constructive eviction" then a re-inspection should be ordered and a search ordered to cover that re-inspection report. It will be noted that finding whether the violations~~is~~ on the initial report cover the conditions at the premises themselves, will require some interviewing or discussion with tenants or their representative as to the particular apartment or building.

To the extent necessary that kind or review of the surveys must be held tightly in reign so that the reports themselves are not lost, destroyed or unfindable, yet at the same time the building organizer of the tenants ~~should contact~~ will have to be contacted ~~[illegible]~~ in order to themselves undertake burden of that work.

I foresee that the last item is a formidable job requiring close surveillance and repeated follow-up. The chart should be drawn so that visually one can see the status of the building in terms of violations of record. You'd have to think it through to find out how many columns, plus a couple of extra you need so that you can tell at a glance if a survey search report has been ordered, the date of ordering it, the date it was returned whether re-inspection was necessary to establish appropriate "constructive eviction" violations. If the answer is yes and whether re-inspection was ordered, date when it was ordered, date the second survey search of violations was ordered, whether we received it back and whether it was checked over to see if its violation amounted to constructive eviction. Thought ought to be given to the fact that whether further health inspection would be necessary.

In the survey of violations any reordered survey would need to be examined to see if the violations legal status of "constructive eviction2.

If we can't defend a case in court at least something ought to be done with it in terms of negotiation if appropriate with the landlord, rather than having an invitation to a law suit which we could not successfully defend.

In dispossesses, that is a court process starting a sumary proceedings to evict the tenant for non-payment of rent which come into our hands, should be listed the date when we got it, the answer form typed in duplicate, the present time a legal back placed on it on one copy and my form for certification of mailing also inserted/ in The disposses should be written the date that the answer is filed with the visible file index is a good one, using that when we get the cards back from the court which state the date of the trial this should be put on to the visible file showing attorney for the opposing side index number, landlord's name, tenant's name, tenant's apartment the address of the premises, amount of rent per month and total owing, a space left towards the right so to be able to write the disposition of the matter. The post-card we receive from the court should then be inserted into an envelope and mailed to one of the tenants affected. If the post card covers more than one address a second post-card should be made up for each additional address and be sent out to one of the tenants with a note on it to please contact the others in the building of the trial date except for such and such and they should be in court at that time. Someone should be involved with the tenants who get disposses to be given a form, a fairly good one which has been prepared on pink paper so that they can fill out their complaints so that in court we can negotiate or use it on the defense of the action without having to continue to press the tenant at that time in the midst of all the confusion as to what their particular complaints are. At the time we get the dispossesses the apartment and the address should be reveiwed with the list of survey reports already in our possession to see if we cover the situation of that particular building as well as that particular apartment. In the event that we don't then we must if we are to defend the case immediately have a Building Department search ordered and search of violations and for the Health Department to make an examination inspection forthwith. That would put is in a position of being able, if we have four or five days to do so, of getting a health inspection made. At that time a subpoena should be made up for the building including the particular apartment, perhaps even served upon the apartment at that time if they will arrange for us to make it on a "basis". If the Health Department won't make it on such a basis then we must wait until we get the post-card back stating the date of the trial and at that time serve the subpoena with the $2.00 cost upon the Health Department. I am talking these situations where our records already in our possession are inadequate.

There must be a follow-up with the Health Department in person to see if we have obtained violations which would stand up in court for there is no sense going into the courtroom with violations which are insubstantial. This is all a matter of personal contact and so that we can get to know

I should have one. They should be able to be submitted as of a certain date for the next week or so and think they should be numbered with addition to date so that we keep track of them and think they should be posted, I guess, in the Community Council or wherever else they want to do with it, two days before a person goes to trial there should be a follow-up to them of the necessity of their being in court on that day. There will be some instances where there will be an adjournment, generally known the day before they have to be in court which will have to be communicated to these people so that they don't make a useless trip to the courthouse. The chart should be able to reflect that the tenant has initially been contacted and that there's been a follow-up contact and that the tenant has actually been advised.

All court workers should be in court no later than 9:30. While I recognize that the court may not start for 1/2 hour after that there are judges who call the Calendar promptly at that hour. If you are around you can control the situation so that all your cases go out to the same trial part of the court, ~~xx~~ and you don't have to attempt the impossible of flying between three and four different trials simultaneously.

Do not mention the situation where it may be necessary to subpoena the Building Department records. If they have been subpoenaed, and as a general rule all subpoenas should be given at least 2 working days before the City agency has to appear in court, to the Building Department those will be found in the record room, Room 927 of the court. The worker gets into court and such records needed for that day it would be a good idea for him to verify the day before we get to court in such a case whether records have been subpoenaed and the Department of Buildings records have been subpoenaed and they have actually been received by the Record Room. The Department of Health records will get over there if they have been subpoenaed by a messenger or inspector from the Department of Health generally not before 10 - 10:30.

After the trial of other disposition of the case I feel a post-card should be sent to the tenant by us advising the tenant of the outcome even though the tenant has been in court. Post-cards could, therefore, be made up in advance or while the workers are in the courthouse awaiting events. At the courthouse there should be an orderly procedure for the assortment of answers that have been prepared for filing that day, envelopes should have been addressed to the attorneys to whom the copy has to go and a running list of dispossesses that we have in our possession with a notation made as to the fact that the dispossess was filed.

There must be some follow-up within a matter of say, two-days, three days, that we have been notified as to the trial date of the case. There does occur at times, and ithas happened to us already, where the court fails to notify the attorneys involved that the matter has been placed down for a date on the trial calendar.

One way to avoid this embarrassment is to note after three days that we have not received a card and make inquiry at the clerk's office as to whether a date has been set. For these purposes the index number will be of utermost convenience in making inquiry about a case.

A second check and follow-up to be done about 1 o'clock on the court day is to the furthest end of the landlord & tenant Clerk's office that a Calendar for the next day is made up and to review the cases on the Calendar to see if we have missed any.

Going back to the point of mailing a post-card to the tenant as to disposition of the case in the event that the money is to be paid in court this can be done by cash in the Landlord and Tenant's Clerk's Office on the 1st floor or by money order, bank check etc., made out to the Clerk of the Civil Court of the City of New York that the order should bear the index number of the case, and preferrably the names of the parties involved. Payment can be then made through the mail directed to the Landlord & Tenant Clerk, 111 Centre Street, New York, NY 10013.

The disposition of the case should be noted on the files themselves and a tally kept both by in that way also independently as to the number of cases handled, settled, tried and the outcome by the deposit under section 55 of the Real Property Actions and Proceedings Law whether or not we have to pay costs. Court costs in the landlord and tenant cases is currently being assessed at $4. At the present time there is some statutory for higher amount which has not been exercised to my knowledge.

For the moment that winds up the handling of the court case from beginning to end in a more or less normal situation.

Time is a factor in getting the answer in to the Landlord and Tenant Clerk. You will note on the precept that there is a date on which the Clerk issued the document. We should figure to give ourselves the least amount of time that the document was served, the date as given by the Clerk of issuance.

In that event we have 5 days to answer, that is, by our answer being at the Clerk's office within 5 days, not counting the date the document was served. You cannot go by the date that the tenant says he got the papers. Playing it safe we must go by the date that the document was issued. If more than 5 days have elapsed the time it would appear that we can file the answer after the issuance of the document an inquiry should be made by telephone or in person as to when the landlord alleges that the document was served and the manner of service. You will find this in the affidavit in the file of the Landlord's process server. Either it will be by personal service, that is giving it directly to the tenant or by delivering it to someone else at the tenant's apartment, by substituted service or by posting it at the tenant's apartment and mailing him a copy. In any case where more than 5 days have elapsed before we can get the answer into the court and filed and the answer has to be filed on a Saturday or Sundayin counting the 5 days the next Monday is fine, that cannot be accomplished unless you are prepared to get out an order to show cause in the event that we are going to contest or defend the landlord's claim that the rent is owing and the amount set forth. An order to show cause must be prepared and affidavits generally of the tenant ~~kx~~ themselves as to why they have not timely come in before the court to answer the precept summary possession and that the tenant is willing to pay the rent or has a meritorious defense to paying the rent such as numerous violations which amount to constructive eviction. We should keep order to show causes to a minimum letting the tenant pay if the 10 day period from the time of the issuance (from time of service and that is clearly established) has not expired or/ there has been no final order or as it should be termed final judgment by the clerk.

Once the warrant of eviction has been given by the Landlord and Tenant Clerk we are in trouble. It will be necessary to get out an order to show cause and have the judge sign it at any time bearing in mind that a marshal cannot evict before the hour of sunrise and after the hour of sunset. For example, if we first know that a tenant is going to be put out the next morning and we learn this after 5 o'clock that evening we must get out an order to show cause which we can have a judge sign. There are judges who will do this for us.

We are bound to get into "emergency" situations and we should be prepared way before hand to meet them. For that purpose I have drawn a standard order to show cause which we can adopt as appears necessary. I have avoided the whole issue of any dispute as to the amount of rent owing. two ways as to the monthly charge itself as being legal or not under our rent control laws and the number of months which the rent is claimed to be owing to the landlord. We cannot wait until the last minute to find out what the maximum rent is. That information must be ordered from the Rent Commission at 41 West 145th Street and the tenant's diputes amounted goes to the landlord. The Rent Commission must obtain a certified copy of their maximum rent they have established for the apartment. Generally there will be no dispute as to the maximum rent owing on apartment, of course there may be situations when that is not the case.

Unless it is essential that we have more discussions about this at this time I'd much prefer to see a working model of the forms required and to further discuss the matter, exeppt on a very limited basis.

FAIR HOUSING OPPORTUNITIES—

Chicago is experimenting in two renewal projects

FERD KRAMER, *President of Draper and Kramer, Incorporated—the firm managing two Chicago Title I developments being leased on an open-occupancy basis (Lake Meadows and Prairie Shores)—presented the following address at a November meeting of NAHRO's Potomac Chapter. Mr. Kramer's talk touched off a lively question-and-answer period; some of the questions Mr. Kramer answered are reproduced on pages 32 and 34.*

For the past 30 or 40 years, we urban dwellers have been pursuing the most wasteful, ridiculous way of life that one can possibly imagine. We have done so for a variety of reasons, two of which are: a reluctance to accept the annoyances of bad municipal housekeeping and a fear of the unknown: that is, apprehension about living in the same neighborhood with a member of a minority group. We have given up a convenient, economical place to live, which also has at hand the long list of cultural advantages to be found in a great city—art, music, theatre, museums, the stimulation of great universities, and so on—for expensive suburban living, with its relative dearth of cultural advantages . . . and with the fatigue of commuting daily added on.

It has been only recently that experience seems to show that it is possible to replan and rebuild our cities so that most of the people—that is people in the middle-income bracket—can again live in a convenient and economical location. And I believe it is being proved that, without coercion, such city living can be brought about for all people, regardless of their race, creed, or color.

For what it is worth, I will give you a brief sketch of what has been happening in one centrally located area in Chicago. I do so with some trepidation because the experiment is not complete. It hasn't been in existence long enough to prove without a doubt that it will be successful. And it still does not encompass the broad spectrum of the population that is necessary for the building of a whole new community.

Early Days

At the turn of the century, one of the finest places to live in the entire city of Chicago was the near south side. In a relatively concentrated portion of this near south side lived many of the people who made Chicago great: the Pullmans, the Armours, the Swifts, and the Fields. (I might add that the Kramers lived on the fringe of this area.) It was an ideal location: on the shore of Lake Michigan, within easy access to the Loop, and just midway between the Loop and the great University of Chicago. In this area, there grew and flourished two important institutions: Michael Reese Hospital and Armour Institute, which later became the Illinois Institute of Technology. As the neighborhood grew older, its fine homes became obsolete. Negroes, imported from the south by the packing companies, started moving into the periphery of the neighborhood and soon there was a general exodus of white people from the area, generally to the edges of the city. The downward change in this neighborhood began about 1915.

To Stay or Go?

The deterioration took place rapidly, so that, in the 1940's, both Michael Reese and the Illinois Institute of Technology felt that their situations were critical. At that time, they felt they had to decide whether or not to flee this neighborhood. The majority opinion of the directors of one of these institutions was that, since their institutions had indeed been entirely engulfed by the slums and by the Negro ghetto, they could not hope to survive in this area; therefore, they would have to move. However, when the costs of moving, the costs of replacing all the present buildings, plus the costs of the additional facilities that were so badly needed were added up, both institutions discovered that a move would be so costly that it would be impossible of accomplishment. They decided the economical procedure would be to stay and use all their resources, financial and political, to improve the areas in which they were located.

Momentous Beginning

Two momentous things happened almost at the same time. One, Michael Reese Hospital decided to hire a full-time planning staff and, two, in 1945 the Illinois Institute of Technology and Michael Reese jointly decided to form the South Side Planning Board, a citizens' organization to replan the area from the New York Central tracks just west of Illinois Tech to the lake, and from 12th Street to 47th Street, an area of about seven square miles. These decisions were all made before there was either state or federal redevelopment legislation, which, of course, would be necessary to implement any plan that these organizations might draw up.

The most important and significant step that was taken was the publishing of a brochure entitled *An Opportunity for Private Investment in Chicago,* which was largely the creation of Reginald Isaacs, then planning director of Michael Reese Hospital and now head of the department of city planning at Harvard University. This booklet set forth a detailed plan for the redevelopment area. It showed the individual buildings that might be put on the land. It even had detailed statements on costs of land, utilities, and construction; on rentals; and on operating expenses—all designed to show that the realization of the plan was economically feasible. The interesting and most unbelievable part of this story is that there is a striking similarity between this plan, drawn up in 1945, and the actual developments that have been constructed and are now actually being used.

A four-pronged attack on the redevelopment of the area was begun in 1945. One, a 30 million dollar rebuilding program, pushed with great vigor by the Illinois Institute

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by the Chicago Commission on Human Relations

of Technology; two, a 20 million dollar rebuilding program for a completely new campus for Michael Reese Hospital; three, a 35 million dollar, 100-acre Lake Meadows development, consisting of 2000 dwelling units, a shopping center, and recreation facilities, now completed, by the New York Life Insurance Company; and, fourth, a 20 million dollar, 1700-family dwelling unit project known as Prairie Shores. The satisfactory accomplishment of each part of this program was essential if the entire program were to prove successful over the years. In other words, it would have been throwing money away for either Michael Reese or Illinois Tech to pour more money into their campuses unless the surrounding areas were to be improved, so that students and patients and employees alike would not only feel safe going through the area to these institutions, but, what is just as essential, that there would be modern living accommodations close to their work at rentals they could afford to pay. The interdependence of these projects, one upon the other, is illustrated by the fact that neither the New York Life Insurance Company nor the investors in Prairie Shores would have started their projects had not Illinois Tech and Michael Reese embarked upon theirs.

Housing Goals

The developers of the two gigantic housing projects in this area had a number of things in mind. One, they wanted planned developments that would provide the light, air, and greenery that had never been made available in the city before; two, they wanted the rentals to be such that the projects could be made available to middle-income people; three, they wanted their fine modern apartment developments, which would be replacing a Negro slum, not to become a Negro ghetto; and, fourth, they wanted ancillary facilities to be provided to make this area an attractive place to live: they wanted shopping, educational, and recreational facilities.

In the early stages, by far the most difficult objective to attain was a fully integrated neighborhood. This program, certainly difficult as it was, was made more difficult, I believe, by fortuitous circumstances. The original plan provided for clearing the entire area to be developed by the New York Life Insurance Company. Unfortunately, a small adjoining area that was to be developed by other people was cleared and made available first. But, when the land was offered to these people, they decided not to go through with the deal. The city then asked the New York Life Insurance Company to take over this area and to start building at once. The New York Life Insurance Company complied with this request, with the result that we were trying to rent apartments in a sea of rubble, with part of the slums nearby still standing and occupied. Thus, it was very difficult, almost impossible, to get white people to move into this area. The only reason we (my firm was active at this time as management agents for the New York Life Insurance Company) could get self-respecting Negroes to move in was because, at that time, they were so desperate for decent housing that they would rent good housing in any kind of a neighborhood.

First Open Occupancy Effort

In an effort to stimulate white occupancy in these first 500 units, we ran advertisements setting forth the attractive features of these apartments and the extremely favorable rent scale. We gave the address and telephone number of our Loop office and kept the office open on Saturdays. We hoped to get the opportunity to talk to the people who might respond. We knew that, if we just gave the ad-

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FERD KRAMER TURNS "ANSWER MAN"

What kind of promotion campaign did you have?

We put on a real campaign to secure a more balanced occupancy, i.e., a greater proportion of white tenants at Lake Meadows. (a) Two able young men with master's degrees were hired; (b) we canvassed employers, institutions, public school teachers; (c) we distributed brochures; (d) we held special open houses for special groups; (e) we advertised on the local FM radio station, which carries cultural programs—poetry, music, drama, and the like: this last approach produced greater results than any other technique.

What did you mean when you said you had "a quota system in reverse?"

There was no nonwhite quota system used at Lake Meadows or Prairie Shores. At this time, Prairie Shores is so popular that we have all of the white applicants needed and a priority is given to qualified Negro applicants in order to keep the balance of about 80 per cent white and 20 per cent nonwhite. The nonwhite lag came about because of a very substantial expansion in the past five years of housing opportunities in Chicago for Negroes with adequate income.

If a quota on nonwhites were found necessary, when should nonwhites be admitted? After the white residents have been housed?

No, there should be open occupancy from the beginning.

Has there been a shift in the racial balance of the buildings?

No.

Has there been an effort to raise the low white percentage in the first Lake Meadows buildings?

While additional buildings at Lake Meadows and Prairie Shores were being constructed, no effort has been made. Now there are some opportunities for this.

How does the rate of turnover compare with that in other properties your firm handles?

At Prairie Shores, priority was given to Michael Reese internes and residents. This means substantial turnover every July for this group. The rate of turnover for the other units is about the same as in buildings elsewhere.

dress of the property, of course, it would immediately identify it as a Negro slum. Our switchboard was flooded with calls because of the attractiveness of what we were offering: apartments in an elevator building, a view of Lake Michigan, rentals 40 per cent below anything comparable in the city. We did get many interested people to come into the office. We got a few to go out to take a look. But most of those who telephoned, when told of the address, would say, "I'm broadminded, but not that broadminded" . . . and then hang up.

In the first 500 units, I believe there were only a dozen white families: a very dismal start. However, as the area was further demolished and as the next buildings were built, a larger number of white tenants moved in. The first 22-story buildings ran about 25 per cent white occupancy; the last 22-story building, about 50 per cent white occupancy.

Prairie Shores

After the New York Life Insurance Company project had gone well past its mid-point, the Prairie Shores project got under way. When its first building came on the market, one could already see the beautiful new campus of Michael Reese on its eastern border and the magnificent New York Life Insurance Company project on its southern border. Therefore, Prairie Shores found it a great deal easier to attract white tenants than had been the early experience at Lake Meadows.

The Prairie Shores development is now running about 80 per cent white occupancy. This percentage was attributable, I believe, to one additional factor. At Prairie Shores, we give a priority of occupancy to staff and employees of Michael Reese Hospital. We held an open house for the Michael Reese people before we opened it to the public. As a result, about 45 of the first 50 approvable applications were white. Therefore, when it was opened to the public and a white applicant asked us what the percentage of Negroes would be in the project, we could say that "at the present time, it is running over 75 per cent white." We found this answer to be tremendously important in giving white people the kind of assurances that they thought they should have. The first building of 342 units, when rental was completed in 1958, had 77 per cent

Photo courtesy of Draper and Kramer

Prairie Shores (above) and Lake Meadows (below) are the open-occupancy developments managed by Ferd Kramer's firm on Chicago's south side.

Photo courtesy of Chicago Land Clearance Commission

FERD KRAMER TURNS "ANSWER MAN"

What about schools and other community facilities?

Adequate community facilities, ready on time, are most important. Lack of these facilities, especially schools and recreation, was a problem. In this area were the worst schools—old, antiquated buildings; overcrowded classes; low quality of teaching. Boards of education do not seem to want to provide schools in advance; they want to wait until they can count the children. We did succeed in getting an elementary school built on the development, with grades 1 through 6. The development has its own cooperative nursery school.

After waiting a long time for park and recreation officials to act, we purchased land for recreation facilities, to be operated by us in cooperation with Michael Reese.

Do you plan to build three- and four-bedroom apartments for large families?

I don't believe high-rise developments are suitable for families with children. These families should be housed in single-family units or garden apartments; some of both of these are planned.

Is there public housing nearby? If so, what effect, if any, has it had?

There are two public housing projects quite close by, which have had no effect on the success of our development. Public housing, per se, is no hindrance as a complement to middle-income housing. But thousands of public housing units, in one area, is deplorable. In the past ten years, all of Chicago's public housing, planned as well as constructed, is on the south side. Regardless of the factor of race, this is socially not good either for the total community, the immediate neighborhood, or public housing residents themselves.

You said the less fanfare, the better. What was the attitude of the press?

The press in Chicago was fair with publicity and pushed the project. It mentioned, but did not fuss over, the open occupancy feature.

What about suburban bars against nonwhites?

Relaxation of the bar against nonwhites in the suburbs, to accomplish more housing at the middle-income level in inlying areas would be of great help. There is no argument about it. It is coming about. But it is a slow process.

If your housing hadn't been a bargain, would it have been a success in open occupancy?

It is hard to say that the price of the housing is the biggest success factor but certainly economic advantage is most important.

Do the tenants participate in various community activities, on an integrated basis?

While our tenants, as a group, are not organization joiners to a large extent, they do participate, together, in the development's programs, such as the nursery school and similar activities.

What can the federal government do for such developments?

What the federal government can and should do for faster progress with developments like Lake Meadows and Prairie Shores is not a difficult question. Norman Mason knows my position on this. It is to make mortgage money available at rates making for rentals to serve such a market.

Is it true that you moved to Prairie Shores?

Yes, we sold our home in the suburbs and moved in. It's very good living!

white occupancy. Two more similar units have been completed and they are running about 80 per cent white occupancy. Many people ask if we have a quota system. The interesting thing is that now we have what you might call a quota system in reverse. The occupancy could easily run *over* 80 per cent white (which we do not want) because we have so many more qualified white applicants than we have Negro applicants. We have, therefore, made a special effort to procure qualified Negro applicants.

We are now in the final stretch of completing the Prairie Shores project, with two more buildings under construction. Complete assurances of success cannot, in my opinion, be achieved until all the slums in the area have been squeezed out and many more buildings constructed. The vast majority of apartments so far built have been efficiencies and one-bedroom and two-bedroom apartments—plus a few three-bedroom units. If we are to have a stable neighborhood, we must have more apartments suitable for family living, particularly for families with children. This means many more garden-type and rowhouse developments, many with three and four bedrooms. We must have more schools, particularly high schools; more churches; and more parks and recreational facilities. We hope to embark on a development of this type in the very near future.

One last word. This is the first speech I have made on this subject and I thought quite awhile about it before I accepted the invitation. I believe firmly that the less fuss, the less of a spectacular that one makes of this pioneering effort, the easier it is of accomplishment. The people who live at Prairie Shores do not think of themselves as pioneers. They are a group of solid citizens, 80 per cent of them with incomes from $4500 to $8000, who recognize the great advantages of living in the central city, who know a good buy when they see one, and who take pride in the fact that, for the first time, they have the opportunity of residing in an apartment development where the facilities and maintenance are comparable to the finest buildings on Lake Shore Drive, our Gold Coast, and where the tenant selection policy assures them of neighbors who appreciate fine living accommodations.

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Non-White Population Changes 1950-1960

Introduction

The Commission on Human Relations has prepared this special issue of Human Relations News to analyze the changes in the non-white population which occurred between 1950 and 1960 in the State, the Metropolitan Area, the Suburbs and the City. The study is based on the official figures of the U. S. Bureau of Census for 1950 and 1960. Maps are included which illustrate the distribution of Negroes in 1950 and 1960 by Census tract.

Noted in this report are shifts of population from the center of the city to outlying neighborhoods; the impact of this movement on the composition of the population in the community areas; a consideration of the comparable rates of growth between the white and non-white population (97 per cent of the non-whites in Illinois are Negro), and a comparison between the relative growth of non-whites in the state, the suburbs, the metropolitan area and the city.

Illinois

In 1910, when there were 9,800,000 Negroes in the United States, the eleven states of the Old Confederacy claimed 81 per cent of the Negroes. Today, fifty years later, these same southern states have 52 per cent of the nation's 18,900,000 Negroes. In 1960, New York led all fifty states in Negro population; Illinois with 1,037,000 ranked not far behind Texas, Georgia, North Carolina, and Louisiana. Between 1950 and 1960, Arkansas and Mississippi suffered a net loss in Negro population. Under present conditions this northbound migration of southern Negroes—and whites—is expected to continue.

Suburban Non-White Distribution

The overwhelming majority of nonwhites in Illinois, 920,001 according to the 1960 census,[1] lives in the state's six northeastern counties, Cook, DuPage, Kane, Lake, McHenry, and Will, comprising the Chicago Standard Metropolitan Statistical Area (CSMSA). In Cook County, including Chicago, there are 888,852 nonwhites. Excluding Chicago, Cook County has 51,196 nonwhites.

Within the six-county metropolitan area, sixteen suburbs had a Negro population of more than 1,000: Aurora (2227), Chicago Heights (6529), Dixmoor (1855), East Chicago Heights (2794), Elgin (1595), Evanston (9126), Harvey (1986), Joliet (4638), La Grange (1084), Markham (2505), Maywood (5229), North Chicago (4577), Phoenix (2744), Robbins (7410), Summit (1870), and Waukegan (4485).

Metropolitan area suburbs with a nonwhite population of more than five per cent in 1960 were Chicago Heights (19%), Dixmoor (60%), East Chicago Heights (86%), Evanston (12%), Glencoe (7%), Harvey (7%), Joliet (7%), La Grange (7%), Markham (22%), Maywood (20%), North Chicago (23%), Phoenix (65%), Robbins (99%), Waukegan (8%), and Zion (5%).

Only six suburbs with a population of 10,000 or more, Villa Park, South Holland, Rolling Meadows, North-

POPULATION OF ILLINOIS AND CHICAGO BY RACE 1950-1960

	ILLINOIS		CHICAGO	
	1960	1950	1960	1950
Total Population	10,081,158	8,712,176	3,550,404	3,620,962
White	9,010,252	8,046,058	2,712,748	3,111,525
Non-White	1,070,906	666,118	837,656	509,437
Negro	1,037,470	645,980	812,637	492,265
Indian	4,704	1,443	3,394	n.l.*
Japanese	14,074	11,646	11,375	10,829
Chinese	7,047	4,207	5,082	3,334
Filipino	3,587	n.l.*	2,725	n.l.*
All Other	4,024	2,842	2,443	3,009

*not listed in 1950.

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[1] Because 97 per cent of Illinois' nonwhite population are Negroes, nonwhite population figures are a reliable index to the number of Negroes.

(Continued from page one)

lake, Lansing, and Dolton, had no Negro residents according to the 1960 census. All suburbs of 10,000 or more reported some non-whites. During the 1950-1960 decade many suburbs received nonwhite residents for the first time.

The Negroes who reside in the metropolitan area outside Chicago include servants who live on the premises (as in River Forest and Lincolnwood), workers who live and work in industrial suburbs (as in North Chicago and Harvey), and second and third generation Negro families (as in Evanston and Maywood). Nearly 15,000 Negroes lived in four suburbs, East Chicago Heights, Dixmoor, Phoenix, and Robbins, each more than 50 per cent Negro. Located in South Cook County, the four are primarily residential suburbs.

Negroes and the Suburbs

"The pattern of almost complete residential segregation is rapidly breaking up. A suburbanward movement of Negroes is only a short time away. As a lower income group, Negroes have been forced to live in older, less desirable housing. As a group of working people who must rise early and come home late and who cannot afford to pay high commuting fares, they need to live near their work. With rapid urban renewal inside Chicago and a gradual aging of suburban housing, the metropolitan area's supply of cheap, overage, or invadable housing is concentrating more and more in the older suburbs.

"Moreover as the income level of Negroes rises, this group is able to compete with the white population for all but the most upperclass neighborhoods, for Negroes have long been accustomed to forking over a very large part of their income for rent. Only a few years ago, real estate operators were able to count on high rent levels to discourage potential Negro tenants. That is coming less and less to be true. Once the population pressure and the economic potential reach the 'breakthrough point' the suburban shift will very likely be remarkably rapid. This is happening in some cities now. For example, in the New York metropolitan area such former all-white suburbs as Yonkers now have very large Negro populations.

"The suburbanward drift of factories, shopping centers, and service establishments that employ Negroes in large numbers is providing an added incentive to the suburbanization of the Negro population. Many of the neat, little suburban cement-block cottages built for World War II veterans are now 20 years old, and are sufficiently depreciated 'dated,' in need of repair, and undesirable in comparison with other suburban homes to make them 'ripe' for non-white occupancy. The 1960 census will almost certainly show a sizeable upturn in the amount of Negro suburbanization when the tabulations are available. The decade of the 1960's should see an ever greater movement of this type."

From a recent address entitled "Who will live in Chicago during the 1960's" by Prof. Donald J. Bogue of the University of Chicago at the University's Downtown Center.

Suburban Non-White Growth

Between 1950 and 1960 the nonwhite population in the metropolitan area outside Chicago increased by 83 per cent, while Chicago's nonwhites grew by 64 per cent. This reversed a 1940-1950 pattern when nonwhites increased by 78 per cent in the metropolitan area and 81 per cent in the city. Within each of the six counties, in 1960, the nonwhite rate of growth was higher than the white.

By and large the nonwhite growth took place in those suburbs which had relatively large Negro populations in 1950: Chicago Heights, Evanston, Maywood, Robbins, Waukegan, for example.

In 1950 the metropolitan area outside Chicago had 44,958 nonwhites; by 1960 it had 82,345. In Cook County, outside Chicago, nonwhites increased from 29,481 in 1950 to 51,196 in 1960. While the number of nonwhites in the metropolitan area is much smaller, when compared to Chicago, all signs indicate the rate of nonwhite growth will continue to be higher outside the city than inside.

While the proportion of nonwhites to the total population in the city rose sharply (14 per cent in 1950 to 24 per cent in 1960), the rapid movement of whites from the city and into the suburbs kept the nonwhite proportion in the suburban area almost stationary. In 1950 nonwhites were 2.9 per cent of the six-county metropolitan area around Chicago and 3.1 per cent in 1960. In the Cook County suburban area, nonwhites made up 3.3 per cent of the population in 1950 and 3.2 per cent in 1960.

Lake County, Indiana

Because the Census Bureau did not include neighboring Lake County in Indiana in the Chicago Standard Metropolitan Statistical Area in 1960, its population was not included in any of the figures given above. However, the racial composition of Lake County is important in trying to understand racial changes taking place in the entire Chicago area. In 1960 Lake County, Indiana had a Negro population of 87,109 or 17 per cent of its total population, an increase of 72 per cent over the 1950 total of 50,726. Negroes were located mainly in three industrial cities: East Chicago with 13,766 Negroes or 24 per cent of the city's population, Gary with 69,123 Negroes or 39 per cent, and Hammond with 2,434 or 2 per cent.

Changes in Chicago

In 1960 the Bureau of the Census reported 3,550,404 persons in the City of Chicago, a decline of 70,558 persons, or about two per cent, from the 3,620,962 persons reported in the 1950 census.

While the city's total population dropped slightly, the population within the city shifted considerably. Community areas in the outlying sections of the city increased their population, while those close to the city's

(Continued on page three)

(Continued from page two)

center generally declined in size.

These changes are fully charted in the April 1961 Information Bulletin of the Department of City Planning entitled "Population Changes in the City of Chicago 1950-1960." The bulletin contains two maps indicating the changes by census tract and community area.[2]

Increase of Negro Population

Between 1950 and 1960 the city's white population decreased from 3,111,525 to 2,712,748, continuing a decline which began in the 1940's; however, the city's Negro population rose from 492,265 to 812,637. The white decrease was 398,777 or 13 per cent; the Negro increase was 320,372 or 65 per cent. Thus in 1960, Negroes accounted for 23 per cent of the city's population, compared to 14 per cent in 1950.

Census data for 1960 and the latest figures on births and deaths from the Chicago Board of Health destroyed a popular misconception about the major reason for Negro population growth in the city between 1950 and 1960.

Negro births in Chicago increased from 15,705 in 1950 to 30,764 in 1960. In 1960, 33 per cent of all Chicago births were Negro compared to 20 per cent in 1950.

The natural increase of Negroes (births minus deaths) for the 1950-1960 decade totaled 170,468. Thus 53 per cent of the decade's Negro gain came from natural increase. For the same decade the total Negro population increase as a result of in-migration was 149,904 or 47 per cent. The comparable figures for 1940-1950 were 43,346 or 20 per cent from natural increase and 171,188 or 80 per cent from in-migration.

From these figures, two conclusions may be drawn:

1. For the first time, since the beginning of the major migration of Negroes to Chicago, natural increase rather than in-migration has become the major factor in Negro population growth.

2. Negro in-migration to Chicago, which had reached a peak in the 1940-1950 decade, began to taper off during the 1950-1960 period averaging out to a net increase of 13,000 Negroes a year. However, despite an annual in-migration of about 30,000 persons of all races (an estimate from the best sources available), the city lost population because of the movement of Chicagoans, mostly whites, from the city.

Race and Geographic Distribution

Census figures show that in 1950, 435,761 or 89 per cent of the Negroes lived in 105 census tracts[3] of high Negro concentration (tracts 40 per cent or more Negro). In 1960, 769,532 or 95 per cent of the total Negro population resided in 194 tracts of high Negro concentration. However, in these same tracts the number of white residents also increased: from 55,436 or 2 per cent of the total white population in 1950 to 94,865 or 4 per cent of the white population in 1960.

(Continued on page four)

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[2] This bulletin can be obtained from the Chicago Commission on Human Relations. The Northeastern Illinois Metropolitan Area Planning Commission (72 W. Adams St., Chicago 3, Illinois) describes the metropolitan population change in Planning Information Bulletin No. 1 and 2 entitled respectively: "Population Growth, 1950-1960: Municipalities and Townships of Northeastern Illinois—Northwestern Indiana" and "Shifts in Suburban Population Distribution, Northeastern Illinois Metropolitan Area, 1950-1960."

[3] A *census tract* is a small area, having a population usually between 3,000 and 6,000, into which certain large cities have been subdivided for statistical and local administrative purposes.
A *community area* may be regarded as statistical unit made up of census tracts but having, in the main, a history of their own as a community, a name, and an awareness of the part of its inhabitants of some common interests.

POPULATION BY COLOR, FOR THE CITY OF CHICAGO, COOK COUNTY, COOK COUNTY OUTSIDE CHICAGO, CHICAGO STANDARD METROPOLITAN STATISTICAL AREA (CSMSA),* 1960, 1950 AND 1940

Area and Year	Number and Per Cent			10-Year Change by Percentage	
	Total	White	Nonwhite	White	Nonwhite
1960:				*1950-1960*	
CSMSA	6,220,913	5,300,912 (85.2)	920,001 (14.8)	14.7	65.9
Outside Chicago**	2,670,509	2,588,164 (96.9)	82,345 (3.1)	71.2	83.2
Cook County	5,129,725	4,240,873 (82.7)	888,852 (17.3)	6.8	64.9
City of Chicago	3,550,404	2,712,748 (76.4)	837,656 (23.6)	—12.8	64.4
Outside Chicago	1,579,321	1,528,125 (96.9)	51,196 (3.2)	78.0	73.7
1950:				*1940-1950*	
CSMSA	5,177,868	4,623,473 (89.3)	554,395 (10.7)	8.5	80.3
Outside Chicago	1,556,906	1,511,948 (97.1)	44,958 (2.9)	31.8	77.9
Cook County	4,508,792	3,969,874 (88.0)	538,918 (12.0)	5.5	80.2
City of Chicago	3,620,962	3,111,525 (85.9)	509,437 (14.1)	—0.0	80.5
Outside Chicago	887,830	858,349 (96.7)	29,481 (3.3)	32.1	75.9
1940:					
CSMSA	4,569,643	4,262,122 (93.3)	307,521 (6.7)		
Outside Chicago	1,172,835	1,147,558 (97.8)	25,277 (2.2)		
Cook County	4,063,342	3,764,342 (92.6)	299,000 (7.4)		
City of Chicago	3,396,808	3,114,564 (91.7)	282,244 (8.3)		
Outside Chicago	666,534	649,778 (97.5)	16,756 (2.5)		

* As defined by the Bureau of the Census in 1960, including Cook, DuPage, Kane, Lake (Ill.), McHenry and Will Counties. For reasons of easier comparison this designation is also used for 1950 and 1940.

** The six county area outside the City of Chicago.

(Continued from page three)

In 1960, Negroes were residing in 554 or 64 per cent of the city's 862 census tracts; whites in 860 tracts. Of the city's 75 community areas[4] Negroes lived in all but six. At least 300 whites were found in each community area.

In 1950, Negro residents were generally concentrated south along State Street from the center of the city to 71st Street and west along Roosevelt Road to Ashland Avenue. By 1960 some of these areas decreased substantially in Negro population because of urban renewal, for example, Washington Park (—12,868), Armour Square (—5,960), Douglas (—28,390), and Grand Boulevard (—33,837). The largest increases in Negro population occurred in North Lawndale (+100,681), Englewood (+57,359), Greater Grand Crossing (+50,682), and Woodlawn (+41,068) communities. In 1950 other areas of Negro residence were located on the Near North Side, East Garfield Park, and in the southside community areas of Riverdale, Roseland and Morgan Park; except for East Garfield Park, Negro population in these communities grew slowly but steadily during the decade.

In the past, areas of Negro concentration in Chicago have been identified with the southside of the city. Today, because of population shifts and growth more than 250,000 Negroes reside on the west side and near north side. In the ten year period, while many whites moved to the suburbs, many Negroes moved farther South (from 71st to 101st Streets), Westward (between Grand Avenue and Cermak Road west of Western Avenue), and North (along the River north of Chicago Avenue). Most of the expansion during this decade occurred largely adjacent to the traditional Negro-occupied areas.

The nine community areas (East Garfield Park, Near West Side, North Lawndale, Fuller Park, Kenwood, Woodlawn, Chatham, Englewood, and Greater Grand Crossing) where the majority population by 1960 had shifted from white to Negro extended the existing areas of Negro concentration. Fifteen of the city's 75 community areas now have a majority of Negro residents. In some other community areas (Near North Side, Lincoln Park, West Garfield Park, South Lawndale, South Shore, Garfield Ridge, West Englewood, and Washington Heights) Negro population growth was impressive.

Several areas close to Lake Michigan and to the city's center have become established as interracial communities, Douglas (Lake Meadows and Prairie Shores developments), Kenwood, and Hyde Park; making this possible were various programs of urban renewal.

There is some movement of Negroes into predominantly white areas not adjacent to the traditional southside and westside Negro concentrations. Some are located north along the Chicago River, and some are public housing projects, for example, Lathrop Homes on Diversey Avenue. A few census tracts, such as 298, 299, and 309 in the West Town community on the near northwest side and census tract 23 in the Uptown community, have had relatively stable bi-racial populations over many years.

Other Non-Whites

The increase in the non-white population other than Negro,[5] i.e., "other races," has not been large. "Other races," mostly Orientals, gained 7,911 or 46 per cent during the decade to a total of 25,019. Within the city there has been a definite dispersal of Orientals from the Near North side, Oakland, Kenwood and Hyde Park communities, into one southside community (South Shore) and into three northside communities (Lincoln Park, Lakeview, and Uptown). In 1960 non-whites other than Negroes were located in 718 census tracts and in all but one community area.

Prepared by the Department of Social Research, Chicago Commission on Human Relations.

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[4] The Chicago Commission on Human Relations has published a table showing white, Negro, and other non-white population in each of the city's 75 community areas for 1950 and 1960. Copies are available upon request. Actually, the Census Bureau designated 76 community areas in 1960. But in area 76, the site of O'Hare Airport, no population was recorded.

[5] The population designated as *non-white* consists of such races as the Negro, American Indian, Japanese, Chinese, Filipino, Korean, Asian Indian, and Malayan groups. Persons of Mexican or Puerto Rican birth or ancestry who are not definitely of Indian or another non-white race are classified as white in the 1960 U. S. Census.

HUMAN RELATIONS NEWS
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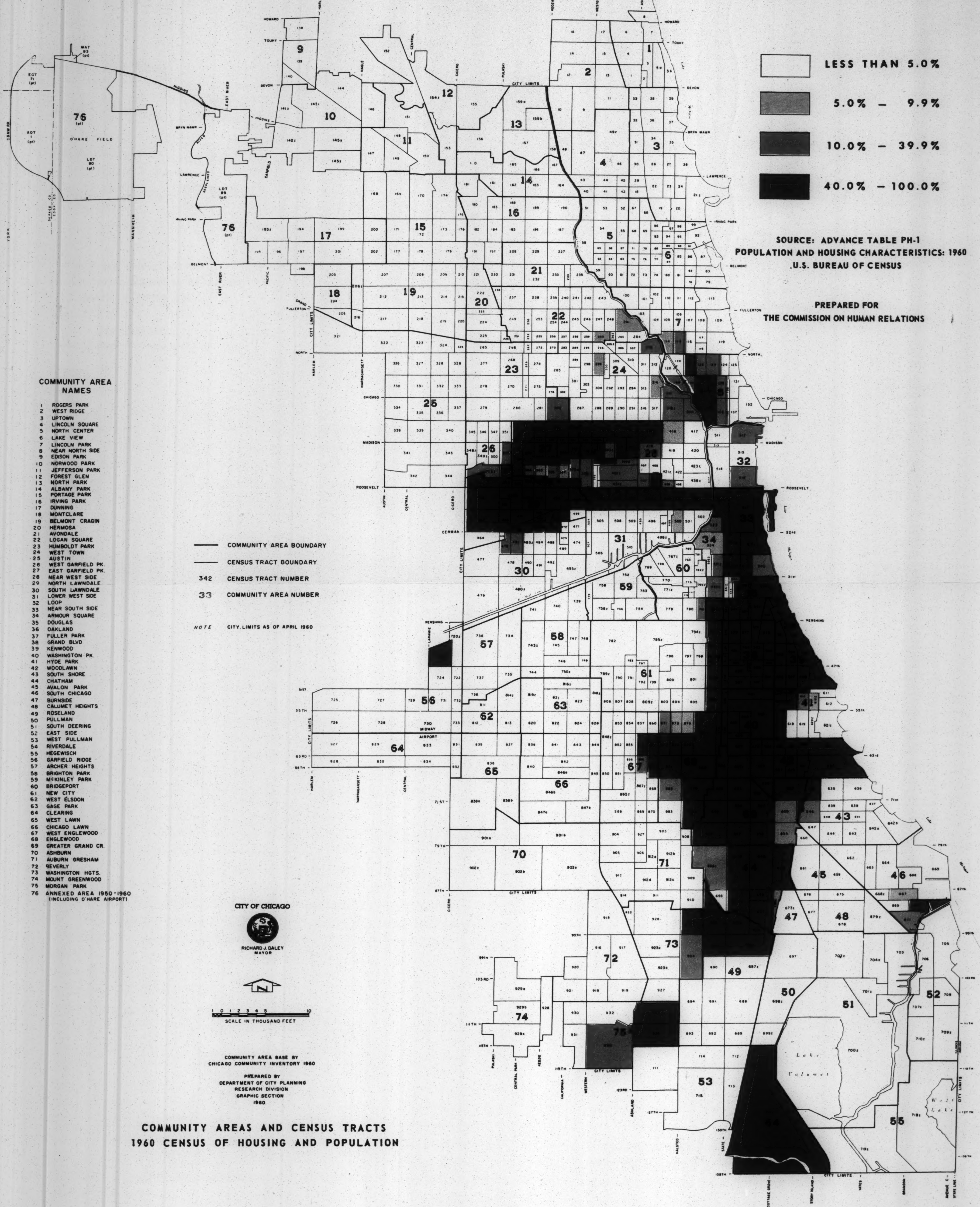
PERCENT OF NEGRO POPULATION, IN CENSUS TRACTS, CITY OF CHICAGO, 1960


HOWARD
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BELMONT
FULLERTON
NORTH
CHICAGO
MADISON
ROOSEVELT
CERMAK
22nd
31st
PERSHING
47th
51ST
55TH
63RD
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71ST
79TH
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103RD
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HARLEM
NARRAGANSETT
CENTRAL
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STATE LINE
EAST RIVER
HIGGINS
MANNHEIM
YORK
CITY LIMITS
O'HARE FIELD
MIDWAY AIRPORT
Lake Calumet
Wolf Lake
Lake Michigan

☐	LESS THAN 5.0%
▨	5.0% – 9.9%
▨	10.0% – 39.9%
■	40.0% – 100.0%

SOURCE: ADVANCE TABLE PH-1
POPULATION AND HOUSING CHARACTERISTICS: 1960
U.S. BUREAU OF CENSUS

PREPARED FOR
THE COMMISSION ON HUMAN RELATIONS

COMMUNITY AREA NAMES

1	ROGERS PARK
2	WEST RIDGE
3	UPTOWN
4	LINCOLN SQUARE
5	NORTH CENTER
6	LAKE VIEW
7	LINCOLN PARK
8	NEAR NORTH SIDE
9	EDISON PARK
10	NORWOOD PARK
11	JEFFERSON PARK
12	FOREST GLEN
13	NORTH PARK
14	ALBANY PARK
15	PORTAGE PARK
16	IRVING PARK
17	DUNNING
18	MONTCLARE
19	BELMONT CRAGIN
20	HERMOSA
21	AVONDALE
22	LOGAN SQUARE
23	HUMBOLDT PARK
24	WEST TOWN
25	AUSTIN
26	WEST GARFIELD PK.
27	EAST GARFIELD PK.
28	NEAR WEST SIDE
29	NORTH LAWNDALE
30	SOUTH LAWNDALE
31	LOWER WEST SIDE
32	LOOP
33	NEAR SOUTH SIDE
34	ARMOUR SQUARE
35	DOUGLAS
36	OAKLAND
37	FULLER PARK
38	GRAND BLVD
39	KENWOOD
40	WASHINGTON PK.
41	HYDE PARK
42	WOODLAWN
43	SOUTH SHORE
44	CHATHAM
45	AVALON PARK
46	SOUTH CHICAGO
47	BURNSIDE
48	CALUMET HEIGHTS
49	ROSELAND
50	PULLMAN
51	SOUTH DEERING
52	EAST SIDE
53	WEST PULLMAN
54	RIVERDALE
55	HEGEWISCH
56	GARFIELD RIDGE
57	ARCHER HEIGHTS
58	BRIGHTON PARK
59	McKINLEY PARK
60	BRIDGEPORT
61	NEW CITY
62	WEST ELSDON
63	GAGE PARK
64	CLEARING
65	WEST LAWN
66	CHICAGO LAWN
67	WEST ENGLEWOOD
68	ENGLEWOOD
69	GREATER GRAND CR.
70	ASHBURN
71	AUBURN GRESHAM
72	BEVERLY
73	WASHINGTON HGTS.
74	MOUNT GREENWOOD
75	MORGAN PARK
76	ANNEXED AREA 1950-1960 (INCLUDING O'HARE AIRPORT)

━	COMMUNITY AREA BOUNDARY
─	CENSUS TRACT BOUNDARY
342	CENSUS TRACT NUMBER
33	COMMUNITY AREA NUMBER

NOTE CITY LIMITS AS OF APRIL 1960

CITY OF CHICAGO
RICHARD J. DALEY
MAYOR

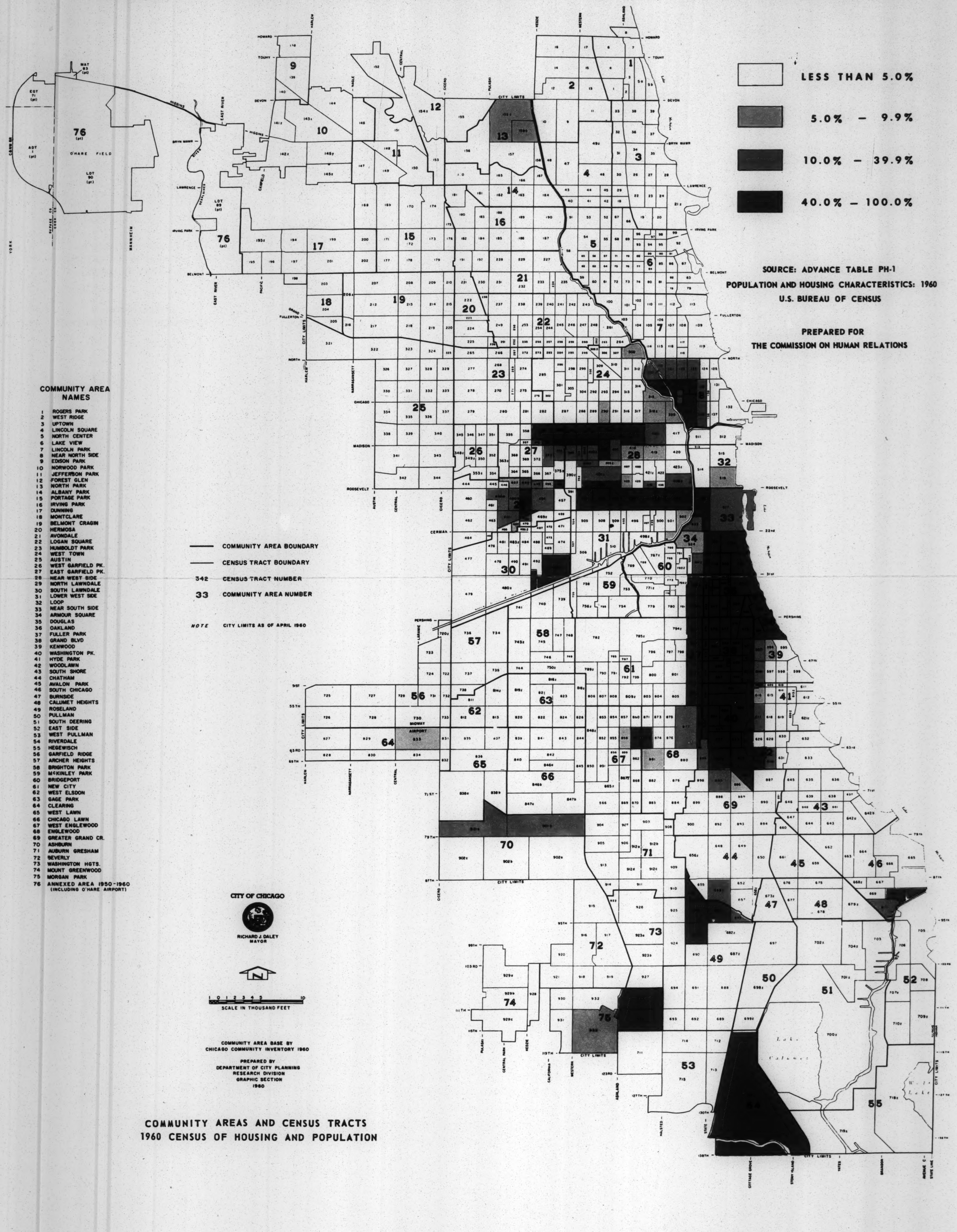
0 1 2 3 4 5 10
SCALE IN THOUSAND FEET

COMMUNITY AREA BASE BY
CHICAGO COMMUNITY INVENTORY 1960

PREPARED BY
DEPARTMENT OF CITY PLANNING
RESEARCH DIVISION
GRAPHIC SECTION
1960

COMMUNITY AREAS AND CENSUS TRACTS
1960 CENSUS OF HOUSING AND POPULATION

PERCENT OF NEGRO POPULATION, IN CENSUS TRACTS, CITY OF CHICAGO, 1950


HOWARD
TOUHY
DEVON
BRYN MAWR
LAWRENCE
IRVING PARK
BELMONT
FULLERTON
NORTH
CHICAGO
MADISON
ROOSEVELT
CERMAK
PERSHING
51ST
55TH
63RD
65TH
71ST
79TH
87TH
95TH
99TH
103RD
111TH
115TH
119TH
123RD
127TH
130TH
138TH
HARLEM
NARRAGANSETT
CENTRAL
CICERO
PULASKI
KEDZIE
WESTERN
ASHLAND
AUSTIN
HALSTED
STATE
COTTAGE GROVE
STONY ISLAND
YATES
BRANDON
AVENUE C
STATE LINE
CITY LIMITS
O'HARE FIELD
MIDWAY AIRPORT
Lake Calumet
Wolf Lake
Lake Michigan

☐	LESS THAN 5.0%
▨	5.0% – 9.9%
▩	10.0% – 39.9%
■	40.0% – 100.0%

SOURCE: ADVANCE TABLE PH-1
POPULATION AND HOUSING CHARACTERISTICS: 1960
U.S. BUREAU OF CENSUS

PREPARED FOR
THE COMMISSION ON HUMAN RELATIONS

COMMUNITY AREA NAMES

1	ROGERS PARK
2	WEST RIDGE
3	UPTOWN
4	LINCOLN SQUARE
5	NORTH CENTER
6	LAKE VIEW
7	LINCOLN PARK
8	NEAR NORTH SIDE
9	EDISON PARK
10	NORWOOD PARK
11	JEFFERSON PARK
12	FOREST GLEN
13	NORTH PARK
14	ALBANY PARK
15	PORTAGE PARK
16	IRVING PARK
17	DUNNING
18	MONTCLARE
19	BELMONT CRAGIN
20	HERMOSA
21	AVONDALE
22	LOGAN SQUARE
23	HUMBOLDT PARK
24	WEST TOWN
25	AUSTIN
26	WEST GARFIELD PK.
27	EAST GARFIELD PK.
28	NEAR WEST SIDE
29	NORTH LAWNDALE
30	SOUTH LAWNDALE
31	LOWER WEST SIDE
32	LOOP
33	NEAR SOUTH SIDE
34	ARMOUR SQUARE
35	DOUGLAS
36	OAKLAND
37	FULLER PARK
38	GRAND BLVD
39	KENWOOD
40	WASHINGTON PK.
41	HYDE PARK
42	WOODLAWN
43	SOUTH SHORE
44	CHATHAM
45	AVALON PARK
46	SOUTH CHICAGO
47	BURNSIDE
48	CALUMET HEIGHTS
49	ROSELAND
50	PULLMAN
51	SOUTH DEERING
52	EAST SIDE
53	WEST PULLMAN
54	RIVERDALE
55	HEGEWISCH
56	GARFIELD RIDGE
57	ARCHER HEIGHTS
58	BRIGHTON PARK
59	McKINLEY PARK
60	BRIDGEPORT
61	NEW CITY
62	WEST ELSDON
63	GAGE PARK
64	CLEARING
65	WEST LAWN
66	CHICAGO LAWN
67	WEST ENGLEWOOD
68	ENGLEWOOD
69	GREATER GRAND CR.
70	ASHBURN
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COMMUNITY AREA BASE BY
CHICAGO COMMUNITY INVENTORY 1960

PREPARED BY
DEPARTMENT OF CITY PLANNING
RESEARCH DIVISION
GRAPHIC SECTION
1960

COMMUNITY AREAS AND CENSUS TRACTS
1960 CENSUS OF HOUSING AND POPULATION

Reprinted from

TRENDS IN HOUSING

Published by NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING

SCOREBOARD

Laws Affecting Discrimination in Housing

As of September 15, 1961

STATE	COVERAGE							
	Public Housing	Urban Renewal	FHA & VA	Private Housing	Real Est. Agents	Mortgage Lenders	Advertising	Official Enforcement Agency
1. California	X	X	X		X			
2. Colorado	X	X	X	X	X	X	X	X
3. Connecticut	X	X	X	X	X	X		X
4. Indiana	X	X						
5. Massachusetts	X	X	X	X	X	X		X
6. Michigan	X				X[1]			
7. Minnesota[2]	X	X	X	X	X	X	X	X
8. Montana		X						
9. New Hampshire	X			X				
10. New Jersey	X	X	X	X	X	X	X	X
11. New York	X	X	X	X	X	X	X	X
12. Oregon	X	X	X	X	X		X	X
13. Pennsylvania	X	X	X	X	X	X	X	X
14. Rhode Island	X							X
15. Washington	X	X	X			X	X	X
16. Wisconsin	X	X						

[1] By ruling of the Michigan Corporation and Securities Commission.

[2] Minnesota's FH law becomes effective Dec. 31, 1962.

Note: Illinois prohibits restrictive covenants on urban redevelopment land. Kansas and Alabama prohibit racial zoning.

City Measures

Forty-nine cities have laws or resolutions affecting discrimination in housing or have taken action covering specific projects. In addition to *New York City* and *Pittsburgh,* which bar discrimination in private housing (see Digest below), they apply as follows:

Public Housing—Thirty-two cities have provisions applying to this area: Phoenix, Ariz.; Fresno, Richmond and San Francisco, Calif.; Hartford, Conn.; Wilmington, Del.; Washington, D. C.; Chicago, Ill.; South Bend, Ind.; Baltimore, Md.; Boston, Mass.; Detroit, Hazel Park, Mount Clemens, Pontiac, Saginaw and Superior Township, Mich.; Minneapolis and St. Paul, Minn.; Kansas City and St. Louis, Mo.; Omaha, Neb.; Newark, N. J.; Cleveland and Toledo, Ohio; Chester, Delaware County, Erie and Philadelphia, Penna.; Providence, R. I.; Pasco, Wash.; and Superior, Wisc.

Publicly-assisted and/or urban redevelopment housing—Twenty-five cities have provisions applying to this area: Los Angeles, Oakland, Sacramento and San Francisco, Calif.; Denver, Colo.; Hartford, Conn.; Chicago, Ill.; LaPorte, Michigan City and Mishawaka, Ind.; Des Moines, Iowa; Inkster, Mount Clemens and Superior Township, Mich.; Minneapolis and St. Paul, Minn.; Fargo, N. D.; Cincinnati, Cleveland, Dayton, Hamilton and Toledo, Ohio; Providence, R. I.; Madison and Milwaukee, Wisc.

DIGEST

Of the 11 Laws Covering Private Housing

NEW YORK CITY. Signed into law Dec. 30, 1957. Effective Apr. 1, 1958. Amended 1961. *Coverage*: Sale or rental of all housing accommodations except the rental of an apartment in an owner-occupied duplex and the rental of rooms in private residences; activities of real estate operators and mortgage lenders; advertising. *Enforcement* by the New York City Commission on Intergroup Relations, 80 Lafayette St., New York 7—WO 4-5656.

PITTSBURGH. Signed Dec. 8, 1958. Effective June 1, 1959. *Coverage*: Sales or rentals by persons who own or control five or more housing units, anywhere in the city; residential building lots; all activities of real estate operators and mortgage lenders; advertising. *Enforcement* by the Pittsburgh Commission on Human Rights, 518 City-County Bldg., Pittsburgh 19, Pa.—AT 1-3900.

COLORADO. Signed Apr. 10, 1959. Effective May 1, 1959. *Coverage*: Sale or rental of all housing accommodations except "premises maintained by the owner or lessee as the household of his family"; vacant land; activities of real estate operators and mortgage lenders in all transactions involving housing covered by the statute; advertising. *Enforcement* by the Colorado Anti-Discrimination Commission, 328 State Services Bldg., 1525 Sherman St., Denver 3, Colo.—AC 2-9911, Ext. 2621.

MASSACHUSETTS. Signed Apr. 22, 1959. Effective July 21, 1959. Amended 1960 and 1961. *Coverage*: Rentals and sales in apartment houses with three or more units and sales of homes in developments of ten or more contiguous units. (Also applies to housing which was at any time one of ten or more lots on a tract which was submitted to a planning board under the state's Subdivision Control Law.) Covers the activities of real estate operators in all transactions involving housing covered by the statute. Provides for injunctive relief pending final determination of a complaint, after investigation establishes probable cause to credit the charge of discrimination. Separate statutes 1) cover all activities of mortgage lenders; and 2) provide for the revocation of real estate licenses when brokers are found guilty of discriminatory practices. *Enforcement* by the Massachusetts Commission Against Discrimination, 41 Tremont St., Boston 8, Mass.—CA 7-3111.

CONNECTICUT. Signed May 12, 1959. Effective Oct. 1, 1959. Amended 1961. *Coverage*: Sale or rental of any housing accommodation which is owned or controlled by persons owning or controlling three or more contiguous units; residential building lots. The Commission on Civil Rights has ruled that real estate agents and lending institutions fall within the scope of the public accommodations statute. *Enforcement* by the Connecticut Commission on Civil Rights, Room 537, State Office Bldg., Hartford 15, Conn.—JA 7-6341, Ext. 2310.

OREGON. Signed May 27, 1959. Effective Aug. 5, 1959. *Coverage*: Any person engaged in the business of selling or leasing real property, including vacant land and commercial space; advertising. A separate statute provides for the revocation of licenses of real estate operators who violate the fair housing law. *Enforcement* is by the Civil Rights Division, Oregon State Bureau of Labor, 1216 S.W. Hall, Portland 1, Ore.—CA 6-2161, Ext. 421.

PENNSYLVANIA. Signed Feb. 28, 1961. Effective Sept. 1, 1961. *Coverage*: Sale or rental of all housing accommodations except owner-occupied one- and two-family houses and except the rental of rooms in private homes; residential building lots; activities of real estate operators and mortgage lenders in transactions involving housing covered by the statute; advertising. *Enforcement* by the Pennsylvania Human Relations Commission, 1401 Labor and Industry Bldg., Harrisburg, Pa.—CE 8-5151. Ext. 3679.

NEW YORK STATE. Signed Apr. 11, 1961. Effective Sept. 1, 1961. *Coverage*: Sale of homes in developments of ten or more houses located on contiguous land; rentals in buildings with three or more housing units, except those in owner-occupied three-family houses; commercial space; activities of real estate operators in transactions involving commercial space and housing covered by the statute; activities of mortgage lenders in transactions involving *any* housing or commercial space; advertising. *Enforcement* by the New York State Commission Against Discrimination, 270 Broadway, New York 7—BA 7-1616.

MINNESOTA. Signed Apr. 17, 1961. Effective Dec. 31, 1962. *Coverage*: Sale or rental of all housing accommodations, with the following exceptions: 1) rental of an apartment in an owner-occupied duplex; 2) rental of rooms in private residences; and 3) single-family houses which are not defined as "publicly-assisted housing." All houses with outstanding FHA- or VA-insured mortgages or which have received other forms of public assistance are covered by the law. Also covers commercial space; vacant land; activities of real estate operators and mortgage lenders in transactions involving property covered by the statute; advertising. *Enforcement* by the Minnesota State Commission Against Discrimination (now State Fair Employment Practices Commission), 200 State Capitol, St. Paul 1, Minn.—CA 2-3013.

NEW HAMPSHIRE. Signed June 30, 1961. Effective Aug. 29, 1961. *Coverage*: Bars discrimination "in the matter of rental or occupancy of a dwelling in a building containing more than one dwelling"; provides that violations are punishable by fines of from $10 to $100; bars civil actions for damages. *Enforcement*: No administrative machinery is provided.

NEW JERSEY. Signed Sept. 13, 1961. Effective the same date. *Coverage*: Sale or rental of houses in developments of ten or more located on contiguous land, and sale or rental of apartments in buildings containing three or more units, exempting owner-occupied three-family houses. Also excludes rental of rooms in private residences. Covers vacant land and commercial space. Previous statute covering all publicly-assisted housing, including FHA and VA, remains in force. Applies to real estate brokers and mortgage lenders in the handling of transactions involving property covered by the statute. Bars discriminatory advertising. *Enforcement* by the New Jersey Division on Civil Rights, 1100 Raymond Blvd., Newark 5—MA 4-1414.

National Committee Against Discrimination in Housing
426 West 58 Street, New York 19, New York

☐ I enclose $2.00 for a year's subscription to TRENDS IN HOUSING.
☐ To help support the fight for a free housing market, my contribution of $________ is enclosed.

(Contributors of $10.00 or more receive a year's subscription to *Trends* without charge.)

*NAME*________________________________
*ADDRESS*______________________________
____

(*Please include postal zone number.*)

Addendum to SCOREBOARD as of June 30, 1962

TOLEDO, Ohio. Signed Sept. 25, 1961. Effective Oct. 25, 1961. Coverage: All sales of real property. Rentals in buildings of 5 or more units. Enforcement by the Toledo Board of Community Relations, 565 N. Erie St., Toledo 2 - CHerry 4-1961.

(NOTE: The Toledo law has been stalled by a temporary injunction since Nov. 2, 1961.)

VIRGIN ISLANDS. Signed into law June 9, 1961. Coverage: Provides that no person "engaged in selling, leasing, or renting" any item of real estate shall, directly or indirectly, deny any other person the right to buy, lease, or rent any item of real estate on account of race, creed, or national origin. Prohibits the use of the "private club" device for evasion of the law. Provides for punitive damages up to $5,000 and/or a fine of not more than $2,000. Enforcement by the Commissioner of Public Safety.

ALASKA. Adopted Apr. 3, 1962. Effective Apr. 4, 1962. Coverage: "Public housing, all forms of publicly-assisted housing, and any housing accommodations offered for sale, rent, or lease." Violators are liable to 30 days imprisonment, or a fine of not more than $500, or both. No enforcement machinery is provided.

(NOTE: The Alaska law, an amendment to the state's public accommodations act, is the only all-inclusive anti-bias housing law to date.)

CALIFORNIA. On March 26, 1962, the California Supreme Court upheld the constitutionality of the Unruh Civil Rights Act (adopted in 1959), and found its prohibition of discrimination in "all business establishments" applicable to real estate brokers and salesmen. This action of the high court, in effect, gives California similar coverage to that provided under the Oregon fair housing law. However, no enforcement machinery is provided in California.

NEW YORK CITY. On Apr. 4, 1962, Mayor Robert F. Wagner signed amendments designed to facilitate the enforcement of New York City's pioneering fair housing law. The amendments provide that the city's Commission on Human Rights (formerly COIR) may seek a court injunction to hold the unit at issue available during the pendency of a complaint; that the facts in a case may now be made public after efforts to conciliate fail; and the Fair Housing Practices Board, which formerly reviewed Commission findings before cases were referred to court, has been eliminated.

WASHINGTON STATE. On Apr. 2, 1962, the U. S. Supreme Court refused to review a Washington State Supreme Court decision which held, 5 to 4, the state's law barring discrimination in publicly-assisted housing unconstitutional. The majority of the State Supreme Court held that limitation of the statute to "publicly-assisted housing" was an unreasonable classification, denying equal protection of the laws.

In June 1962, a lower court ruled that the Washington public accommodations statute covers real estate offices. This decision is on appeal.

# # #

For
the
first time
in history,
mankind has dared
to believe
that the benefits
of civilization
could be made available
to the
entire
human race

ARNOLD TOYNBEE

KANSAS CITY
COMMISSION ON HUMAN RELATIONS

City of
KANSAS CITY, MISSOURI

COMMISSION ON HUMAN RELATIONS
25TH FLOOR CITY HALL
KANSAS CITY 6, MISSOURI
BALTIMORE 1-1400
EXTENSION 437
ROBERT T. ADAMS
EXECUTIVE SECRETARY

April 15, 1962

Dear Citizens of Kansas City, Missouri:

Under the direction of the Commission, this publication has been prepared and is made available to answer the question:

"WHAT DOES THE KANSAS CITY COMMISSION ON HUMAN RELATIONS DO?"

Will you take time to read of our work? In fact, it is your tax-supported work! The Commission seeks to fulfill the mandates of Ordinance #15091, adopted in 1951:

> "There is hereby created an Advisory Commission on Human Relations...composed of fifteen members...
>
> "to promote, foster, encourage, and stimulate the sympathetic understanding, harmonious relationships, a spirit of charity, and a program of practical co-operation among all groups and individuals to the end that Kansas City may grow and advance in peace and wholesome collective achievement and in the field of individual opportunity."

Funds are being sought with which to continue and to expand the Commission program. Kansas City has made considerable strides in human relations, but as our City has grown, intergroup problems have become more complex.

The goal of the Commission is that Kansas City may grow and advance in peace, harmony and good will.

For the Commission

James Daleo

James Daleo, Chairman
Annual Report Committee

B J George Sr

B. J. George, Sr.,
Commission Chairman

Robert T. Adams

Robert T. Adams,
Executive Secretary

AREAS OF COMMISSION CONCERN

GENERAL PROGRAM SUMMARY....PAGE 1

HUMAN RELATIONS IN HOUSING....PAGE 2

HUMAN RELATIONS IN EDUCATION....PAGE 3

HUMAN RELATIONS IN EMPLOYMENT....PAGE 4

HUMAN RELATIONS IN LEGAL AND LEGISLATIVE MATTERS....PAGE 5

HUMAN RELATIONS IN PUBLIC ACCOMMODATIONS....PAGE 6

HUMAN RELATIONS AND OVERSEAS VISITORS....PAGE 7

COMMUNITY INTERGROUP EDUCATION....PAGE 8

OTHER AREAS OF INTERGROUP CONCERN....PAGE 9

COMMISSION BUDGET AND FINANCES....PAGE 10

STATEMENT OF POLICY....PAGE 11

COMMISSION PERSONNEL....PAGE 12

GENERAL PROGRAM SUMMARY

January 1, 1960 - March 1, 1962

INTERGROUP RELATIONS CONSULTATIONS:

Other cities seeking help with intergroup problems	13
Neighborhoods undergoing intergroup problems	3
City Departments	8
College and High School Research Teams	20
Local proprietors and citizens	500

COMMUNITY INTERGROUP EDUCATION:

Intergroup Programs, Addresses, Panels	214
Citizens in Attendance	18,748
Basic Human Relations Courses (City Employees)	6
Copies of "Human Relations News" and other reprints prepared and handed out at speaking engagements	20,000

COMPLAINT INVESTIGATION AND CONCILIATION:

Anti-Semitism	1
Education	2
Employment	9
Health and Welfare	1
Housing	2
Inter-Religious	1
Law Enforcement	2
Mass Media	5
Neighborhood Relationships	8
Public Accommodations	45
Recreation	2

COMMUNITY INTERGROUP COORDINATION:

Cooperation with business, professional, educational, health and welfare organizations and groups.

Working relationship with 35 local Human Relations groups through the Coordinating Council on Human Relations.

Cooperation with State and National groups through the National Association of Intergroup Relations Officials.

OVERSEAS VISITORS PROGRAMMING AND INTERGROUP BRIEFING:

Overseas Leaders and Specialists	311
Countries of origin	51

INTERGROUP RESEARCH:

Conducted intergroup surveys in high education institutions, restaurants, hotels, motels, bowling lanes, theaters, skating rinks, amusement parks, hospitals, and intergroup problems of churches in changing areas.

HUMAN RELATIONS IN HOUSING

PROBLEMS:

Neighborhood changes to a resegregated pattern jeopardize property values, neighborhood stability, and the strength of all social institutions.

One out of five Kansas Citians is restricted in his freedom of choice in housing because of race, religion, or nationality.

Neighborhoods are changing from all-white to all-Negro occupancy.

Some real estate agents are using harassing techniques to sell property in changing neighborhoods.

Many real estate agents refuse to show homes to some prospective buyers because of unwritten restrictive agreements.

ACTION TAKEN:

Investigated and processed complaints of intergroup tensions in the Meservey and other neighborhoods where minority group members had purchased homes.

Conducted a Public Hearing into real estate agent panic tactics in the Meservey neighborhood. This hearing brought together citizen groups, VA and FHA officials, Real Estate Board officers, City Planning Department, etc.

Accepted the Mayor's request that the Commission establish a Committee on Minority Housing Problems, a requirement of the Housing and Home Finance Agency of the Federal Government.

Reprinted and distributed the Laurenti Study, which showed that as long as neighbors do not sell in panic, Negro home purchases do not lower property values.

Purchased the Race and Housing Series of Studies (University of California) for use by city officials and concerned citizens.

UNMET NEEDS:

More funds and additional personnel to comply with Mayor's request to the Commission that it establish a Minority Housing Committee: The Committee to assist the minorities to have equitable access to housing, loans, insurance and mortgages.

Funds and personnel to work intensively in changing neighborhoods which are subjected to panic sales tactics. The urgent needs are to stabilize such areas and to reassure citizens requesting aid of the Commission.

HUMAN RELATIONS IN EDUCATION

PROBLEMS:

Segregated commercial schools and apprenticeship training programs restrict vocational advancement of individuals of minority groups.

Restricted neighborhood housing limits actual desegregation of public schools.

ACTION TAKEN:

Initiated a Higher Education Survey to discover what schools accept students on the basis of academic merit.

Endorsed the School District of Kansas City action restricting high school fraternities and sororities because of their divisive and discriminatory practices.

Provided information requested by a citizen group as to the percentage of a minority group employed as administrators and teachers in a local school system.

UNMET NEEDS:

To assist in making commercial education and training available to all citizens.

Greater cooperation with educational organizations toward merit employment and assignment of teachers, administrators and librarians, and adequate instruction in human relations.

HUMAN RELATIONS IN EMPLOYMENT

PROBLEMS:

Discriminatory hiring practices persist in many phases of local industry, commercial and public agencies affecting individuals in minority groups.

Discrimination in employment results in inadequate use of available manpower, low morale, poor citizenship, and causes citizen protests, picket lines, boycotts, and economic depression in the community.

ACTION TAKEN:

Supported Missouri Fair Employment Practices Bill.

Helped avoid a nationwide boycott against one of Kansas City's largest home industries. Assisted in arranging a negotiation which resulted in merit employment by the firm.

Offered Commission's services to a citizen's group and the downtown department stores in order to end discriminatory hiring practices, retaliatory picketing and boycotts.

Provided information on employment practices of the Kansas City Public Library and Police Department at the request of citizens and were assured of merit employment, upgrading and placement.

Assisted business firms and the City Administration with intergroup problems and compliance with the Missouri Fair Employment Practices Law.

Conducted a survey, in cooperation with Area Hospital Association, as to the intergroup policies in hospitals.

Prepared and distributed a digest of (1961) Missouri Fair Employment Practices Law (Senate Bill No. 257).

UNMET NEEDS:

Help employers initiate merit employment programs.

Develop a working relationship with the Missouri Commission on Human Rights in the application of the State Fair Employment Practices Law.

HUMAN RELATIONS - LEGAL AND LEGISLATIVE MATTERS

PROBLEMS:

Missouri is deficient in human rights legislation in comparison to many other states.

The Kansas City Public Accommodations Ordinance #24250 (1960) relating to nondiscrimination in motels, hotels and restaurants in presently before the Supreme Court of the State of Missouri involving its constitutionality.*

ACTION TAKEN:

Supported passage of Public Accommodations Ordinance #24250 because of the failure of educational programs to change discriminatory practices.

Conducted the Basic Human Relations Course for Police Recruits, founded in 1952.

Arranged closed sessions with the Police Board and Negro Community representatives to consider intergroup tensions.

UNMET NEEDS:

Initiate study of the adequacy of intergroup training of Police Officers. A study of the degree to which race, environment and other factors are the causes of crime.

A State of Missouri Public Accommodations Law.

A study to ascertain whether Missouri real estate laws might be amended to effectively prohibit panic sales tactics.

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*Since this Report was prepared, the Fair Public Accommodations Ordinance has been upheld by the Missouri Supreme Court and with the Mayor's appointment of a Fair Public Accommodations Committee from the Commission the Ordinance will be placed in operation.

HUMAN RELATIONS IN PUBLIC ACCOMMODATIONS

PROBLEMS:

Discrimination in public accommodations affects our businesses, citizens, and visitors to Kansas City.

Lack of understanding and progress in public accommodations desegregation results in demonstrations such as boycotts, picket lines and sitins.

ACTION:

Investigated complaint of discrimination and received assurance from a city-wide baseball league that they would no longer exclude youth by reason of race or national origin.

Arranged conferences between representatives of a minority group and Restaurant Association officials which resulted in a recommendation by the Association that member restaurants desegregate.

Arranged conference between representatives of a minority group and an amusement park's officials to resolve intergroup tensions surrounding discriminatory policies.

Evaluated the desegregation experience at Swope Park Pool.

Conducted surveys as to discrimination by local restaurants, hotels, motels, bowling lanes, skating rinks, theaters and amusement parks upon the request of the International Convention of Christian Churches (Disciples of Christ), in contemplation of their convention which was later held in October, 1961.

Distributed lists of desegregated restaurants, on citizen request.

Responded to inquiries from several national organizations concerning the extent to which local convention facilities were desegregated.

UNMET NEEDS:

Desegregation of motels, small hotels, bowling lanes, skating rinks, amusement parks and small restaurants, which jeopardizes community harmony and economic welfare.

Prevent embarrassment to visitors and Kansas Citians attending conventions and/or local meetings who encounter discriminatory practices.

HUMAN RELATIONS AND OVERSEAS VISITORS

PROBLEMS:

Overseas visitors often have distorted pictures of U.S. intergroup relations, and little awareness of either American community intergroup progress or remedial programs.

Lack of opportunity exists for many Kansas Citians to "build bridges of understanding" with persons of other lands.

Jeopardization of U.S. foreign policy and world leadership occurs when overseas visitors encounter discriminatory rebuffs in Kansas City.

ACTION TAKEN:

Provided programming and intergroup briefing for 311 overseas visitors from 51 countries.

Received the cooperation of the Greater Kansas City Committee for International Students in providing home hospitality so leaders and specialists from other countries could visit typical American homes.

Participated in the People People Council, a coordinating body of organizations inter ed in international relations.

UNMET NEEDS:

Funds with which to more effectively conduct this International Intergroup Program.

To alert more citizens to what is being done in human relations in Kansas City so that they can better inform visitors to Kansas City.

COMMUNITY INTERGROUP EDUCATION

PROBLEMS:

Kansas Citians' lack of knowledge of existing Intergroup Problems which their fellow citizens encounter.

Fears, myths, rumors and misstatement on whatever basis they arise take their toll on community harmony when citizens do not have clear understanding of intergroup relationships, tension, and situations.

Denial of equal rights and full respect for all citizens weakens our American system of government, its democracy and civic strength.

ACTION TAKEN:

Conducted Basic Human Relations Courses for the Police, Fire, Recreation and other municipal departments and employees.

Provided 214 programs for 18,748 citizens on "Human Relations in Kansas City", and established a Speakers Bureau, within the Commission.

Sponsored a Bill of Rights Day luncheon, at which time retiring Commission Chairman Lee Reeder was honored.

Cooperated with local groups in promoting the 1961 and 1962 Freedom Fairs, which consisted of human relations conferences for community leaders.

Cooperated with the Missouri Commission on Human Rights in their preparation of a Human Rights Unit for public school teachers.

Participated in City Hall High School Day.

Made available numerous articles of interest to citizens on general human relations topics. Prepared and issued the "Human Relations News".

UNMET NEEDS:

Revision and expansion of the Basic Human Relations Course, in accordance with changing community patterns and existing population tensions.

Broadening of distribution of the Commission's "Human Relations News" and other informative material which has been restricted because of lack of funds.

Development and sponsorship of an Annual Conference on Community Understanding for leaders in the fields of commerce, religion, education and planning.

Additional staff to provide resources for the increasing number of requests from businessmen, colleges, PTA, school and community groups for intergroup educational programs.

OTHER AREAS OF INTERGROUP CONCERN

ANTI-SEMITISM

Cooperated with local officials in investigating the 1960 anti-semitic bombing of Kehilith Israel Synagogue.

Counseled with two neighboring families to resolve their inter-religious and inter-personal problems.

FAIRPLAY IN POLITICS

Commended the local chapter, National Conference of Christians and Jews for their Fair Campaign Practices program during the recent Presidential Campaign.

CITIZENS OF MEXICAN DESCENT

Processed cases of employment discrimination involving U.S. citizens of Mexican ancestry.

Investigated complaints of housing discrimination brought by citizens of Mexican and Spanish ancestry.

Counseled with community leaders of Mexican ancestry to help them with minority youth motivation.

CITIZENS OF ITALIAN DESCENT

Assembled evidence of mass media stereotyping in which citizens of Italian ancestry were indiscriminately linked on unfounded evidence to local and national crime groups.

Received information that some law enforcement discrimination exists against citizens of Italian ancestry.

MASS MEDIA PROBLEMS

Monitored newspaper race labelling, and commended a daily paper when they lessened such labels in advertisements and news stories.

POLICE-COMMUNITY RELATIONS

Convened two private consultations between representatives of the Police Department and Negro Community to discuss inappropriate police officer conduct and lack of adequate citizen cooperation for general law enforcement.

COMMISSION BUDGET AND FINANCES

PROBLEM:

The 1961-62 Budget makes no allottment for:

Community Intergroup Education Programs

Committee on Minority Housing, extra Staff and Program

Overseas Visitors Intergroup Briefings

In-Service Training, Conferences and Conventions

Present Budget Allottments are inadequate for Postage, Equipment, Local Transportation, Program expenses and Salaries.

The 1961-62 Budget is $13,309 as compared with $15,000 in 1952.* Costs have risen 14% since 1952, the Budget has been cut 11%.

BUDGET NEEDS:

One Intergroup Specialist whose primary responsibility will be housing desegregation and the curbing of neighborhood panic.

One Intergroup Specialist to develop a more adequate Community Intergroup Education Program, Investigate Complaints, and revise the Basic Human Relations Course for Police Academy recruits and other groups.

Additional Senior Clerk-Stenographer.

Replacement of obsolete office equipment and provision for additional files.

Equitable salaries for present employees.

Program funds for a Committee on Minority Housing Problems with which to fulfill the Federal Governments requirements for Kansas City certification for urban renewal funds.

BUDGET REQUESTS:

Sufficient funds with which to implement needed enlarged programs.

*Since the preparation of this Report, the 1962-63 Annual Budget has been set at $13,250

STATEMENT OF POLICY

The foregoing material was prepared by the Annual Report Committee consisting of Commissioners James Daleo (Chairman), Floyd Early, B. J. George, Sr., Charles Hipsh, Mrs. A. Harold Schmidt, Mrs. Edward A. Smith, and Dr. Earl D. Thomas, and Executive Secretary Robert T. Adams. It was approved for distribution, subject to the wishes of Mayor H. Roe Bartle, at the March 14, 1962 meeting of the Commission, and under the direction and supervision of a subcommittee in accordance with the directive of the Commission.

The Commission is not the partisan advocate of any group, whether minority or majority. It does not condone:

1. Actions of extremists, either of the left or the right
2. Violence
3. The breach of the laws, and
4. The violation of individual rights, whether by representatives of the majority or of the minority involved in an issue.

It does not initiate or create incidents and cases for any groups or individuals.

The Commission is concerned "that Kansas City may grow and advance in peace and wholesome collective achievement and in the field of individual opportunity," within the framework of our laws.

The Commission, having neither law enforcement powers nor judicial powers, must necessarily act through the use of cooperation, conciliation, investigation, report, education, and such -- the only tools at its command. To that end we seek the help of all citizens who have a sincere desire and a willingness to work toward the purposes of the Commission through the means available to it from time to time.

COMMISSION PERSONNEL

H. Roe Bartle,
Mayor of Kansas City, Missouri

B. J. George, Sr.,
Chairman

Dr. Earl D. Thomas,
First Vice-Chairman

James Daleo

Mrs. Dwight Davis

Floyd Early

Clarence W. Head*

Mrs. Maurice O'Sullivan,
Second Vice-Chairman

Charles Hipsh

Mark J. Marchisio

Dr. John J. Miller

Samuel A. Montague

Chester K. Litman,
Third Vice-Chairman

Edward H. Pate

Roy E. Pell

Mrs. A. Harold Schmidt

Mrs. Edward A. Smith

Robert W. MacNeven,
Ex-Officio

* *

Robert T. Adams,
Executive Secretary

Mrs. Carl W. Clark,
Senior Clerk-Stenographer

* *

During the period, January 1, 1960 to April 30, 1962, the following persons served as members of the Commission on Human Relations, in addition to the active Commissioners listed above.

Major Henry H. Fox, Sr.

Charles E. Fiddler

* *

During the fiscal year 1961-1962, the Commission appointed the proper committees, wrote and adopted a set of working By-Laws, which were officially approved April 11, 1962. All Standing Committees are presently being reorganized to comply with the newly approved By-Laws.

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* Since this Report was prepared, Commissioner Head resigned on leaving Kansas City, and E. A. Weishaar was appointed in his place.

The Growing Negro Middle Class in Chicago

(The following is a research report on "The Growing Negro Middle Class in Chicago" prepared by the Chicago Commission on Human Relations.)

Public discussions of unemployment, dependency, and juvenile delinquency among Negroes frequently overlook the presence of a continuously growing, numerically important, middle-income Negro population in Chicago.

The 1960 census figures point to a remarkable growth of a Negro middle class in the City of Chicago. All available information since 1960 indicates that such growth continues.

By using available 1960 census information we estimate that at least 35 to 40 per cent of Chicago's Negro families belong to the middle class; and at least 65 to 70 per cent of the city's white families. These standard indexes to middle income or middle class status were used: college education, occupational status, income, and home ownership.

The growth of this middle class comes at a significant hour in Chicago's history. The large migration of Negroes from the South, which reached its peak in the late 1940's and early 1950's, has now begun to taper off. As a result, the major source of Negro population growth in Chicago and its suburbs during the 1960's will be through natural increase and not in-migration. These recent Negro migrants to the North—like other migrants—generally have been unskilled, rural, and by northern urban standards, poorly educated. The growing middle class reflects the rise of a second and third generation among Negro Chicagoans, whose progress is worth noting in considering the future of the metropolitan area. It is with this group of Chicagoans that this report is concerned.

Non-Whites and Negroes in Chicago 1950-1960

	1950	*1960*	*Per cent Increase*
Negro Persons	492,000	813,000	65%
Non-White Persons	509,000	838,000	64%

Throughout this report non-white statistics for Chicago and the suburbs are used because for most of the middle class indicators used in this report specific census data for Negroes is not available. Since Negroes make up 97 per cent of the non-white census in Chicago, the non-white data can be used, for all practical purposes, to describe the Chicago Negro population.

Number and Proportion of White and Non-White Families in Chicago Earning $6,000 or More Annually—1950 and 1960

	1950	*%*	*1960*	*%*	*Per cent Increase*
Non-White Families	5,100	4.4	63,100	34.1	1137%
White Families	190,000	20.9	468,000	64.5	146%

The above table indicates that one out of every 25 of the city's non-white families had an income of $6,000 or more in 1950. By 1960 this proportion had jumped to one out of three. Since the cost of living in Chicago went up approximately 25 per cent during the decade, the 1950 figures can be adjusted to take into account this change in dollar value. The closest approximation to a $6,000 income in 1960, using available census data, is an annual income of $5,000 or more in 1950. In that year the Census Bureau counted 10,200 or 8.9 per cent of Chicago's non-white families earning $5,000 or more a year.

Median Family Annual Income of White and Non-White Families in Chicago 1950 and 1960

	1950	*1960*	*Per cent Increase*
Non-Whites	$2,500	$4,700	88%
Whites	$4,200	$7,200	71%

As the above table indicates, the income of non-white families grew at a faster rate than for white families. In the 1950-1960 decade the income gap between whites and non-whites in Chicago narrowed. The median income of non-whites was 60 per cent of the white median income in 1950. In 1960 the median family income of non-whites was 65 per cent of that of whites.

The 1960 income figures for both whites and non-whites are all the more impressive when we consider the following factors. First, between 1950 and 1960 an estimated 157,000 non-whites, most of them earning low incomes, came to Chicago from the South. Secondly, during this same decade many higher income whites moved into the suburbs. (Between 1950 and 1960, according to Professor Donald J. Bogue of the University of Chicago, nearly 30,000 non-whites migrated from Chicago to the suburbs and in the 1960's, he says, "there will be an even greater movement.")

In four Cook County suburbs with the large Negro populations, the median income for non-whites was: Evanston ($5,675), Maywood ($6,478), Chicago Heights ($4,746), and Harvey ($5,467).

(Continued on Page 3)

Home Ownership Among Whites and Non-Whites Chicago and Cook County Outside Chicago, 1950 and 1960

	1950		*1960*		*Per cent Increase*	
	White	*Non-White*	*White*	*Non-White*	*White*	*Non-White*
Home Owners						
Chicago	314,000	15,900	360,000	36,700	14%	131%
Cook County Outside Chicago	161,800	2,700	409,400	5,900	154%	119%
Median Value of Homes in Chicago	$12,200	$9,200	$18,000	$16,700	48%	82%
Percentage of home owners among white and non-white families						
Chicago	32%	11%	38%	16%		
Cook County Outside Chicago	67%	47%	79%	52%		

(Continued from Page 2)

In 1960, 11,800 non-whites and 172,600 whites in Chicago owned homes valued at $15,000 or more. If we take the twenty year period between 1940 and 1960, home ownership among non-whites rose 544 per cent. In 1940 there were 5,700 non-white home owners in Chicago.

Number and Proportion of Whites and Non-Whites 25 Years and Over with High School and College Education in Chicago
1950 and 1960

	1950	*%*	*1960*	*%*	*Per cent Increase*
Four Years of High School					
Whites	447,700	22.7	371,900	21.7	—17%
Non-Whites	46,000	15.6	76,300	18.0	66%
One or More Years of College					
Whites	273,600	13.8	258,400	14.9	—5%
Non-Whites	26,100	8.8	46,600	10.8	79%
Four or More Years of College					
Whites	125,600	6.3	112,900	6.5	—9%
Non-Whites	8,900	3.0	15,200	3.5	70%

The proportion of non-whites 25 years and over with some college education did not rise sharply during the decade because of the influx of many adult Negroes from the South who had not finished high school. The white figures on education dropped during the decade because of a total decline in Chicago's white population of 399,000, chiefly because of suburban migration. Also a factor is the post war migration into the city of southern whites, many of whom have not completed high school.

Number of Non-Whites in Chicago with "Middle Class" Occupational Status
1950 and 1960

	1950	*1960*	*Per cent Increase*
Employed professional and technical, etc.	6,864	14,135	106%
Managers, officials, proprietors, etc.	4,650	5,241	13%
Clerical, etc.	18,713	37,250	99%
Sales Workers	4,721	5,727	21%
Craftsmen, Foremen, etc.	14,923	18,860	26%
TOTAL	49,871	81,213	63%

In 1950 about 26 per cent of the non-whites in the working force was in the five occupational groupings listed above; in 1960 the proportion rose to 29 per cent. What about whites? In 1950, 64 per cent of the whites in the working force was in the five occupational classes listed above; in 1960, the proportion was 67.2 per cent.

To take another view of the Negro middle class in Chicago, it would be useful to take an area in the city which is predominantly made up of Negro middle-income families. For this purpose census tract 648, located in Chatham, was selected. This tract is bounded by 79th Street on the North, 87th Street on the South, South Parkway on the East, and State Street on the West. It contains 47 blocks almost entirely made up of single-family and two-family dwellings, except for retail sections along 79th Street and South Parkway.

In 1950 this tract had more than 5,000 residents all of whom were white. By 1960 this tract had 6,000 residents most of whom were Negro. The next table illustrates the income, education, and property characteristics of the residents of this area in 1950 and 1960. The proportion of persons 25 years and older with one or more years of college education rose from 23 per cent in 1950 to 28 per cent in 1960.

Selected Characteristics
Census Tract 648 in Chatham, 1950 and 1960

	1950	*1960*
Population		
White	5,294	399
Non-White	0	5,978
Median Income		
For Families and Individuals	$4,457	$7,668
Persons 25 Yrs. and Older with One or More Years of College	785	1,181
Housing		
Number of Owners	712	1,102
Median Value	$14,580	$22,000
Number of Renters	844	854
Average Monthly Rent	$59	$110
Employment		
Professional, technical and kindred workers	368	452
Managers, Officials, and Proprietors including Farm	361	160
Clerical and kindred workers	499	907
Sales Workers	244	113
Craftsmen, Foremen, and kindred workers	344	174

There is a direct relationship between the growing Negro middle class and the future of the low income sector of the Negro population in Chicago. The Negro middle class sets the pace, shows what can be accomplished, and helps raise the vocational and education horizons of the latest arrivals to the city from the South.

What of the future? For European immigrants who came to the United States in the last one hundred years northern cities like Chicago were convenient step ladders into the middle class. Does the Negro find the same step ladder available to him?

The existence of racial discrimination against non-whites creates many barriers which did not exist for most European immigrants and their children. Despite this, Negroes are finding the same step ladder available to them.

John Justin Smith, left, columnist for the Chicago Daily News; Warren Lehman, center, housing specialist of the Chicago Urban League; and Edmund J. Rooney, Jr., right, OSC resolutions chairman, took part in a panel discussion on race relations in southwest Chicago at a meeting of the Organization for the Southwest Community. The resolutions committee will present its proposals for OSC's overall program at the organization's annual convention November 4 in Calumet High School.

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SEPTEMBER 1963

HUMAN RELATIONS NEWS
OF CHICAGO

Vol. 5 No. 6

PUBLISHED PERIODICALLY BY THE CHICAGO COMMISSION ON HUMAN RELATIONS

Chicago Now Has A Fair Housing Ordinance

The City Council of Chicago, by a 30-to-16 vote, adopted September 11 a Fair Housing Ordinance. Its preamble declares:

"It is . . . the policy of the City of Chicago to assure full and equal opportunity to all residents of the City to obtain fair and adequate housing . . . without discrimination . . . because of . . . race, color, religion, national origin or ancestry."

The ordinance amends the Municipal Code to prohibit real estate brokers licensed by the city, and those operating in Chicago but licensed elsewhere, from discriminating against a prospective home buyer or renter because of his race, color, religion, national origin or ancestry.

On September 12, the Chicago Commission on Human Relations, whose duty it is to carry out the purposes and provisions of the ordinance, indicated it would "consult with interested groups in determining rules and regulations to carry out the letter and spirit of the ordinance."

To speed up preparation of such procedures, Ely M. Aaron, chairman, appointed a special Commission subcommittee which will go to work immediately. Dr. Marshal L. Scott, dean of the Presbyterian Institute of Industrial Relations, chairman, and Attorneys Jerome J. Friedman and William R. Ming, Jr., are on the subcommittee.

The ordinance prohibits real estate brokers from:

1. refusing to sell, lease or rent any residential real estate,
2. exploiting or overcharging any person for residential housing accommodations,
3. discriminating or participating in discrimination in connection with borrowing or lending money or accepting mortgages,
4. refusing to show a listing

because of race, color, religion, national origin or ancestry.

It also outlaws "panic peddling" in racially changing neighborhoods by prohibiting real estate brokers from soliciting residential real estate on the grounds of loss

(Continued on Page 4)

Commission Seeks Nominees For Seven Annual Awards

Nominations are being sought by the Chicago Commission on Human Relations for its seven annual awards in human relations.

Lee Schooler, chairman of the Awards committee, inviting persons throughout Chicago to nominate candidates for the awards, said:

"We need your help in locating those who deserve to be so honored. Your nominations are the basis for our selections."

Six awards are given to individuals and organizations that have made outstanding contributions to the improvement of human relations in Chicago. A seventh award, a memorial to the late Thomas and Eleanor Wright, is given to a professional human relations worker. Thomas Wright was at one time executive

(Continued on Page 4)

Owen F. Lee, second from right, chief examiner of the Department of Financial Institutions, State of Illinois, presents credit union charter to a committee of tenants of the Frances Cabrini-William Green Homes. Eugene M. Johnson, right, president of the Cabrini-Green credit union, accepts charter, as George W. Tynes, Mrs. Augusta Cunningham and Andrew F. Johnson, from left, look on approvingly. This is the second credit union to be organized in a Chicago Housing Authority development under a pilot program developed by the Mayor's Committee on New Residents in cooperation with the Illinois Credit Union League. The first was formed last November at the Rockwell Gardens-Maplewood Court project on the West Side. (Chicago Daily News Photo)

Roundup of Illinois' New Rights Legislation

The 1963 session of the Illinois General Assembly approved legislation which marked some progress in human relations.

A roundup of bills passed and signed into law shows:

—Swimming pools were added to the list of places of public accommodations where it is unlawful to practice racial discrimination (House Bill 93).

—The Fair Employment Practices Act was broadened to include the State of Illinois as an employer and all other political subdivisions and governmental agencies (House Bill 137).

—Hospitals are now required to give emergency treatment or first aid to persons suffering serious medical disability as well as to the injured (House Bill 106).

—School boards are required as soon as practicable to change boundaries of school districts to take into account the prevention of racial segregation (House Bill 113).

—Business schools may suffer suspension or loss of certificate if they refuse to admit applicants on account of race, color or creed (House Bill 849).

—Reimbursement to the counties for care of children will be made only for care in those institutions which admit children on the basis of need without regard to race or ethnic origin (House Bill 54 and Senate Bills 310, 312).

—An Illinois Emancipation Centennial Commission was established for the observance of the Century of Negro Progress and was appropriated $73,350 (House Bill 783).

—A Commission on Spanish-speaking Residents was established to study the problems faced by Spanish-speaking peoples and make recommendations to lessen these problems (Senate Bill 919).

The proposed Fair Housing Practices Bill (House Bill 755), which failed to pass, generated the most excitement in the area of civil rights. It would have made racial discrimination unlawful in the sale or rental of all housing units in the state except owner-occupied dwellings with three units or less, and housing owned and operated for members of religious bodies and bonafide private clubs. It also would have established a Fair Housing Practices Commission empowered to investigate complaints, conciliate and persuade for a solution, and to seek court orders if necessary to carry out its decisions. This bill failed of passage in the House by just two votes. A similar bill was introduced in the previous session of the legislature and received 71 favorable votes as compared to the 87 this year.

Meanwhile, Governor Otto Kerner of Illinois has called for the elimination of racial and religious discrimination in all phases of state government. He issued a Code of Fair Practices as an executive order governing state services and facilities, employment, licensing, contracts for public works, financial assistance, state-supported training and apprentice programs, employment services and professional training.

Governor Kerner requested all executive agencies to post the Code in a conspicuous place and report to him by January 15 of each year on steps taken to implement its provisions.

Negro Population in Chicago Suburbs Shown on New Map

The map on the opposite page shows the distributon of Negro population in Chicago's suburbs in 1960. It was produced by the Community Renewal Program of the City of Chicago, and published in "An Atlas of Chicago's People, Jobs and Homes." The atlas is available from the Community Renewal Program.

The map is based on the 1960 United States Bureau of Census' official tabulation. The census disclosed that 30 Chicago suburbs in Illinois, out of a total of 253, have 100 or more Negroes. In eight of these, the Negro population is swelled by resident domestics and caretakers or persons in state institutions.

Survey Finds Job Agencies Still Accept Biased Orders

Most private employment agencies in Chicago still accept discriminatory job orders, according to a survey conducted by the American Jewish Congress.

Elmer Gertz, local Congress president, said members of the Women's Division had contacted by telephone 122 private employment agencies in Chicago to find out whether they would accept a job order for a "white Protestant stenographer."

Of 95 agencies which gave clear-cut responses, 86 accepted the discriminatory job order in spite of the fact that nine of these believed the practice to be illegal. Only nine agencies refused to accept such an order, five of these specifically stating that they believed it to be illegal.

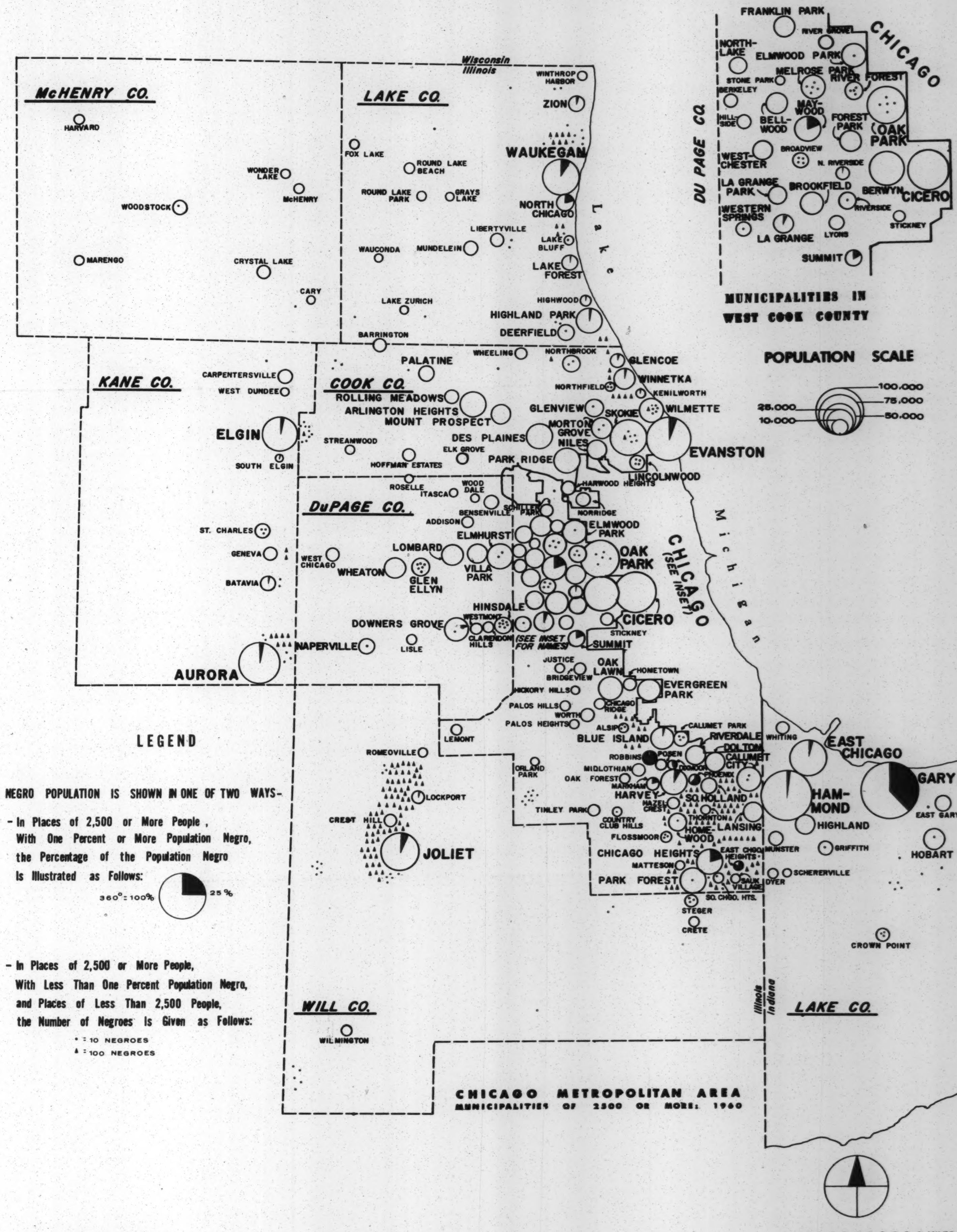
Results published in the report covered "usable" responses — that is, those in which the employment agency either accepted or refused the discriminatory request. "Non-usable" responses, which were not included in the final results, consisted of agencies that could not be reached or did not supply stenographers, or whose answers were ambiguous.

Chicago was one of six cities in five states where the survey was conducted.

Commentary Available

Edward Marciniak's annotated commentary on Elinor Richey's article "Splitsville, U.S.A. — An Ironic Tale of Urban Renewal and Racial Segregation" has been reprinted in the June 28 *Congressional Record.*

Miss Richey's article first appeared in the *Reporter* magazine. Copies of the commentary can be obtained from the Commission office.


CHICAGO METROPOLITAN AREA
MUNICIPALITIES OF 2500 OR MORE: 1960
MUNICIPALITIES IN WEST COOK COUNTY
POPULATION SCALE
100,000
75,000
50,000
25,000
10,000
LEGEND
NEGRO POPULATION IS SHOWN IN ONE OF TWO WAYS-
- In Places of 2,500 or More People, With One Percent or More Population Negro, the Percentage of the Population Negro Is Illustrated as Follows:
360° = 100%
25%
- In Places of 2,500 or More People, With Less Than One Percent Population Negro, and Places of Less Than 2,500 People, the Number of Negroes Is Given as Follows:
• = 10 NEGROES
▲ = 100 NEGROES
Wisconsin
Illinois
McHENRY CO.
LAKE CO.
KANE CO.
COOK CO.
DuPAGE CO.
WILL CO.
LAKE CO.
DU PAGE CO.
CHICAGO
CHICAGO (SEE INSET)
Lake Michigan
Illinois
Indiana
HARVARD
WONDER LAKE
McHENRY
WOODSTOCK
MARENGO
CRYSTAL LAKE
CARY
WINTHROP HARBOR
ZION
FOX LAKE
ROUND LAKE BEACH
ROUND LAKE PARK
GRAYS LAKE
WAUKEGAN
NORTH CHICAGO
LIBERTYVILLE
WAUCONDA
MUNDELEIN
LAKE BLUFF
LAKE FOREST
LAKE ZURICH
HIGHWOOD
HIGHLAND PARK
DEERFIELD
BARRINGTON
WHEELING
NORTHBROOK
GLENCOE
PALATINE
NORTHFIELD
WINNETKA
KENILWORTH
CARPENTERSVILLE
WEST DUNDEE
ROLLING MEADOWS
ARLINGTON HEIGHTS
MOUNT PROSPECT
GLENVIEW
WILMETTE
SKOKIE
MORTON GROVE
NILES
EVANSTON
ELGIN
SOUTH ELGIN
STREAMWOOD
DES PLAINES
ELK GROVE
HOFFMAN ESTATES
PARK RIDGE
LINCOLNWOOD
HARWOOD HEIGHTS
ROSELLE
ITASCA
WOOD DALE
BENSENVILLE
SCHILLER PARK
NORRIDGE
ADDISON
ELMWOOD PARK
ST. CHARLES
ELMHURST
GENEVA
WEST CHICAGO
LOMBARD
OAK PARK
WHEATON
GLEN ELLYN
VILLA PARK
BATAVIA
HINSDALE
WESTMONT
DOWNERS GROVE
CLARENDON HILLS
CICERO
STICKNEY
NAPERVILLE
LISLE
(SEE INSET FOR NAMES)
SUMMIT
AURORA
JUSTICE
BRIDGEVIEW
OAK LAWN
HOMETOWN
EVERGREEN PARK
HICKORY HILLS
PALOS HILLS
CHICAGO RIDGE
WORTH
PALOS HEIGHTS
ALSIP
BLUE ISLAND
CALUMET PARK
RIVERDALE
WHITING
EAST CHICAGO
LEMONT
ROMEOVILLE
ORLAND PARK
ROBBINS
POSEN
DOLTON
CALUMET CITY
MIDLOTHIAN
DIXMOOR
PHOENIX
OAK FOREST
MARKHAM
HARVEY
GARY
HAMMOND
LOCKPORT
TINLEY PARK
HAZEL CREST
SO. HOLLAND
EAST GARY
CREST HILL
COUNTRY CLUB HILLS
THORNTON
LANSING
HIGHLAND
FLOSSMOOR
HOMEWOOD
MUNSTER
GRIFFITH
HOBART
JOLIET
CHICAGO HEIGHTS
EAST CHGO. HEIGHTS
MATTESON
SAUK VILLAGE
DYER
SCHERERVILLE
PARK FOREST
SO. CHGO. HTS.
STEGER
CRETE
CROWN POINT
WILMINGTON
FRANKLIN PARK
RIVER GROVE
NORTH-LAKE
ELMWOOD PARK
MELROSE PARK
STONE PARK
RIVER FOREST
BERKELEY
MAY-WOOD
HILL-SIDE
BELL-WOOD
FOREST PARK
BROADVIEW
WEST-CHESTER
N. RIVERSIDE
LA GRANGE PARK
BROOKFIELD
BERWYN
WESTERN SPRINGS
RIVERSIDE
LA GRANGE
LYONS
STICKNEY
SUMMIT
1 0 1 2 3 4 5 6 7 8 9 MILES

SOURCE: U.S. CENSUS OF POPULATION

DISTRIBUTION OF NEGRO POPULATION IN 1960

City of Chicago
Community Renewal Program

Commission Awards

(Continued from Page 1)

director of the Commission and his wife was director of public information.

Mr. Schooler, president of the Public Relations Board, Inc., heads the committee of 16 distinguished Chicagoans who will select the winners.

The awards will be presented at the Commission's Eighteenth Annual Awards Luncheon which will be held at noon Friday, December 6, in the Grand Ballroom of the Palmer House.

Get entry forms from the Commission office, Room 1310, 211 West Wacker Drive, Chicago, Illinois, 60606, Telephone 236-4912. No nomination can be made after Friday, October 11.

Who is eligible for an award?

Any business or industrial enterprise, any civic or community organization, religious institution, organ of communication, government department, trade union, or any individual who has made an outstanding contribution to good human relations. Human relations agencies and organizations are not eligible.

Chicago Fair Housing

(Continued from Page 1)

of value due to the entry into the neighborhood of any person of any particular race or religion.

Under its provisions, the Chicago Commission on Human Relations can initiate, receive and investigate complaints charging unlawful housing practices. It can seek conciliation of the complaints, hold hearings and make findings of fact, and has the power to subpoena witnesses and documents.

The Mayor is empowered to suspend or revoke the Chicago city license of any broker found guilty of violating any section of the ordinance. He also can direct the Corporation Counsel to seek suspension or revocation of the state license issued to a broker.

Brokers affected by such action have the right to appeal the decisions in accordance with procedures specified in the Administrative Review Act of Illinois.

Copies of the ordinance can be obtained from the Commission on Human Relations.

Awards for national leadership in civil rights were presented by the Second National Methodist Conference on Human Relations which met in August in Chicago. Bishop Charles Brashares, of Chicago (center) and Bishop Matthew W. Clair, Jr., of St. Louis (second from right) presented citations to awardees, left to right, Aaron Henry, a layman, of Clarksdale, Miss.; Bishop A. Raymond Grant, Portland, Ore.; Mrs. Marion Downs, concert singer, of Los Angeles; Albert Cardinal Meyer, of Chicago; Rabbi Julius Mark, of New York City; Miss Thelma Stevens, Methodist women's executive, of New York City; and Bishop Charles F. Golden, of Nashville. Cardinal Meyer was cited for leadership in "ceaseless pursuit of fairly established and enforced civil rights," and for "forthright and incisive statements of concern for social justice."

Human Relations Subject Of Teachers College Course

A course in human relations is being taught this Fall at two branches of the Chicago Teachers College.

"Human Relations—Sociological Insights," is offered Mondays from 4:30 to 7:30 p.m. at the South campus, 6800 S. Stewart Avenue. "Human Relations in the Elementary School" is offered the same time Fridays at the Crane Branch, 2240 W. Van Buren Street.

In addition, "Human Relations for Principals" is being taught two afternoons a week at 228 N. LaSalle Street.

HUMAN RELATIONS NEWS
CHICAGO COMMISSION ON HUMAN RELATIONS
211 West Wacker Drive • Chicago, Illinois 60606
Telephone: 236-4912

Richard J. Daley, *Mayor*
Ely M. Aaron, Chairman
Ralph D. Robinson, Secretary
Morris Bialis
Augustine J. Bowe
Dr. Preston Bradley
William G. Caples
Lester Crown
Jerome J. Friedman
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NOVEMBER 1963

HUMAN RELATIONS NEWS
OF CHICAGO

Vol. 5 No. 7

PUBLISHED PERIODICALLY BY THE CHICAGO COMMISSION ON HUMAN RELATIONS

Commission Names 1963 Award Winners

The Chicago Commission on Human Relations has announced the 1963 recipients of its human relations awards given annually to individuals and organizations who make outstanding contributions to better human relations.

One hundred twenty-eight nominations, more than ever before, were received this year by the 14-member Awards Committee, according to Lee Schooler, president, The Public Relations Board, Inc., and chairman of the Committee.

Mayor Richard J. Daley will present the awards at the Commission's Eighteenth Annual Awards Luncheon at noon Friday, December 6, in the Grand Ballroom of the Palmer House.

> Reservations can be made by sending check or money order to the Commission on Human Relations, Room 1310, 211 West Wacker Drive, Chicago, Illinois 60606. Cost per person is $4.00. Tables of eight or ten can be reserved. Late reservations can be made by telephoning 236-4912.

James C. Downs, Jr., chairman of the Real Estate Research Corporation, will be luncheon chairman.

Ely M. Aaron, Commission chairman, and Edward Marciniak, executive director, will report on human relations in Chicago during 1963.

Award winners for 1963 are:

The Reverend J. Hugh Anwyl, 8158 S. Kimbark Avenue, former pastor of the Avalon Park Community Church, "For his courageous attempt, in the face of dismissal from his pastorate, to have his church take the lead in solidifying racially changing North Avalon."

Mrs. Laird Bell, civic leader, chairman of Women's Board of Opportunity Centers, 746 E. 63rd Street, "For her long and energetic efforts to help disadvantaged peoples in the central city, and her forthright stand for equal opportunity in housing."

(Continued on Page 2)

More Near North Housing Opening up to Non-whites

Substantial advances in equal opportunity in housing in Chicago's Near North Side were revealed in a study by the Chicago Commission on Human Relations.

An increasing number of Near North Side apartment developments and apartment buildings, including the more fashionable ones, are renting to all qualified applicants, regardless of their race, creed, color or national ancestry.

Marina City, Carl Sandburg Village, Outer Drive East, DeWitt-Chestnut Apartments, Old Town Gardens Apartments, and a number of miscellaneous apartments on North Lincoln Avenue, East Oak Street and North LaSalle Street are being offered to all qualified tenants on an equal opportunity basis.

Hal M. Freeman, coordinator of housing and community services division of the Commission, said the major developments had adopted a non-discriminatory policy even before passage of the new Chicago Fair Housing Ordinance, which prohibits racial or religious discrimination by real estate brokers. Some voluntarily set up such a rental policy; others acted in compliance with President Kennedy's Executive Order on Equal Opportunity in Housing to admit Negro tenants.

Freeman said, "These apartment developments are paving the way for owners of various sized apartment buildings on the North Side also to offer vacant apartments to all qualified applicants on a non-discriminatory basis."

Marina City, a 60-story twin tower apartment complex at 300 N. State Street, has 896 apartments. It was privately developed by the Building Services Employees of America, AFL-CIO. The first tenants moved in October, 1963. Marks and Company, Real Estate, is the managing agent.

Carl Sandburg Village is situated at 1455 N. Sandburg Avenue, on land cleared and sold by the city's Department of Urban Renewal. When completed, Sandburg Village will contain six high rise and two low rise apartment buildings, and sections of town houses — a total of 1,875 units. Tenants now are occupying four completed high rise buildings. Arthur Rubloff and Company manages the development.

(Continued on Page 4)

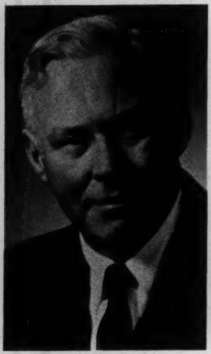
1963 Award Winners

(Continued from Page 1)

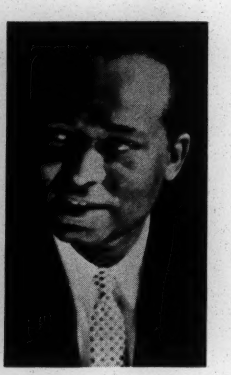
Mrs. Madeline R. Stratton, 5142 S. Ellis Avenue, teacher at Arthur Dixon School, "For her devotion, as a teacher, to the mutual understanding of peoples and for her efforts to make Negro history a part of public school curriculum."

Honorable James B. Parsons, executive chairman of the Chicago Host Committee to the National Conference on Religion and Race, "For his dedicated leadership in launching a national movement by the three major faiths in the United States for joint action to remove racial discrimination and segregation in the nation."

Rabbi Ernst M. Lorge, honorary co-chairman of the Chicago Host Committee to the National Conference on Religion and Race, "For his dedicated leadership in launching a national movement by the three major faiths in the United States for joint action to remove racial discrimination and segregation in the nation."


Todd

Holding


Parsons

His Eminence Albert Cardinal Meyer, honorary co-chairman of the Chicago Host Committee to the National Conference on Religion and Race, "For his dedicated leadership in launching a national movement by the three major faiths in the United States for joint action to remove racial discrimination and segregation in the nation."

Mrs. Weston

Mr. George F. Sisler, honorary co-chairman of the Chicago Host Committee to the National Conference on Religion and Race, "For his dedicated leadership in launching a national movement by the three major faiths in the United States for joint action to remove racial discrimination and segregation in the nation."

Northwestern Students — Sears YMCA Tutoring Project, with headquarters at 3210 Arthington Street, "For the direction and leadership it gave to popularizing volunteer tutoring by college students of potential school dropouts in Chicago." Accepting the award for the Project will be: John Todd, member of the Sears Roebuck YMCA board of directors and chairman of its Executives' Service Club, sponsors of the Project, and Robert L. Holding, director of the Project.

The Thomas and Eleanor Wright Memorial Award to *Mrs. Jane Weston,* 1730 N. LaSalle Street, director, Housing Opportunities Program, American Friends Service Committee, Inc., "For dedicated leadership to expand housing opportunities for minority families throughout the Metropolitan Area and for encouraging them to take advantage of non-discriminatory housing opportunities."

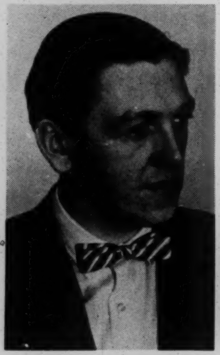
The Wright Award is given for extraordinary professional performance in the field of human relations.

Church Home for Aged Affirms Non-Bias Policy

The Rev. John H. Scambler, vice president of the board of trustees of the Church Home for Aged Persons, 5445 South Ingleside Avenue, formally announced a non-discriminatory admissions policy in a letter to the Chicago Commission on Human Relations.

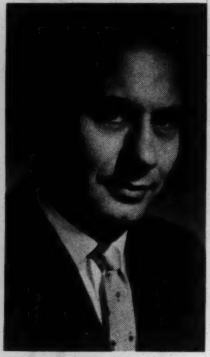
The letter came following a Commission investigation of charges the Church Home practiced discrimination in its admissions. The Department of Urban Renewal requested the investigation after objections were made to the possible sale of city-cleared land to the Church Home because of the discrimination allegations. A city ordinance states land cleared and resold in urban renewal projects must be used in a non-discriminatory manner.

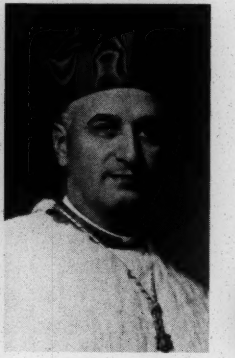
Established in 1885 by the Episcopal Church Diocese of Chicago, the institution provides a home for aged persons.


Rev. Anwyl

Mrs. Bell

Mrs. Stratton


Rabbi Lorge


Cardinal Meyer

Sisler

Housing Body Endorses Policy of Fair Housing

The Metropolitan Housing and Planning Council has issued a statement, adopted by its Board of Governors, endorsing the policy of the City of Chicago as declared in the Fair Housing Ordinance.

The Council is a non-profit, non-partisan citizen organization concerned with improvement of housing and neighborhood conditions through code enforcement, urban renewal, new construction and sound metropolitan planning.

The Council's statement called the ordinance "a step in the right direction." It said, "The Council endorses and supports the policy of the City of Chicago as declared in this ordinance, that all people should be assured full and equal opportunity to obtain fair and adequate housing without discrimination and that no person should refuse to sell or rent or otherwise deny housing accommodations to anyone on grounds of race, color, religion, national origin or ancestry."

But the Council stated, "No matter how fairly and vigorously the law is enforced however, the ordinance will fall short of achieving its declared policy for two principal reasons:

"First, the prohibitions laid down by the enactment apply only to licensed real estate brokers and the only direct penalty it provides is a suspension or revocation of the broker's license. Other persons who are involved in the market for housing accommodations including home owners, landlords, rental agents, building managers, mortgage companies and other lenders are beyond the reach of this law unless they also happen to hold city licenses as real estate brokers. At best, therefore, the ordinance is only a partial remedy.

"The second shortcoming of the law lies in the fact that as an ordinance of the City of Chicago, it has no effect in the metropolitan area beyond the city limits. The problems of adequate housing for people of all races and religions are not confined by the municipal boundaries. An effective solution will require unified action throughout the metropolitan area.

"We recognize of course that both of these limitations are beyond the control of the city government. However, the ordinance as passed cannot be accepted as a final solution. We therefore urge, as in the past, a vigorous campaign in the next session of the Illinois General Assembly for legislative action at the state level to assure by legal means full equality of housing opportunity."

League of Women Voters Survey

The League of Women Voters of Chicago has completed a survey of the rental housing market as it relates to racial discrimination in housing.

Copies of the complete survey report are available for 15 cents each from the League office, 67 E. Madison Street, Chicago, Illinois 60603.

Mayor Richard J. Daley of Chicago, third from right, presents proclamation designating Saturday, November 9, Civil Rights Day in Chicago in recognition of the Ninth Labor Conference on Civil Rights held in the Sherman House. Receiving the plaque in the Mayor's office is Jacob Siegel, second from left, chairman of the Jewish Labor Committee, sponsors of the Conference. Others at the presentation are from left: Aaron Aronin, field director of the Committee; Theodore Robinson, program chairman of the Conference; Paul Iaccino, who was master of ceremonies; and Morris Bialis, Conference chairman. In his proclamation, the Mayor urged all citizens "to give heed to the deliberations and determinations of the Conference."

Ralph D. Robinson, secretary of the Chicago Commission on Human Relations and assistant coordinator of the National Organizing Department, United Auto Workers, leads a panel discussion at the Ninth Labor Conference on Civil Rights. On the photo are left to right, Eugene Tournour, field secretary, CORE; Robinson; Byron Miller, president, Bureau on Jewish Employment Problems; and Cecil Partee, Illinois state representative, 21st district. The Conference attracted 600 persons, the largest delegation in its history and of any similar labor civil rights conference in the country.

Rights Laws Sent to Hospitals

A compilation of equal rights laws that affect Chicago hospitals has been sent to all of the 84 private and public hospitals in the city by the Chicago Commission on Human Relations.

The printed statement summarizes for the first time laws that have been passed at various times by the Chicago City Council and the state legislature.

It covers measures on patient care, opportunity for physicians, emergency care, legal penalties, tax exemption and racial information.

The Commission has requested it be posted at the hospitals in compliance with the requirements of Section 137-13.4 of the Chicago Municipal Code. Copies are available from the Commission.

Near North Housing

(Continued from Page 1)

Outer Drive East, at Randolph Street and the Lake, is a 40-story apartment building owned and operated by the Jupiter Corporation. The first tenants recently began moving into the exclusive new building which has 940 apartments.

DeWitt-Chestnut Apartments, a 43-story high rise, currently is under construction at DeWitt Place and Chestnut Street, and eventually will contain 407 units. Initial occupancy is expected in the Fall, 1964.

Old Town Gardens, formerly known as the Marshall Field Apartments and later as Town and Garden Apartments, at 1448 N. Sedgwick Avenue, has long been recognized as a fashionable apartment development on the Near North Side. It was built in 1927, and, along with the Julius Rosenwald Apartments on 47th Street, was one of the first privately developed slum clearance projects in the country.

Old Town Gardens continues to attract middle-income white families who prefer to live close to the Loop. The block-long five-story building contains 628 units and is owned and operated by Hanover Equities Corporation of Bayside, New York.

Women's Club Tells Of Non-Bias Admission Policy

The Eleanor Association has adopted a non-discriminatory policy in the admission of residents of its clubs, officials of the organization informed the Chicago Commission on Human Relations.

Mrs. Beth Middleton, executive director, told the Commission, "We accept colored girls as we accept white girls; that is based on compatibility and sociability. We reserve the right to interview and screen all girls."

The executive director's statement followed a complaint filed with the Commission charging racial discrimination. The Eleanor Association is a privately-endowed Chicago organization which provides housing, meals and recreational facilities for employed women.

City, State Laws Bar Bias in Barber Shops

In response to questions directed to it following an incident involving musician Dizzy Gillespie, the Chicago Commission on Human Relations recently stated that both the Municipal Code of Chicago and the Illinois Revised Statutes bar discrimination in barber shops.

Ely M. Aaron, chairman of the Commission, said the city and state designate barber shops as "public accommodations" and as such guarantee full and equal use of them by all citizens.

In addition, Aaron said the state Department of Registration and Education uses the same examination for every applicant and issues the same license or certificate to each successful candidate.

"Furthermore," he said, "Rule I for the Illinois Barber Law makes it clear beyond doubt when it says the 'holder of a license or certificate of registration issued under the provisions of the Illinois Barber Law shall not refuse to render service to a person solely on account of that person's race, religion, color or national origin . . .' and provides for revocation of the barber's license if he should discriminate."

Frank Katsis, a teacher-manager of one of the seven Moler Barber College schools and a past member of the Barber Committee of the Illinois Department of Registration and Education, says every Moler student cuts the hair of Negroes and whites before he leaves school and no special instruction is needed or requested by students.

"If you blindfold a barber and tell him the kind of hair his customer has — straight, wavy or kinky, for example — he could not tell you the race of that customer," Katsis said.

Earlier a report reached the Chicago Commission on Human Relations indicating Gillespie had been denied a haircut by a loop barber. The Commission staff went to work, and that afternoon the internationally known musician had his hair cut and the Commission was assured the barber shop would not discriminate.

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DECEMBER SUPPLEMENT 1963

HUMAN RELATIONS NEWS
OF CHICAGO

Vol. 5 No. 8

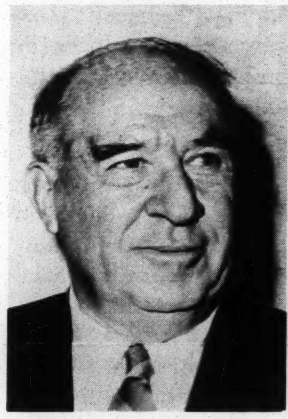
PUBLISHED PERIODICALLY BY THE CHICAGO COMMISSION ON HUMAN RELATIONS

Trends in Human Relations, 1943—1963

This issue of Human Relations News contains reports made by Ely M. Aaron, chairman of the Commission, and Edward Marciniak, executive director, at the Commission on Human Relations Eighteenth Annual Awards Luncheon on December 6.

Mr. Aaron's Report

This year marks the 20th anniversary of the founding of the Commission, and the 18th anniversary of the Commission Awards.


Mr. Aaron

The Commission was created by City Ordinance in 1947 as part of the city government, but its immediate forerunner was the Mayor's Committee on Race Relations, which had been constituted by Mayor Kelly in 1943 because of the threat of conflict and racial riots in the city. Its purpose was to find ways and means of alleviating this threat and maintaining the peace of the community. Its underlying principles were that equality of opportunity and equality of treatment were the proper possessions of all citizens and that the much repeated phrase, which is never a cliche, that "our government is a government of laws and not a government of men" applies equally to all Americans.

There was a recognition that unequal rights and privileges existed in our community, and that some persons were the recipients of superior rights which they sought jealously to maintain, and others had no such rights and were trying to obtain at least some of them, and the conflict arising between these groups had to be contained.

This problem of equality is the ever present American goal, which started in 1776 and the complete attainment of which has not yet been reached. How much or how little equality is not the answer; just equality, and the means to achieve it should be the determining factor. This task calls for educating the general community as to its need and also calls for participation of people throughout the community in action programs to bring it about.

The Commission in 1946 determined that each year awards should be given to those individuals, groups or enterprises who furthered these programs, and it is interesting to view this development. Most of those who received awards in 1946 would not be eligible for them today because what was accomplished then is commonplace in our living today.

For example, a radio station was given an award for programming about democracy. Today, democracy forms the themes for documentaries in numerous forms and almost daily programs appear on television and radio using democratic actions as their central point. Today Negroes are seen on camera not as "Exhibit A Negroes," but as people just doing a job, which has nothing to do with race.

In 1946 a restaurant was awarded for serving all persons without discrimination even though the Illinois Public Accommodations Act prohibiting such discrimination had been on the Statute Books since 1885. But its enforcement had been honored in the breach for so many years that just following the law was considered sufficiently outstanding as to merit an award.

An important award in 1946 went to Roosevelt College for "attracting a student body, faculty and Board of Trustees without discrimination and without quotas." Such an award would not be given this year to any university or college in Chicago since none discriminate.

All of these 1946 awards were proper because they were granted to people who were pioneers in their day, and though these acts may seem commonplace in 1963, they were actions which were taken beyond the call of duty and merited the community recognition which they received.

Through the years following 1946, recognition of the work of the Commission and the growth in com-

(Continued on Page 4)

HUMAN RELATIONS HIGHLIGHTS OF 1963

Mr. Marciniak's Report

The place is Chicago — where local events pack a national wallop. The year is 1963 — a hundred years after the signing of the Emancipation Proclamation.

In January the National Conference on Religion and Race makes history in Chicago.

In February the Chicago Real Estate Board admits its first Negro members.

In March the Commission's findings on cemetery bias are given to the City Council and an ordinance is passed.

In April the Chicago Urban League joins a skilled job bank.

In May the Co-ordinating Council of Community Organizations is formed. Negro medical students organize to encourage Negro youth to enter medicine in Chicago.

In June Mayor Daley launches a series of top level discussions with business, union and religious leaders to multiply employment opportunities.

In July the National Association for the Advancement of Colored People convenes in Chicago.

In August the Second National Methodist Conference on Human Relations meets in Chicago, and the League of Women Voters announces the results of its survey of the rental policies of 695 Chicago landlords.

In September the American Negro Emancipation Centennial Exposition concludes in Chicago.

In October the Chicago Fair Housing Ordinance becomes law.

In November the Jewish Labor Committee sponsors the largest civil rights meeting ever held anywhere by organized labor.

And now it is December.

New Spirit Emerges

Our national movement for human rights is not new. What is new is the spirit and determination to move forward. Gone are the hollow years when human rights were hedged by "if," "maybe," or "later." The year 1963 ushered in a new era of the "shall" and the "now." It was a year of boycotts, picketing, marches, demonstrations, and court suits. It was a year with moments of panic, fear, threats, and violence. It was a year which produced fresh and courageous leadership. It was a year in which we strode forward. It was a tumultuous and tragic year.

The new spirit was immortalized by our late President John Fitzgerald Kennedy. Last June, he said about civil rights: "We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution."

To review our steps forward is not any empty salaam to progress. An honest look at the record tells us what direction we have set for ourselves; what we have in fact accomplished; and, finally, what still needs to be done.

It was a great boon for Chicago that the National Conference on Religion and Race chose Chicago for its historic meeting. That conference catapulted the major religious groups into the center of the civil rights movement in this nation.

The renewed religious conscience was evident among the priests and ministers who patrolled the race-troubled sidewalks of Englewood last August, among volunteers from Catholic and Protestant colleges tutoring on the West Side and other neighborhoods, and in the solid backing religious leaders gave to fair housing practices for the city and suburbs. In 1963, home visitations between Negro and white families expanded into a national program with the aid of religious leaders, and, thanks to Chicago's Friendship House, which had cradled the program locally for many years.

Merit-Employment Program

This past summer under the Mayor's initiative and in his office, special meetings were held with the city's top business, union and religious leaders to develop "A Chicago Plan" for employment. The three-point plan calls for — 1) extending fair hiring practices, 2) full employment in the Chicago metropolitan area, and 3) adequate preparation and education of our young people.

The Chicago Association of Commerce and Industry responded by setting up a full-employment committee to follow through on this three-point program. This is an important task, and we look forward to results.

Nowhere else in the country has there been such close day-to-day co-operation among city, state and federal agencies to extend job opportunities for minority youth so that public money does not subsidize racial or religious discrimination. Thanks to such co-ordinated action, old recruiting patterns were remodeled and new opportunities for Negroes were opened up during 1963 in many skilled trades, including boilermakers, sheet metal workers, sprinkler fitters, elevator constructors, machinists, hoisting engineers and asbestos workers. Our job isn't finished, the Commission's recent survey of unions showed.

The establishment of the Chicago Urban League's talent bank and the League's pact with eight top Chicago banks for merit recruitment and employment forcefully demonstrates once again that the opening up of new jobs for minority youth and adults must be matched by a recruitment campaign to get nonwhites to qualify and apply for these positions.

Important are the practices and policies of private employment agencies. For 1964 we plan to marshal their support for merit placement of Negroes, Mexi-

(Continued on Page 3)

Mr. Marciniak's Report

(Continued from Page 2)

cans, Puerto Ricans, Orientals, American Indians, Jews, and others.

In neighborhoods all over Chicago, college students have volunteered to teach children and adults in a mass effort to raise educational skills. We now have a genuine, home-grown peace corps. The tutoring program is exploding in all directions. Hundreds of college students are now tutors — and adults are joining in. By the end of next year we hope to count on several thousand volunteer tutors, using their God-given talents to help those in need. The Mayor's Committee on New Residents will continue to give this project full support.

This year saw the realization of a long sought Commission goal when the Cook County Board of Commissioners moved to relieve overused facilities at Cook County Hospital by taking advantage of underused beds available at private hospitals. Under this program, patients — many of whom are Negro — will be referred to private hospitals which will be reimbursed by the Cook County Department of Public Aid. The result is a major breakthrough in nondiscriminatory patient care in private hospitals.

This year saw Negro medical students organizing a special committee to encourage young Negroes to pursue medical careers and to take advantage of the increasing opportunities for Negroes in medicine. Forty of Chicago's private hospitals now have Negro physicians on their staffs. For the first time in twenty years there has been an upturn in the number of Negro physicians practicing in Chicago.

The School Issue

In every large, northern city across the land the school issue remains a feverish concern. No large city has solved the problem. What is involved is the quality of education being given our children, particularly in the city's older neighborhoods and a debate about racial discrimination and segregation in the schools.

There can be no doubt that educators are being challenged to improve the education being given in the inner city. There can be no doubt that Chicago is committed to giving such education free of racial discrimination and segregation.

One important step taken in Chicago was the appointment of a five-man panel which will report on the schools attended by Negro children, in an effort to resolve the tangled and thorny issues which beset the city's public schools.

Scheduled to report next March, the panel's findings should provide recommendations to guide the Board of Education in giving all our children the finest education available.

The Commission recognizes the need for members of the Board of Education and citizens' groups to continue their serious discussions about the character and climate of the education to be given our children. Any rupture in such conversations should be avoided. If such a possibility is imminent, the Commission repeats its offer of services in any way, including finding an acceptable intermediary, to continue the conversations and resolve the issues.

The new Fair Housing Ordinance enacted by the City Council says — "It is . . . the policy of the City of Chicago to assure full and equal opportunity to all residents of the City to obtain fair and adequate housing for themselves and their families . . . without discrimination against them because of their race, religion, national origin or ancestry."

Fair Housing

It was the Commission's announced goal at the beginning of 1963, to create a single real estate market throughout the metropolitan area so that all families can locate a home or apartment with equal opportunity; in other words, to take questions of race, religion, and nationality out of the housing market.

Early in the year, two reports prepared by the Commission provided a factual base from which to consider appropriate public action.

The first report outlined the changing situation in mortgage availability for Negroes. The second report, prepared with the co-operation of the Department of City Planning, surveyed the effectiveness of fair housing legislation in other cities and states.

After the Illinois Legislature failed to pass a fair housing law which would have applied to the entire state, the City Council adopted the Chicago Fair Housing Ordinance.

The Commission has responsibility for the ordinance's implementation and has started processing complaints. The Chicago Ordinance is but one of the many steps that must be taken to protect the right of people to shop for housing. If citizens can shop for furniture or automobiles without fear of racial, ethnic or religious barriers, they should be able to shop for housing in any real estate office under the same conditions.

We have called attention to the fair housing achievements of Hyde Park, Kenwood, Lake Meadows, Prairie Shores, Marina City, Outer Drive East, Carl Sandburg Village, Old Town Gardens and others.

Today a word of special praise is due the city's hard-working community organizations — and there are dozens of them — who strive to upgrade their homes and neighborhoods without downgrading anybody. The communities which they represent have successfully attracted middle class dwellers of all racial, religious, and ethnic backgrounds.

This list is incomplete, but we point with pride and encouragement to organizations like the South Shore Commission, the South East Community Organization, the Organization for the Southwest Community, the Lincoln Park Conservation Association, the Marynook Homeowners Association, and others.

These organizations, and others like them, are the hope and pride of Chicago. They have encouraged us far more than we can encourage them.

Mr. Aaron's Report

(Continued from Page 1)

munity understanding of what it sought to accomplish has been manifested by aid given to public housing, opening of hospitals, opening up of employment — all on a non-discriminatory basis — and cooperation with the Police Department, which especially in the past years under Superintendent O. W. Wilson's direction, is consistently carrying on and is committed to programs of integrated personnel and understanding human relations problems.

We know that minds do change and have changed, that people do learn and that because of the on-going battle for freedom and equality we have achieved gains which are permanent and by reason of their very permanence are accepted as a matter of course.

All of these rights which we here in Chicago have accepted as our due, are in fact, in different parts of the country, being denied to millions of Americans for differing reasons, but in reality for no reason at all, other than for physical or religious differences.

We must all be emancipated from limitations on some of us, in order to assure equality to all of us.

No Reason in Violence

No American since the assassination of President Kennedy can ever be the same person he was before that day. The utter irrationality of conduct, the wastefulness, the feeling of numbness, of horror, of outrage and the eternal questioning of the reasons *why* this *had* to occur, will be with us for many days to come. We have been priding ourselves on being the leader of the world, on the physical aspects of our existence, and suddenly we are faced with questions as to whether our guidelines, our faith in the democratic process, our belief in the supremacy of law are understood by many segments of our community, and when so misunderstood we see that they are doubted and the doubts are flaunted before us.

In the last analysis as the oldest existing Republic in the world, the outstanding contribution the United States has made to civilization is our belief in the supremacy of law through our written Constitution as interpreted by the courts. We have constitutional guarantees protecting us as individuals; we have the right of petition, of peaceable assembly, and we also have the right to seek in proper legal ways to urge changes in our laws and to have them changed by legislative action or by constitutional interpretation through the courts, but we have no right to resort to violence which leads to lawlessness. Acquiescence to illegal methods affecting constitutional rights of individuals in the North as well as the South have made us too complacent of violations of law which can only result in anarchy.

Racial Justice a Must

A few days ago former Governor Leroy Collins of Florida speaking in Washington called for the need of Southerners to change the image of the South so that it can become a full partner in this nation "in which racial justice is recognized as a national commitment and a national necessity." He decried the fact that the South has allowed extremists to speak for it. The words he used were "How many Sunday School students have to be dynamited to death; how many leaders have to be shot in the back; how many Governors have to be shot in the chest; how many Presidents have to be assassinated?"

Violence is violence wherever it occurs and laws restricting violence must be upheld, and the constitutional guarantees protecting individuals and granting the right to urge changing of laws by proper legal means must also be upheld.

We of the Commission stand ready to aid all the citizens of Chicago in every way we can, to carry out the intent and mandates given to us by the various City Ordinances for providing equality of treatment, equality of opportunity for all the people of our city and to aid in maintaining the peace of our community. We bespeak your cooperation and the cooperation of all citizens and all citizen's groups in this effort, and we ask it *NOW*, for as President Johnson has said "100 years is too long to wait" — and so is 20!

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FAIR HOUSING

THE AMERICAN WAY

QUICK FACTS ON KANSAS' PROPOSED
HOUSING BILL

THE KANSAS FAIR HOUSING BILL

A bill will be introduced in the Kansas Legislature. It is popularly known as the "Fair Housing Bill."

THE NEED FOR A HOUSING LAW

Some may wonder why such a law is needed, especially in view of the President's recent executive order on housing. Although the President's order will be helpful, it has limitations in coverage and enforcement, which need to be strengthened on the state level.

- **UNIFORM COVERAGE**
  *The executive order applies only to certain types of houses, which not only is incomplete for minority group citizens, but poses problems for realtors. The proposed Kansas Law would provide more uniform coverage.
- **DECENT HOUSING**
  Decent housing ranks with good jobs as one of the two things most badly needed by minority groups today.
- **EXAMPLES IN KANSAS**
  - Numerous examples in Kansas of respected minority group citizens unable to secure decent, modern housing, per 1959 U.S. Civil Rights Commission Report.
  - Housing developments since World War II have intensified segregation patterns.
  - Results of factual studies verify above statements.

Such developments are in contradiction not only to general American traditions but also to those of our state. Remember that Kansas' birth was a victory for those who were fighting slavery. Two years later President Lincoln signed the Emancipation Proclamation, and it has now been 100 years since the slaves were freed. By joining with mid-western states which have already passed Fair Housing—such as Minnesota and Colorado—Kansas will continue to be in the vanguard of the fight for equality.

WHAT THE BILL PROVIDES

The Kansas Fair Housing Bill would prohibit discrimination — because of race, religion, color, national origin or ancestry — in the purchase; rent or financing of real property. In its declaration of policy it declares equal opportunity for housing, without discrimination, to be a civil right of every citizen.

The law covers real estate transactions carried on by an owner, lessee, sublessee, assignee, managing agent, real estate broker, real estate salesman, bank, banking organization, mortgage company, insurance company, savings and loan association, and other related persons and institutions.

Not *all* real estate transactions are covered by law. These are the exceptions:

- The rental of a two-family dwelling when the owner occupies one part.
- The rental of less than four rooms in a one-family dwelling occupied by the owner.
- The rental, lease or sale of property belonging to a religious organization which has been set aside to promote its religious aims.

WHAT THE LAW WOULD NOT DO

The law does not force the owner to sell or rent to the first person who comes along. Normal standards of acceptable credit ratings in the case of buyers or acceptable behavior standards in the case of renters would still apply.

HOW THE LAW WOULD BE ADMINISTERED

The new law would be administered by the Kansas Commission on Civil Rights, using the same administrative procedures it has used successfully under the Kansas Fair Employment Law. A citizen who felt he had been discriminated against in seeking housing could submit a complaint to the Commission. The Commission would then use its regular procedures of investigation, conference and persuasion. If these should fail, the district court in the county where the discrimination occurred would have the power to grant injunctive relief, upon request of the Commission and on application by the Attorney General. The Commission would make final adjudication of the matter and where definite discrimination was found would issue an order to terminate and remedy the discriminatory practice.

A FURTHER NOTE

Probably the most commonly voiced fear is that the entry of a non-white family into a neighborhood will cause property values to fall. Solid facts, such as these, show that to be a misconception:

> A comprehensive study on property values* covering 10,000 real estate transactions in San Francisco, Oakland and Philadelphia revealed this: The odds are about four to one that house prices in a neighborhood entered by non-whites will keep up with or exceed price in a comparable white area. Specifically, the study showed that 85% of the neighborhoods entered by non-whites showed either no change in prices or a comparative rise of from 5% to 26% of price; only 15% showed a comparative decline from 5% to 9% of price. This and other studies in Chicago, Kansas City, Detroit and Portland, Oregon revealed no single or uniform pattern of non-white influence on property taxes.

It should also be pointed out that minority group members who move into new neighborhoods would have jobs, educational backgrounds, and income level comparable to others in the community.

**Property Values and Race,* by Luigi Laurenti, University of California Press, 1960

☆

Additional information may be obtained by contacting:

Kansas Advisory Council on Civil Rights

Mrs. Nathan Shechter, *Chairman*
5723 Windsor Drive
Mission, Kansas

Atty. Samuel Jackson, *Vice-Chairman*
514 Kansas Avenue
Topeka, Kansas

(Reprinted from The Commonweal)

Edward Marciniak

Breaking the Housing Barrier

In the dual housing market both the seller and the buyer are victims

NEGROES claim they pay high prices when they buy property in previously all-white neighborhoods. Whites claim that housing prices are depressed when Negroes move in. How can both claims be true?

During the past year at public hearings in New York City, Chicago, and Detroit, three cities with large and expanding non-white populations, witnesses testified that a third man, the speculator, takes out the difference. He buys at low prices from panicky whites and resells at high prices to incoming Negro families.

Item: In a New York City block twenty-five of its fifty-seven houses were bought up by speculators from old-time white residents for $7,000 to $11,000 and resold to Puerto Rican and Negro families for $12,000 to $14,000 and as high as $18,000.

Item: A study by the Chicago Commission on Human Relations of a block in the Englewood neighborhood on the southwest side found that speculators were buying cheap (from whites) and selling expensive (to Negroes)—with a resale mark-up of 35 to 115 per cent

Item: In a special survey of real estate transfers, the Greater Milwaukee Council of Churches uncovered a case where a house purchased for $8,000 from a white owner was resold the next day to a Negro for $11,500, another where a white-owned house was sold for $5,035 to a speculator who within two months found a Negro buyer for $13,000.

According to Chicago realtor John W. Baird, president of the Metropolitan Housing and Planning Council, the "speculator is able to make these high profits and continues to make money because there are two housing markets—Negro and white. Who are the victims of this dual housing market? The white home-owner who sells his property to the speculator at less than its fair market value is one victim. The Negro purchaser who buys the property at a price exceeding its value is another."

In the urban centers of the North and West, the speculator, who may be white or Negro, makes his living by transferring real estate from the white market to the Negro. To obtain housing, whites have only to shop in any established realty outlet. Since the same outlets are generally closed to Negro buyers, the speculator specializes in locating homes—inside the white market—for resale to Negroes. The Negro who wants to own a home but finds his opportunities restricted considers the speculator a blessing. The white home-owner who wants to channel Negro movement elsewhere regards the speculator as a rascal.

A Chicago speculator rationalized his operations in these words: "Sure I deal in the black market. If I didn't, someone else would. I give badly needed service. I find homes for Negroes willing and able to buy. Because my risks are high, I need higher returns. As long as white realtors are allergic to Negro business, I've got a future. I live off segregation. When it goes, so will I."

THE MAJOR social engineers of the dual housing market are the local real estate boards, joined together nationally in one of the nation's most influential trade groups, the National Association of Real Estate Boards. By refusing to do business with Negroes (except occasionally in all-Negro areas) and by restricting their multiple listing service to whites (and occasionally to gentiles), local boards have institutionalized the dual market. With rare exceptions, they exclude Negro brokers from membership, thus denying Negro brokers the copyrighted title of *realtor*, a privilege of board membership. Inevitably, Negro brokers have set up their own trade association (with the same initials) the National Association of Real Estate Brokers, copyrighted their own title, *realtist*, and developed a duplicate mechanism to serve the Negro home-buying market.

In self-defense, *realtors* protest that it is not their business to remodel local prejudices and that in refusing to show homes to Negroes (and on other occasions to Jews, Italians, Orientals, or Catholics) they merely reflect the community consensus. Without doubt, their appraisal of neighborhood attitudes towards Negro neighbors has usually been correct, though today there are hundreds of successfully integrated communities where realtors' attitudes lagged behind those of the property owners'. To no avail have realtors been reminded that they have not been reluctant, on the other

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EDWARD MARCINIAK, formerly editor of *Work* and a previous contributor to The Commonweal, is Executive Director of the Chicago Commission on Human Relations.

hand, to launch a well-organized campaign to reverse prevailing opinion friendly to public housing.

The dual housing market, which acts as a gigantic sorting machine to assign Negroes and whites to their proper places, has had the support of lending institutions, which seldom provide mortgage money for Negroes outside well-defined geographical areas. Builders generally accommodate themselves to these selling and lending practices. Many nation-wide insurance companies, operating through local mortgage houses, will not approve loans to Negroes but will sell them life insurance. Similar inconsistencies exist among those banks and savings and loan associations which accept deposits from Negroes but deny them mortgage money.

WHAT has elevated the dual housing market into a social institution of major consequence has been the rapidly expanding Negro population of metropolitan areas. By 1960 nearly thirty per cent (six million) of all U.S. Negroes lived in the nation's twelve large metropolitan areas, all located in the North and West. By 1970 that figure is expected to reach eight million.

Most of this Negro population is concentrated in the older neighborhoods of the central city. To escape these overcrowded ghettos, the growing Negro middle class has either bought new homes in newly created all-Negro neighborhoods (or in all-Negro suburbs!) or purchased existing homes in white communities. It is the latter real estate transaction, in a racially changing neighborhood, which the speculator knows how to exploit.

How does a broker locate property in a neighborhood that is off limits to Negro buyers? He can find a white, third party to front for the Negro. In older white neighborhoods bordering Negro areas, he can wait for families to move out and gradually take over. To hasten the succession, he can sow rumors, excite racial fears, imply that Negroes have already bought into the block, and thus frighten white owners into selling "before it is too late."

As long as Negro demand for housing persists the basic strategy of the speculator remains the same: to panic enough white home-owners to list with him so that he can "turn the block." After whites start moving out, further sales to nonwhites are handled rapidly, but more normally. In neighborhoods slated for change, the speculator's main job, whether white or Negro, is to acquire listings.

Panic peddling and blockbusting are the terms most commonly used to describe speculator activity. Panic peddling is the more accurate because it highlights tactics designed to arouse racial fears (Do you want your daughter to walk to school with a *big* Negro boy?) and to harass white owners through telephone calls at all hours, repeated door-to-door solicitation, and sharp use of the mail. Blockbusting, of course, is the more colorful word, but it is used to label everything—from a bona-fide transfer of the first property in a block from white to Negro (without any panic-hawking involved) to calculated terrorism designed to break down the resistance of whites hypnotized by the belief that "it will never happen in *our* block."

As long as an accumulated demand for homes exists among Negroes, the mechanics of the dual housing market work against successful integration, i.e., a situation where both Negroes and whites continue to move into the neighborhood. If a neighborhood becomes "available" to Negroes, operators in the Negro housing market, starved for listings to satisfy the demand, try to turn every piece of property over to Negroes. Under these circumstances, any effort to achieve neighborhood integration is undermined.

In a neighborhood or suburb where a Negro family has bought a home for the first time, the dual housing market usually creates a realty vacuum which draws panic peddlers. Realtors who sell to whites in such a block pull out temporaily to see whether the neighborhood "will go colored." When enough Negro families move in so that the block can be written off as Negro, some realtors may return to deal with Negroes, only to find that speculators have skimmed the cream off the market. Two suburban experiences will illustrate the inability of the dual housing market to adjust to a mixed neighborhood.

In a suburb along Chicago's north shore, a white lawyer three years ago found a large house for sale located in a block with one Negro homeowner and within walking distance of a Negro neighborhood. To get a mortgage, he visited six nearby lenders who refused him solely because "that block is going Negro." None of the lenders could understand the lawyer's response: "That block won't go Negro because my family will move in." He did finally find a lender. Today that block has not gone all-Negro. In fact, other whites have bought into the block as has another Negro family.

In an adjoining suburb, where a first Negro family had bought a home, town officials found they had to exert all kinds of pressure to persuade local realtors to continue showing real estate to whites in the block. Never having sold in a block with whites and Negroes

in it, the realtors' standard reaction was simply to pull out. The turning point finally came when a white family bought a home in the same block. Since then, two other Negro families have moved into different sections of the same suburb. Even though no all-Negro blocks have been created, local realtors will still not show property to Negroes; they are, however, ready to show property to whites in the three blocks where Negro families have moved in.

WHAT the public hearings in New York, Chicago, and Detroit also revealed, however, is that for the first time in the twentieth century the established practices of the twin housing markets are being challenged from within the industry and from without.

The single most important fact has been the remarkable surge of a Negro middle-class in the nation's urban areas, resulting in 630,000 more Negro homeowners in 1959 than 1949. A special study by the Housing and Home Finance Agency of twenty-one metropolitan areas (containing seven million of the nation's nineteen million Negroes) disclosed that the number of nonwhites earning $4,000 a year or more multiplied nearly fifteen times between 1949 and 1959, from 59,000 to almost 940,000. There was an even greater increase—nearly seventeen times—for those with incomes of more than $6,000. A survey, released in December, 1962, by the Advance Mortgage Corporation of Detroit, projected a nonwhite housing demand for 850,000 more homes during the 1960's in all urban areas of the United States.

This multi-billion-dollar business—and multi-million dollars in brokers' commissions—has not gone unnoticed. As the postwar housing boom began to recede in the late 1950's, major lending institutions began to provide money for the expanding Negro market—mostly on a segregated basis. Where in 1949 only a handful of lending houses, often Negro-owned, served a local Negro market, today each big city has a score or more of financial institutions competing for Negro home buyers.

Having found no special troubles with mortgages to Negroes, some large banks and mortgage houses moved to extend such loan operations only to discover that they could no longer serve two masters in the dual housing market. To observe the ground rules of a segregated housing market, they would have to reject solid loans to good Negro risks in substantial neighborhoods. Understandably, some chose to be good businessmen first.

Earl B. Schwulst, chairman of the board of the Bowery Savings Bank, the largest savings bank in the world, recently said: "Lenders and builders are beginning to realize that loans to nonwhites, if subjected to the same screening process as other loans, are sound. This has been our experience and is borne out by other lenders." Several years earlier, in 1958, as chairman of the Commission on Race and Housing which produced five landmark housing studies, Mr. Schwulst recommended that "mortgage lenders should singly or collectively discontinue the practice of limiting loans to nonwhite borrowers in certain residential districts. Mortgage credit should be extended to nonwhites in any location on the same terms as to other borrowers."

Though concerned by the ever-increasing volume of Negro home purchases, which passes them by, local real estate boards have found themselves stymied by their allegiance to the dual housing market. A realtor still finds it hard to understand why he cannot juggle two listing services, only one of which is available to Negro customers, without antagonizing them. A handful of realtors, chiefly in metropolitan areas covered by fair housing practices legislation, have learned how to merchandise real estate to attract both white and Negro buyers or renters.

When the Commission on Race and Housing made a nation-wide survey of interracial housing developments in 1955, it could only identify fifty such projects. Today, in metropolitan New York alone there are over one hundred such developments or large apartment buildings, in which Negroes or Puerto Ricans live, none of which is all or predominantly Negro.

Ferd Kramer, national president of ACTION INC. (American Committee to Improve Our Neighborhoods) and president of the large realty firm of Draper & Kramer, says that Chicago can now "point to certain areas where white and nonwhite families live together in harmony. This fact undoubtedly will influence not only other areas in Chicago but also other parts in the metropolitan area and, for that matter, other cities in the United States. This dispersion of nonwhite middle income families in the better neighborhoods and suburbs is healthy economically and socially. Moreover, it is inevitable."

IN EVERY major city there is a growing number of solid, well-respected community organizations whose primary aim is to stabilize their neighborhoods by keeping property up and overcrowding down, all the while remaining color blind. The pendulum of power and influence in the neighborhood is slowly swinging from the old property improvement associations (often formed to keep Negroes out) to community organizations which are ready to accept Negroes as neighbors provided that the entrance of a Negro family does not bring "inundation."

Some of these community groups have successfully enlisted realtor co-operation not only in preventing panic among white owners upon the entrance of Negro families into the neighborhood, but also in making the community desirable enough so that whites will continue moving in. In any given period of time families will move out for reasons having nothing to do with the race of their newest neighbors. Their homes or apartments will all be occupied by Negroes if no white families are interested. Inevitably, such a neighborhood becomes predominantly Negro. Slowly but surely, realtor experience with neighborhoods and suburbs that have integrated without being inundated is finding its way on the agenda of local real estate boards.

As the chemistry of housing supply and demand has started to dissolve the dual market from within, government action from without is now hastening the process. For decades federal, state and city money has been used to bolster the double market. As recently as twenty years ago, the Federal Housing Administration recommended race-restrictive covenants in developments which it insured. Since then, the federal government and state and local bodies in the North have done an about-face.

Twelve states and three cities, since 1955, have adopted legislation to curb racial and religious discrimination in the *private* housing market. President Kennedy's executive order, issued last November, banned discrimination not only in the government's own housing activities but also by private builders and lenders who benefit from federal aid. It is too early to measure the effect of the federal decision to market—without racial restriction—tens of thousands of homes repossessed through FHA and VA foreclosures. Already, alert brokers have hustled such properties and produced, for the first time, "salt and pepper" suburbs in some metropolitan areas, notably Detroit.

However, no revolutionary impact upon the dual housing market is expected. Earlier experience with federal executive orders and state laws dealing with fair employment indicates that such government action prompts and ensures steady progress but, even after a decade, does not succeed in wiping out racial and religious discrimination. Furthermore, while deeply concerned about their right to purchase anywhere in the metropolis, middle-income Negroes have yet to demonstrate any widespread willingness to exercise that right—once it is established—by buying into all-white suburbs when quality homes are also available in all-Negro neighborhoods. The dispersion of Negroes throughout the metropolis will come faster than realtors expect but slower than civil rights advocates urge.

Government action is a public vote of no-confidence in the future of the dual housing market. It will encourage other builders and brokers to emerge and cater to a market in which buyers and sellers alike ignore race and religion.

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STATE GIVEN PLAN TO SPEED HOUSING

Times 12/27/63

Use of Air Space Stressed —Governor Sees Benefit to Minorities on Jobs

By **LAWRENCE O'KANE**

A program to speed middle-income housing and urban renewal construction here was recommended yesterday by a Governor's committee of housing and construction experts.

The committee was created by Governor Rockefeller last July when demonstrations over racial discrimination at construction sites in the city were at their height.

The committee was charged with finding ways of improving the housing supply and of benefiting workers from minority groups by "offering equal opportunity through fuller employment in the building trades."

New York is a city of scarce, and expensive, vacant land, where new project construction usually means destroying existing buildings. Concern with this problem was prominent in the recommendations.

If the program were fully implemented New Yorkers would probably see considerably more housing built on new areas created by putting platforms on stilts over places like the entrance to the Holland Tunnel, railroad yards, subway storage tracks, bridge entrances and schools.

The program, which would require action at the city, state

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DEC 27, 63
Times

STATE GIVEN PLAN TO SPEED HOUSING

Continued From Page 1, Col. 7

and Federal levels, calls for the following:

¶A broadening of Federal slum clearance philosophy to help finance air-space construction.

¶An easing of City Planning Commission policies to make such projects possible.

¶Changes in the city zoning law to permit the construction of more apartments in middle-income projects.

¶Federally assisted pilot programs to find out whether rehabilitation of rundown residential structures is an economically sound alternative to the bulldozer.

¶A promotional program to encourage industry to use some of the cheap mortgage money the state makes available for industrial renewal projects.

The committee consists of James W. Gaynor, State Commissioner of Housing and Community Renewal, chairman; Milton Mollen, chairman of the City Housing and Redevelopment Board; Harold Jerry Jr., director of the State Office for Regional Development; Peter Brennan, president of the New York Building Trades Council, and H. Earl Fullilove, chairman of the Board of Governors of the Building Trade Employers Association.

In Albany yesterday, Governor Rockefeller said that the implementation of the recommendations would "bring about a sharp increase in the amount of construction activity in New York City."

As a result, he said, the construction unions and industry will have the opportunity to admit "many new members" to their ranks.

The Governor said he hoped that many of the openings would be filled by minority group apprentices.

The committee reported that wide use of air-rights construction had been stymied by the high cost of building the special foundations and platforms and by limitations imposed by the existing zoning law and the City Planning Commission.

It observed that the problem of cost could be overcome if Federal money were available for these air-space sites, as it is for urban renewal sites.

One of the purposes of urban renewal is to develop underutilized land and to eliminate conditions that have a blighting effect on neighborhoods, as a railroad yard might have, the committee said.

Therefore, it argued, the use of Federal slum clearance money to help pay for the cost of creating the air site does not seem inconsistent with the basic goals of the Title I program.

The committee took one air-rights housing project now being considered by the state and figured the effect Federal and state urban renewal aid would have.

Without the slum clearance aid, the cooperative apartments would cost $650 a room and would have carrying charges of $30.14 a room. With urban renewal assistance, these figures would be $407 and $26.15.

The committee said the Planning Commission should be asked "to adopt a flexible attitude" toward government-financed air rights projects. financed air-rights projects. kind of housing construction under way, it urged relaxation of zoning rules that would get more houses and people up on the platform and ease requirements for providing off-street parking and recreational facilities.

The committee made a similar point with regard to "on the ground middle-income housing developments. The zoning restrictions "slow down the pace of needed middle-income housing construction," it said.

The city has an abundance of land zoned for two-family row houses or three-story garden apartments, the committee explained. These districts are limited to 252 rooms (55 apartments) an acre. A 12-story building may only cover 9 per cent of a site.

New Classification Urged

The report recommended creation of a special classification for some of this land, permitting 75 to 80 apartments an acre. It would also permit tall buildings to cover 20 to 25 per cent of the site.

Without these changes, the committee said, most land in these districts is not economically feasible for middle-income projects. Such projects can be built in other zones that permit greater land use. But such sites are becoming scarce.

The committee also reported that "industrial renewal, a potential major urban renewal activity, is at a standstill in New York City."

Several attempts to interest industry leaders in industrial projects, such as the Washington Market project in lower Manhattan and the Flatlands Industrial Park in Brooklyn "were not successful," the report said.

It urged an information program to tell industry that it can obtain low cost mortgagee loans from the State Job Development Authority for such efforts. Such loans may be made at 2¾ per cent in high unemployment areas, and 4¼ per cent in most other areas.

The committee stressed the need for Federally supported experiments to determine the value of rehabilitation because of "the lack of any substantive evidence of the financial, technical and social" value of this attack on slums.

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9 States Accept Nasser Bid

BEIRUT, Lebanon, Dec. 26 (Reuters)—The Cairo radio said today that nine states have so far agreed to President Gamal Abdel Nassers' proposal for an Arab heads-of-state meeting. It would consider action on Israel's project to divert water of the Jordan River.

Slum Complaints: A Jurisdictional Maze

The New York Times

A Department of Buildings team at work with an I.B.M. computer that is used to process slum housing complaints.

Tenants Find Overlapping and Conflicts and Delays in City Departments

By R. W. APPLE Jr.

Last Aug. 19, Mrs. Rae Orner, who lives at 1280 Teller Avenue, in the Bronx, wrote to the Buildings Department. The ceiling in her bedroom, she said, was "bulged out like a watermelon" and looked as if it might collapse any minute.

A clerk marked the complaint "hazardous" and started it on its way through the administrative labyrinth. Three months later, on Nov. 21, an inspector called at Mrs. Orner's apartment and confirmed that the ceiling was, indeed, in need of repair.

Last week, almost five months after the department was alerted, Mrs. Orner's ceiling was still sagging, and her landlord had still not been notified that violations of the housing code had been detected by the inspector.

Her experience is typical of that undergone by nearly everyone who seeks housing help from the city government. Among those who live in the slums, surrounded by squalor and disease, such delays have given birth to anger and despair. Convinced after years of frustration that nothing they say to the city will bring results, thousands of slum tenants are now staging a rent strike. Housing has become one of the most pressing public issues of the day.

This is so despite the installation at the Buildings Department two years ago of an International Business Machines 1402 computer—a device that was described at the time and has been described since as "the ultimate weapon against the slums."

The delays are just one symptom of the breakdown in the administration of the housing code, which is designed to keep multiple dwellings in the city in a habitable condition.

The department concedes that it is unable to determine who owns what buildings; that it dissipates much of its energy in sending inspectors to apartments to which they cannot gain admittance, and that it is unable to carry out many of

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Court Rules Out 2d Martinis Trial

Continued From Page 1, Col. 3

statements on the conduct of the prosecution.

Mr. Martinis, a construction engineer, is the 23-year-old son of Acting State Supreme Court Justice Joseph A. Martinis, who was sitting in Bronx Criminal Court at the time his son was acquitted in another courtroom. Judge Martinis requested a transfer out of the Bronx court in late August when it was thought young Martinis would be tried there for vehicular homicide. The request was made to avoid embarrassment, it was reported at the time.

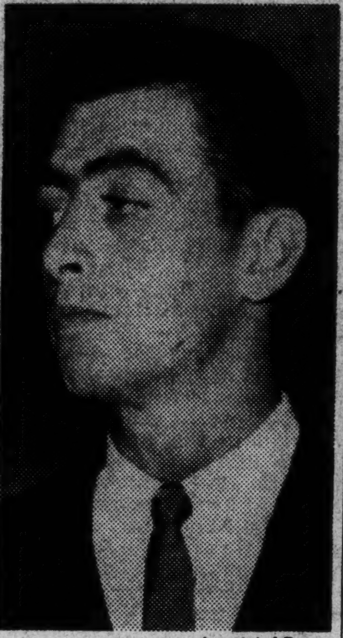
Three Criminal Court judges heard three days of testimony and cleared young Martinis after deliberating five minutes.

The decision and the rapidity with which it was rendered stirred wide criticism. But a Bronx bar association said later that despite "glaring contradictions" in testimony, the acquittal was consistent with the facts.

District Attorney Dollinger then moved to have Mr. Martinis indicted for vehicular homicide.

The accident, which involved three cars, one driven by Mr. Martinis, occurred at about 7:30 P.M. on May 19 on the Henry Hudson Parkway at 232d Street, in the Riverdale section of the Bronx.

According to the testimony in Bronx Criminal Court, Mr. Martinis's car struck the rear of another auto, which went out of control and swerved across the highway into a third car. Five Yonkers residents in the second car—a man, [illegible] women and a 6-year-old [illegible] and the


Associated Press

Gareth Martinis

flicting testimony to the effect that Mr. Martinis appeared unsteady on his feet, as if under the influence of alcohol, after the accident, while other witnesses said he appeared sober and normal.

After his acquittal, Mr. Martinis was indicted on Aug. 2 by a Bronx grand jury on six counts, five dealing with criminal negligence in the operation of a vehicle resulting in the five deaths. The sixth count charged assault as a result of the injuries sustained by the Bronx driver. A jury trial was recommended.

Maurice Edelbaum, Mr. Martinis's lawyer, appealed to the Appellate Division to prohibit the trial, which was postponed [illegible] cause of

that to prove vehicular homicide, the Bronx District Attorney would have to retry and prove the earlier charges of drunken and reckless driving, and his client would be forced to take the stand to defend himself against those same misdemeanors.

The court limited its decision yesterday to a discussion of the relevency of reckless driving to vehicular homicide.

The 10-page decision said that "if, as a result of a judicial trial, one has been found not guilty of reckless driving of a motor vehicle on a single occasion, and the manner of operation must be shown to have been exactly opposite on the same occasion in order to convict on a charge subsequently preferred, that individual is being exposed to double jeopardy."

In granting Mr. Edelbaum's writ of prohibition, the court cited the protection against double jeopardy that is guaranteed by Article V of the Constitution of the United States and Article 1, Section 6 of the New York State Constitution.

No individual, the court affirmed, can be "twice exposed to an evaluation of his conduct and twice exposed to the risk of a judgment being imposed against him based on the same facts."

On Jan. 20 Mr. Martinis will be sentenced in Bronx Criminal Court on one charge of assaulting a newspaper photographer in a police station house the night of the accident.

On Aug. 21 Governor Rockefeller appointed his Special Commissioner of Investigation, Herman T. Stichman, to study all aspects of the case. The investigation, which is still under way, has been criticized by Mr. Edelbaum and others, who say [illegible] improper to start such an [illegible]tion while the case is [illegible] the courts.

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USE OF CO-OP FUND LAID TO COMPANY

State Says $440,000 Was Put Into Coast Realty

The State Attorney General's office alleged yesterday that a Queens company had taken $440,000 from the bank accounts of several cooperative apartment projects to use in a California real estate venture.

The company, Development Services, Inc., was the sales agent or managing agent for the co-ops, all of which are in the metropolitan area.

The company's offices are at 135-14 Northern Boulevard, Flushing, Queens.

Attorney General Louis J. Lefkowitz said that one of the two officers of the company had admitted under questioning that the funds were taken for use in real estate deals in the Santa Monica area.

The Attorney General declined to identify the officer. Named in the complaint were Anthony Pelletier, 5 Straight Lane, Levittown, L. I., president, and Sidney B. Goldstein, 50 Constable Lane, Levittown, secretary-treasurer.

Mr. Pelletier was said to have been reached in California by the Attorney General's office and was said to be on his way back.

Mr. Lefkowitz said an order was signed Monday night by State Supreme Court Justice George Tilzer directing the two officials to appear in court on Dec. 27 with all the company's books and records.

Pending a final ruling, the order barred the two men from handling any of the funds or taking part in the management of the cooperatives.

The use of co-op funds for other real estate deals violates the general business law.

Mr. Lefkowitz said he was seeking a permanent injunction against the company, a civil action. He added, however, that as for possible criminal action, he would turn over all information to "the appropriate authorities."

A spokesman for District Attorney Frank S. Hogan said the frauds bureau was looking into the matter to determine whether a criminal indictment by a grand jury would be sought.

The Attorney General's investigation is being conducted by the Real Estate Bureau for Syndications and Cooperatives, which is headed by David Clurman, assistant attorney general.

According to Mr. Lefkowitz, the matter came to Mr. Clurman's attention a few days ago when investors called up complaining that checks from Development Services had bounced.

He said the investors had changed their minds about buying cooperative apartments and had been granted refunds of their down payments.

Mr. Lefkowitz said the $440,000 allegedly missing from escrow or trust accounts represented both down payments from prospective tenants and maintenance payments, or rent, from present tenants in the following cooperatives:

East River Terrace Cooperative Corporation, 306 East 96th Street; Lincoln Guild Housing Corporation, 303 West 66th Street; and Cedar Manor Mutual Housing Cooperative, 114-1131 Foch Boulevard, Jamaica, Forest Park Cooperative Apartments, 8355 Woodhaven Boulevard, Woodhaven, Linden Towers Cooperative, 140th Street and 31st Road, Flushing, Lindenwood Village Cooperative, 87-06 Conduit Avenue, Howard Beach, all in Queens; Boardwalk Cooperative Apartments, 210 Shore Road, Long Beach, L. I., and Palmer Terrace Cooperative, Palmer Avenue and Rochland Road, Mamaroneck, N. Y.

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PHOTOGRAPHY
Kodak gifts say "

clean and well-kept—"not fancy, but decent."

Now it is filthy. Its backyard is so strewn with garbage that the ground [illegible] invisible. Since 1957, Mrs. Davis has been plagued by [illegible] and disintegrating plaster, and last November a piece of the tin bathroom ceiling fell on one of her four children.

Despite what appears to be good housekeeping—the children's clothes are hung neatly on hangers, the beds are made, the kitchen is spotless—the apartment is overrun with rats and roaches.

"When I have to use the bathroom at night," she said, "I always knock before opening the door. You've got to warn the rats that you're coming or they'll resent the intrusion."

There are hundreds of thousands of Rita Davises in Harlem and Bronxville, in the South Bronx and in Bedford-Stuyvestant, but few of them have retained Mrs. Davis's sense of humor, and many of them long ago gave up trying to keep their apartments as neat as she keeps hers.

All are looking for better housing, but very few can find it. Private developers no longer build apartments within the reach of the poor because they would be unprofitable. And although New York has put up public housing at the rate of 6,000 apartments a year for the last decade, demand still far exceeds supply.

This will continue to be the situation for generations. The city's entire share of the current Federal housing appropriation has been exhausted, and so have almost all the state funds.

But the personnel increases fell far short of what Mr. Birns, in the words of an aide, considers "the rock-bottom, no-nonsense minimum." So swamped is [illegible] that the commissioner [illegible] asked for more than [illegible] clerks as well as major [illegible] increases in other categories.

When [illegible] why the mayor had [illegible] so long to reply to Mr. Birns's requests, Julius C. C. Edelstein, Mr. Wagner's administrative assistant, replied:

"When we put that computer in two years ago, we thought it would save money, not cost more. It's obvious now that we didn't know then that this tremendous backlog was going to develop."

Since the turn of the century, the Mayors of New York have been declaring war on the slums. They have won a few skirmishes, but most of the slums have remained, growing worse with each month.

Some progress has been made. But most New York families with incomes under $4,000 must still spend their lives in circumstances that would startle those accustomed to the bounty of an affluent society.

Garbage Covers Yard

Mrs. Rita Davis, an articulate, 26-year-old Negro, has lived in a fourth-floor apartment at 101 West 143d Street all her life. When it was her mother's place, she recalled, the building was

$17 Billion Estimate

Even [illegible] were not the case, New York would have to live with its present buildings for many years. One housing expert has estimated that it would cost [illegible] than $17 billion to replace all old-law tenements with public housing.

Not all old-law tenements are slums, and not all slums are old-law tenements. There is an old-law tenement at 48 East End Avenue, for example, that is equipped with a modern elevator and air conditioning. There are newer buildings nearby [illegible] halls are littered with [illegible].

But [illegible] law tenements, built [illegible] and cheaply to accom[illegible] great waves of immig[illegible] washed over the city [illegible] nineteenth century, are particularly vulnerable.

Langdon Post, who was Tenement House Commissioner in the thirties, vacated slum buildings by the thousands. "That's our biggest problem," said Deputy Commissioner Gribetz. "We can't vacate. Where would I put the tenants?"

Restoration Is Key

The city cannot tear down the slums; nor can it allow them to remain in their present condition. Their social cost is too great; they breed crime and disease, encourage alcoholism and narcotics addiction, aggravate racial tensions.

Worst of all, slums have a tendency to blight the neighborhoods that surround them, turning good housing into bad the way cancer spreads into healthy tissue.

The challenge, then, is to restore the buildings now standing. To do this, the city has devised a number of new rehabilitation plans, including the Neighborhood Conservation Program. But the basic tool is still the oldest one—code enforcement.

"Almost always," conceded a spokesman for the Housing and Redevelopment Board, "extensively remodeled buildings are too expensive for the poor. It's a matter of economics. So the burden falls on the Buildings Department and the others who enforce the codes."

Fines Do Little

Among the most important of the "others" are the courts. It is their responsibility to penalize those who refuse to correct deficiencies in their buildings.

Under a reform put into effect last year, special housing courts were set up in Manhattan and in Brooklyn. It was hoped that having a panel of judges with daily experiences in landlord-tenant problems would bring about sterner treatment for habitual offenders.

It has not worked out that way. The fines are not heavy enough to be a real threat.

"It's cheaper for these guys to pay the fines than to fix their buildings," asserted Commissioner Birns. "They consider the fines a cost of doing business—just like electricity and fuel oil and janitor service."

Administrative Judge John M. Murtagh has declined to discuss the situation, and so have the other judges involved.

There is a consensus among those who have studied the problem that too many cases go into court. One lawyer familiar with the [illegible] said that more attention should be devoted to more thorough preparation of cases against the genuinely venal landlords — the men with large holdings who operate their properties for maximum profit without regard to the welfare of their tenants.

He suggested that cases involving small property owners be handled in departmental hearings, similar to the ones now used in rent reduction cases by the Department of Rent and Rehabilitation.

Mr. Birns has steadfastly rejected this idea, insisting that it would introduce too many possibilities for corrupton. Not Mr. Mollen. "I'm not willing to abandon the idea," he said, "simply because someone might bribe someone else."

The long delays involved in getting landlords to court constitutes a second problem. Often a violation has long since been corrected by the time a defendant finally appears before a judge for sentencing, and many judges are reluctant in such circumstances to levy large fines.

"If a man commits a violation today," argued Mr. Tytell of the Buildings Department, "we should give him a summons tomorrow, not eight months from now. Too often, we end up beating a dead horse."

A third problem is the variation in philosophy among judges. It is generally acknowledged among lawyers for slum landlords that Magistrates Evelyn Richman and Manuel Gomez are the most "tenant-oriented" of the judges in Manhattan Housing Court.

"If I go into court and see one of them on the bench," one lawyer said, "I'll do anything I can to get an adjournment. When I come back, the odds are that I'll find someone softer and get off with a smaller fine."

In an effort to circumvent some of the difficulties inherent in the court process, the city has developed a number of other techniques to force landlords to make needed repairs.

Two of the most effective are rent reduction, imposed by the Rent and Rehabilitation Department, and the receivership bill, enacted last year by the Legislature after years of city agitation. Already, 280 badly deteriorated buildings have been considered for action under this law.

One of the strengths of the receivership law is that, unlike any other sanction available to the city, it makes possible an attack not only on the nominal owner but also on banks and lending companies with a large financial stake in slum buildings.

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"They [illegible] find the telephone [illegible] instrument in finding [illegible] and persuading th[illegible] to [illegible]e repairs. We talk [illegible] to lots of the landlo[illegible] can't find, and often [illegible] get compliance in cases they've been wrestling with for years."

Buildings Commissioner Harold Birns, with an air of exasperation, admitted the seriousness of the access problem. As many as 30 per cent of the calls made by his inspectors are futile.

"But we can't do things over the telephone like those women," he said. "They're unrealistic. I have to handle hundreds of thousands of cases, not a handful, and I can't run a department on a personal-service basis."

Two hours each weekday, Call for Action volunteers man telephones to talk to tenants about conditions in their apartments. A special telephone number for this purpose is announced regularly on WMCA.

Fifty persons a day—some of them angry, others resigned—call to describe their problems: "It's freezing in here and I have four children . . ." "I have a hole in my ceiling and the snow is still coming in . . ." "My daughter gets infections from the stuff I put out to kill the roaches . . ." "The rats eat my dog food . . ."

Call for Action has compiled what it terms the first list ever made of the city departments responsible for each type of complaint. The volunteers use this to refer the callers to the proper agency.

Even Police Involved

"The divided responsibility is an extremely serious problem," Mrs. Straus said. "People in the slums get so frustrated at being shunted from one department to another that they give up. And it's inefficient. You see three inspectors in the same building at the same time, each from a different department."

She read off a section of the list dealing with water complaints:

"No water, Health Department; insufficient water, Department of Water Supply, Gas and [illegible]ty; no hot water Bui[illegible]epartment; leaky wa[illegible], Buildings; large leak[illegible] Supply; overflow from apartment above, Police Department.

"Sewage in cellar, Sanitation Department; sewage (large), Health; sewage (small), Buildings; standing water outdoors, Health; strange odor in water, Health; drains stopped up, Buildings."

Almost everyone who has studied the code-enforcement process has urged the unification, in some manner, of the inspection system. Many have praised the operation in Newark, where a central complaint bureau funnels work to staffs of specialized inspectors.

A proposal now pending before the Board of Estimate — for a three-year study to be made by Columbia University— is designed, in part, to see whether such a reform would be feasible.

Mollens: Wait and See

Milton Mollen, Mayor Wagner's chief housing adviser, acknowledged that it might be a good idea to give one department full jurisdiction over code enforcement. "But let's wait for the study and see what it says," he added.

Of the departments now involved in policing the slums, Health is the second most important. Its operations are less often criticized than those of Buildings, partly because its volume of work is so much smaller.

Mrs. Straus has been particularly impressed by the Health Department's system for handling heat complaints. The department makes it a rule to call the landlord involved almost immediately after a tenant reports that he is without heat.

This procedure has not, however, brought about the disappearance of the icy radiator in Harlem or Bedford-Stuyvestant. Nor has the department managed to bring the city's virulent rat population under control.

As part of a new flurry of antislum action, Mayor Wagner recently authorized a million-dollar campaign against rats to be directed by the Health Department. He also moved to alleviate some of Commissioner Birns's problems.

Mr. Birns had been asking for help since he took over the department two years ago. In December, 1962, pleading for a supplementary appropriation of more than $3 million, he wrote to Mr. Wagner.

"This department . . . cannot adequately discharge its statutory responsibilities to assure safe and healthy housing conditions throughout all sections of the city, in many of which deterioration is appearing at an accelerated rate . . ."

His request was rejected, the administration approving only $200,000 in additional funds.

Last month, Mr. Birns again asked for more money—for almost $5 million in addition to his regular budget request of $10 million. This time, confronted by the growing rent strike and increasing national concern about poverty, the Mayor acted.

He announced recently that he had authorized the department to hire 56 new clerks, 10 new key punch operators and 26 new inspectors. He promised last June to add 100 more inspectors; he has now authorized 61 of these.

$95,000 Mortgages

It is [illegible], according to those [illegible] with such transactions, [illegible] slum tenement for [illegible] $5,000 in cash, with [illegible] even three mortga[illegible] as much as $95,000. [illegible]rtgage holders are invulnerable to attack through conventional court processes.

In cases such as this, the owner has little economic incentive to keep his property in repair. Often, in fact, he can make the 15 to 20 per cent profit necessary to meet the mortgage payments only by omitting essential services.

One of the city's most widely experienced housing officials thinks the smaller, marginal operators should be helped to keep their properties up. "Help the little guy and drive the big guy out of business," this official said.

Nearly all landlords try to picture themselves as the victims of circumstance. They are particularly bitter about rent control, which they maintain forces them to pay 1963 expenses out of 1943 incomes.

43% Rise in 10 Years

Mrs. Hortense Gabel, Rent and Rehabilitation Commissioner, insists that this argument has no validity. "From 1950 to 1960," she said, "rents on rent-control buildings have been increased by 43 per cent. Proper incentives have been offered."

City officials are more inclined to agree with another recurring argument of the landlords: that some of the fault lies with the tenants.

"A lot of these tenants," said Mr. Mollen, "contribute to the deterioration of the buildings. Many of them have just given up. They've been battered around by life—especially the Negroes and Puerto Ricans—and their pride is gone.

"So they throw garbage out the windows. They don't keep their places clean. They make no effort to teach their children not to break windows. It's not hard to see why."

An important factor in tenants' attitudes is the changing character of the slums. Early in the century they were a kind of way station for ambitious immigrants on the way up. It was from this environment that Alfred E. Smith and Irving Berlin sprang.

Now the bulk of the slum population is caught there, in a culture of poverty. Some few slum-dwellers do manage to pass into the mainstream of American life but most do not.

"These people do not participate in the culture of aspiration," the socioligist Michael Harrington wrote in his book "The Other America."

"This new type of slum," he continued, "groups together failures, rootless people, those born in the wrong time, those in the wrong industry, the minorities."

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2 Theater Guild Offerings Set

"Rugantino," an Italian musical with English subtitles, and "Hamlet," starring Richard Burton, will be Theater Guild subscription offerings. Alexander H. Cohen is the producer of both. "Rugantino" is due Feb. 6 at the Mark Hellinger Theater and "Hamlet" on April 1 at the Lunt-Fontanne Theater.

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Unpunished Crimes

It is a crime for a building owner to fail to register with the department, but the penalties are small, and the city must find the [illegible] before it can take him to court.

Although they admit that the Buildings Department has been hindered by manpower shortages, the heads of two other city departments also concerned with housing insist that Buildings does not make the best use of the resources it has.

"I wouldn't go to a meeting over there if they paid me," one of these officials said. "The disorganization is unbelievable. I know they don't get enough money, but neither do I. The difference is that I make do with what I have."

This view is endorsed by Mrs. R. Peter Straus, one of the co-chairmen of Call for Action, a new housing group formed early last year. "That place," she asserted, "is full of maladministration and nonadministration."

Lucky To Do Anything

Deputy Commissioner Judah Gribetz, normally a quiet but intense young man, reddened with anger when asked about these charges. "Maladministration!" he shouted. "With what they give us to work with, we're lucky to get anything done."

Mrs. Straus's organization is underwritten by radio station WMCA, of which her husband is president. The station spent $25,000 last year on the group's expenses, including a small suite of Madison Avenue offices.

Call for Action is operated by 30-odd zealous, skeptical women volunteers, many of them with important political and social connections. They have spent a year studying the city's code-enforcement activities in minute detail.

Some of the Buildings Department's most serious problems, they maintain, could be alleviated without great expense by the use of "a little imagination."

"Take this business of getting into apartments to inspect them," Mrs. Straus said. "If they would simply ask the people who call up to complain when they are home, and schedule the inspectors accordingly, they wouldn't waste so much time.

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delay.

It is like a Ferrari running on kerosene. Until it is properly fueled—until there are enough people to feed into it the facts and figures it needs—it will never operate with the efficiency of which it is capable.

At present, information waiting to go into the machine is held up for 13 working days by the backlog. There are often as many as six or seven procedural and legal steps between the receipt of a complaint and the appearance of a landlord in court, and the delay is repeated

Because the backlog is so vast, inspectors find themselves rechecking violations already removed by a previous inspection. They have not been deleted from the files because the report of the first inspection is caught in the paperwork pipeline.

The situation has been further aggravated, ironically, by the computer's own versatility. Its installation has made possible the inauguration of a cycle inspection program — a block-by-block, roof-to-cellar operation.

Some sucn system has been required by law for more than 25 years, and two and a half years ago Mayor Wagner promised that every multiple dwelling in the city would be inspected every six months.

The new program is not nearly that comprehensive, but it did increase the number of detected violations from 195,000 in 1962 to about 300,000 in 1963. Almost 8,500 buildings were covered between July 15, when it began, and the end of last year.

Cycle inspections have also burdened the undermanned clerical staff with a load utterly beyond its capacity. Table after table in the department's offices on the 20th floor of the Municipal Building is stacked with documents awaiting processing.

When the paperwork finally does emerge, more trouble lies ahead. The departmental files listing the name of the owner of each building in the city are woefully inaccurate, making it impossible to locate many landlords without months of searching.

About 25 per cent of the

City's Jurisdictional Maze

City May Alter Housing Courts To Curb Slum-Abuse Leniency

Continued From Page 1, Col. 5

ated a "whole review" of judicial procedure to find the best and swiftest course of court action for dealing with slum problems. One study, to be conducted by Columbia University, was announced last week. The Mayor said the study findings would come out "in a year os so."

Mayor Wagner appeared on the program "Open End." The interview with David Susskind, the moderator, was taped earlier in the week.

When asked why fines to landlords for "serious housing violations" averaged only $30, the Mayor said he agreed that many of the fines were "far too low."

One result of the low fines, Mr. Wagner said, is that the "slumlord will say—if you can find him—'I would rather pay that low fine than all the money I would have to to make these places proper.'"

Higher Fine Backed

The Mayor said he had pressed for legislation in Albany to raise the minimum fine but had had no success. He said a minimum fine of $100 should be levied for many violations, and he recommended jail sentences after "a certain number" of such violations.

The Mayor said judges trying housing cases ought to be "dealing with these cases day to day." Then, he said, they can "understand the problems better."

Under present practice, when a city inspector finds violations of the health, building or other city codes in a dwelling, the landlord is brought before the housing part of Criminal Court. If the code violation is a misdemeanor, the landlord can waive trial by one judge and request a three-judge panel.

Criminal Court judges can be shuttled among the various parts of the court—housing, traffice, youth, felony—from week to week. Particularly on the three-judge panels, the judges are likely to have spent most of their time hearing felonies — murder, assault, rape, armed robbery.

Critics believe that when a housing case involving, for example, failure to provide hot water, comes up before these judges, they may be prone to consider it insignificant by comparison.

The problem is not as serious in Manhattan and Brooklyn as in the rest of the city because the two boroughs have a special housing part of the criminal court. These two sections are served by a panel of judges that, in theory, consider only housing cases. The housing parts and the panels were set up under earlier proposals made by Mayor Wagner.

'Adjustment' Problem

In another part of the "Open End" program televised last night, Milton Mollen, chairman of the Housing and Redevelopment Board, said it was difficult for Criminal Court judges used to dealing with crimes of violence to make an "adjustment of mind" when dealing with housing violations. "It is hard for them to view that landlord, even for the damage he may wreck upon the family that lives in this house, as a criminal," Mr. Mollen said.

He said some judges had expressed the view that housing cases did not belong in Criminal Court. They say the cases should be tried before administrative tribunals within the Buildings Department "or some similar set-up," Mr. Mollen said.

Another panel member, Jesse Gray, the leader of the Harlem rent strike, said that while it was all very well to try to adjust the judicial machinery, he was more concerned about enforcing the law.

'What Good Is It?'

The city could "come out with the best machinery in the world," he said, but "what good is it unless there is going to be a certain amount of enforcement after the machinery kicks out the data that says the ceiling is falling on Mrs. Jones here?"

Arnold Schildhaus, who represents many landlords in court and is himself a landlord, was critical of city housing procedures during the panel discussion. He said the courts were often hard on landlords who owned decaying buildings and could not afford to repair them. He said very few owners of old-law tenements made any money from them.

Lee Sterling, a landlord and executive director of the American Property Rights Association, also was critical of city and court practices toward landlords. He said tenants were responsible for many slum conditions.

Rent Control Assailed

Mr. Sterling said that the "landlords' strike" at City Hall on Jan. 23—the same day that a march of the rent strikers is being planned—was to "fight this communistic rent control." He said the housing emergency that brought on rent control was over and it ought to abandoned.

In a statement issued yesterday, Councilman-at-Large Paul O'Dwyer, Manhattan Democrat, said that decontrolling apartments renting for more than $250 a month would reduce the hopes of urban renewal "to ashes" because it would send "our middle-income groups scurrying to suburbia."

Report Called Failure

He said the report submitted in connection with the proposed rent-control abatement "fails utterly to establish the necessity for this legislation."

"Neither has it been shown that any property owner is failing to obtain a just and fair return on his invested capital," Mr. O'Dwyer added.

On the "Page One" television program yesterday, Mrs. Hortense W. Gabel, the city's Rent and Rehabilitation Administrator, said she thought the idea of decontrolling luxury units was basically sound. She stressed, however, that tenants with children should be excluded, provision should be made for those who recently moved into the apartments, and the decontrolling should be done gradually.

Mrs. Gabel also said rent strikes "serve a useful and dramatic purpose." She said they were good "in the sense that they make public officials like me respond more quickly" to housing problems.

Slum Residents Find Complaints Wander in

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TENANTS DESPAIR OF GETTING HELP

Efforts of Dozen Agencies Overlap—Fines Fail to Prevent Violations

Continued From Page 1, Col. 6

the duties assigned to it by law.

Jurisdictions Overlap

This is not to say that the Buildings Department is exclusively responsible for the conditions that continue to prevail in the city's slums. The department's job has been made almost impossible by a lack of money.

And even if it were carrying out its responsibilities with the efficiency of General Motors, it could not alone rid the city of decaying tenements. There exists too many problems over which the department has no control.

A dozen city agencies are involved, in one way or another, with the slum problem. Their jurisdictions overlap and sometimes conflict, and the tenant with a problem often takes it to the wrong place.

Despite the reorganization of the courts, landlords who have been convicted dozens of times are still escaping with minute fines. Many of them admit that it is cheaper to go to court than to maintain their buildings.

In the face of these difficulties, the number of rental units officially termed substandard by the Census Bureau has declined—as a result of massive public-housing projects and other measures—from 322,000 in 1950 to 222,000 in 1960.

Wasteland Remains

Yet large sections of the city remain a bleak wasteland of broken plaster and fetid hallways, where every day children are bitten by rats. In these backwaters of despair more than a million people live—a number equal to the entire population of Baltimore.

At the core of the problem are 43,000 old-law tenements, all built before the passage of the state's first housing law in 1901. The elimination of these buildings has been a goal of city administration's for decades, but their number has been reduced by only 23,000 in 25 years.

For most of the people who live in these and other slum buildings, there is no escape. Only 18 of every 1,000 apart-
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The New York Times

RECEIVING COMPLAINTS: Mrs. R. Peter Straus, left, co-chairman of Call for Action, and members of the staff at work in their headquarters at WMCA radio station. The group receives complaints on slum conditions and disseminates information on city agencies to be notified. Mr. Straus, president of the station, stands behind table, right.

owner registrations are incorrect, according to the estimates of department officials. Abraham Tyrell, head of the Manhattan Legal Bureau, said that the records of the most negligent landlords were the least dependable.

"We've spent months looking for landlords that were dead," he declared. "We've spent months looking for people who never existed." At present, the bureau has about 300 unserved court summonses, including 48 for a missing landlord listed as Sol Katz of 1405 Edward L Grant Highway, in the Bronx.

HOUSING WORSENS IN BROOKLYN AREA

2-Part Campaign Is Aimed at Improving Conditions in Bedford-Stuyvesant

BLOCK GROUPS FORMED

Small Homes Deteriorated as Well as Tenements on Main Thoroughfares

By JERRY MILLER

Bedford-Stuyvesant, Brooklyn's "Little Harlem," is attempting to cure its affliction of overcrowded and deteriorating housing.

In keeping with the neighborhood's dual character of congested tenements and carefully kept rows of brownstone and whitestone homes, a campaign to upgrade living conditions is centered on two fronts.

One of the programs is aimed at the slums along the area's major thoroughfares — Fulton Street, Atlantic, Gates, Sumner and Myrtle Avenues — where street-level stores shoulder one, two or three floors of dilapidated dwellings.

There, city and community agencies are concentrating their efforts to enforce building, health and sanitation codes.

Transient Population

But a transient, low-income population impedes a cohesive movement toward better housing conditions.

Another part of the program is geared to mobilizing homeowners, tenants and landlords to maintain and improve the rows of one-family, two-family and three-family homes along the broad streets that have become an outpost of a segment of the city's Negro middle class.

Residents on these blocks have joined to form a network of more than 90 block associations. These are woven together in the Bedford-Stuyvesant Neighborhood Council, which exerts pressure on city agencies to improve housing conditions in the area.

Bedford-Stuyvesant stretches across a rough triangle that extends along Broadway and Stockton Street on the north, St. Mark's and Atlantic Avenues on the south and Bedford, Nostrand and Marcy Avenues on the west.

The boundaries encompass Brooklyn's most populated area, and the city's second largest concentration of Negroes.

According to the 1960 census, about 72 per cent of the more than 250,000 persons in the area were Negroes. A mounting influx of Porto Ricans accounts for 15 per cent of the section's population.

Of the more than 66,000 housing units that the 1960 census counted in the area, more than 90 per cent were built before 1920.

Frame Houses Sprang Up

In the late 19th century, the neighborhood was the home of many of Brooklyn's prominent families. They lived in one-family or two-family residences in Bedford, to the west of Nostrand Avenue, and in Stuyvesant Heights to the east.

Before World War I, immigrants from Italy and Ireland flocked to the frame houses that were hastily built along the area's avenues to accommodate them.

Then in the Depression, and during and after World War II, Negroes from the West Indies and from the South filled the section's gaunt tenements.

In the successive waves of immigration, a low-income group replaced a higher-income group. Today, the same pattern persists. Middle-class Negroes flock to other areas of Brooklyn while low-income families fill the vacant apartments left by them.

Most residents of the neigh-

Continued on Page 11, Column 1

HOUSING WORSENS IN BROOKLYN AREA

Contisued From Page 1, Col. 8

borhood earn less than $5,000 a year. Except for Harlem, the area has the largest number of unemployed in the city.

Real estate men, residents, clergymen and city and community officials agree that one of the greatest problems of the area is its overcrowded and dilapidated housing.

Studies by the Community Service Society report that a statistical average of one and a half persons live in each room in the area.

The neat façades of the two-story and three-story houses and the almost complete absence of rundown six-story tenements belie the fact that nearly a third of the area's homes have no private bathrooms. Many homes also lack hot water, are rat-infested and fail to keep out rain and wind.

In contrast with many of Manhattan's slums, the area appears clean, quiet and almost suburban in character.

But the city's Department of Buildings reported that of the 2,544 buildings along 86 square blocks in the area visited by its inspectors between July 15 and Oct. 31 this year, 22,908 violations of the building code were found. The agency referred 274 buildings to the Rent and Rehabilitation Administration for rent reductions and recommended that 53 buildings be held in receivership by the city.

Efforts at Improvement

What is being done to correct these conditions? The city says that its Area Services Project, which works with tenants and landlords to help rehabilitate the area, is helping to restrain the spread of slums.

Robert Service, president of the Bedford Young Men's Christian Association, says that too little is being done. He points out that the area's middle class is leaving and that without its leadership the neighborhood is powerless to combat the further decay of housing.

Mr. Service notes that of the six public housing projects in the area, none are middle-income developments. All the 7,859 apartments in the projects are rented to low-income families.

With no retaining wall of government - subsidized middle-income housing, many middle-class residents are fleeing the area's poor reputation and segregated housing pattern, and are moving to Brownsville, East New York, Queens and Long Island.

Realty agents and residents in the neighborhood agree that rents there are generally low. Apartments of three, four and five rooms can be had for monthly rents of less than $80.

CORE Organizes Tenants

The Congress of Racial Equality is organizing tenants in slum buildings to petition landlords for repairs. If an appeal to the landlord fails, CORE refers the case to the Department of Buildings for action.

Many of the apartments are shabby and contain leaky plumbing, falling plaster and peeling paint.

However, some of the residents complain that they have little choice in finding apartments in other areas of the city, where they say they face racial discrimination.

"It's a choice between living in Harlem or living in Bedford-Stuyvesant," said one of the tenants in a house on Gates Avenue. He had heard of Harlem's bad reputation before he left North Carolina, and had determined not to live there. The man came to New York to

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COURT HALTS RENT FOR 'UNFIT' SLUMS

Says Tenants Need Not Pay Unless Repairs Are Made and Hazards Ended

By CHARLES GRUTZNER

Civil Court Judge Fred G. Moritt ruled yesterday that tenants could live rent-free for as long as landlords failed to correct housing evils that menaced health or safety.

His opinion, given in Landlord and Tenant Term in Brooklyn, was the strongest yet in the rash of rent strikes in slum areas.

It went beyond that of Judge Guy Gilbert Ribaudo, who last week upheld the right of 13 Harlem tenants to withhold rents from the landlord but directed that they deposit the money with the court, which is to release it to the landlord only for making repairs.

It also went beyond a similar proposal by Mayor Wagner last Sunday. He called for legislation that would permit a majority of tenants in a building certified as a threat to public health to pay their rents into a special fund. The city would use this fund to make the necessary repairs.

Serious Defects Cited

In yesterday's case, involving five tenants in a dilapidated building at 137 Coffey Street, Brooklyn, Judge Moritt ruled that the tenants did not have to pay anything to the landlord nor deposit any rent money with the court. The landlord had sought to evict the tenants for nonpayment of rent.

Mrs. Barbara Carlson, wife of the superintendent, testified that she had told the landlord, Herbert Epstein, repeatedly about fallen plaster, rain seeping through the walls and other serious faults, without repairs being made. Other tenants told about lack of heat and hot water, of cracked walls, mice and other conditions that they substantiated with photos.

Mr. Epstein conceded some

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COURT HALTS RENT FOR 'UNFIT' SLUMS

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of the conditions and said he intended to make repairs.

The landlord said that the Carlsons owed him $25.15 as December rent and that the other tenants owed one or two months, rent, at about $53 a month, for four rooms. The tenants admitted they had withheld rent but contended the premises were not fit for human habitation.

Judge Moritt, after hearing the case, made the following ruling:

"The law is elementary that any act or default on the part of the landlord which deprives the tenant of the beneficial enjoyment of his premises constitutes, in the eyes of the law, an eviction. A wrongful eviction by the landlord, whether total or partial, has an effect of terminating the tenant's liability for rent.

"I find there is constituted in the law, from the facts in the record, a partial eviction, abating the rent. Petition is dismissed on the merits."

Similar Rulings Noted

In an interview following the trial, Judge Moritt said he had made similar rulings in seven other cases since he began hearing landlord and tenant cases in this term on Monday.

"My decision means that the landlord in extreme cases is not entitled to any rent until the conditions are remedied," he declared. "Some of the buildings aren't fit for pigs to live in. If it takes the landlord two years to make the repairs, he gets no rent for two years. Period."

Denying that he was tenant-oriented, Judge Moritt said:

"I am merely applying the

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SLUM RENT STRIKE UPHELD BY JUDGE

Continued From Page 1, Col. 7

was represented by David Sallovitz, a Bronx lawyer.

Mr. Sallovitz repeatedly refused to disclose the principals in the corporation, but a check of city records later identified the president as Ruth Zalaznick of 697 North Umberland Road, Teaneck, N. J. The managing agent for the properties is Samuel Hawkins of 271 West 125th Street.

Reached at her home, Mrs. Zalanznick refused to confirm that she was president of the corporation. She also declined to comment on the settlement in court.

Rats Taken to Court

The tenants took eight dead rats to court yesterday as evidence of the conditions in their apartments. But the court had been alerted to this possibility by newspaper stories on Monday, and 16 court officers guarded the entrance to the courthouse, at 111 Centre Strett, with instructions not to allow ayone in with rats, dead or alive.

Three tenants were stopped and made to check paper bags with dead rats in the court cloakroom. But five other tenants smuggled in the dead rats under their coats and in a handbag.

Despite the deception, the rats were not introduced as evidence, for Mr. Sallovitz conceded the deteriorated condition of the buildings.

The two five-story, old-law tenements contain a total of 157 violations, according to the Health and Buildings Departments. The violations include rat infestation, failure to provide adequate heat, broken plaster and general disrepair.

The tenements, built around the turn of the century, have a long history of violations. A walk through their littered and dark, dank halls indicates that few, if any, violations have been corrected.

Tenant Misbehavior Cited

Mr. Sallovitz charged outside of court that the conditions in the buildings were created in many instances by the tenants. He said, among other things, that they threw garbage out of the windows, stole light bulbs from sockets in the hallways and generally made the managing agent's life miserable.

The agent, Mr. Hawkins, announced after the hearing that he was quitting.

"It is impossible to keep those buildings in good repair, especially without the help of the tenants," he declared.

In reply, the tenants charged that the landlord had never done anything to correct violations or to improve the property. "They just want a fast buck," said Mrs. Anna Guzman of 18 East 117th Street.

Change of Owners

The One Can Realty Corporation has controlled the East 117th Street properties since Oct. 23, according to Building Department records. The former owner was Robam Equities, Inc., whose address was given as "care of Robert Fitzgerald, 156 East 52d Street."

Mr. Sallovitz accused the former owner of "running down" the buildings. Mr. Fitzgerald was said to be abroad.

Judge Holds Discussion

Before proposing the settlement, Judge Ribaudo discussed the nonpayment cases and the general situation in the properties for 45 minutes in his chamber with Mr. Gray, Mr. Sallovitz and three lawyers representing the tenants.

He announced in court that he did not condone the rent strike. He noted that it was illegal for the tenants to withhold rent except in cases involving real and so-called constructive eviction and where hazardous violations existed.

Judge Ribaudo added that "if the facts are so, conditions at 16 and 18 East 117th Street are shocking, and these conditions should be remedied as soon as possible."

He then directed that the tenants pay their rent to the court and asked that Mr. Gray, the attorneys for the tenants and Mr. Sallovitz see that the money be used by the landlord for repairs.

However, Mr. Gray and the attorneys for the tenants, Irving L. Feder, Thomas C. Murray and Bruce Jay Gould, refused. Mr. Feder said it was the responsibility of the landlord, not the tenants, to correct the violations.

About two dozen tenants and 30 other spectators who had packed the courtroom murmured agreement. Seventeen reporters viewed the proceedings from the jury box.

Money Agreement Reached

After some haggling, the lawyers for both sides and Mr. Gray agreed that the landlord should be allowed to withdraw money from the court's holdings only after the tenants' representative had approved.

Mr. Sallovitz said outside of court that he hoped the plan would work, "for both the tenants' and the landlord's sake." He added that if the tenants "tie the hands of the landlord too tightly," the properties may have to be abandoned.

SLUM RENT STRIKE UPHELD BY JUDGE

Civil Court to Hold Harlem Tenant Payments Pending Repairs to Tenements

By SAMUEL KAPLAN

The Harlem rent strike gained impetus yesterday when a Civil Court judge upheld the right of 13 tenants to refuse to pay rent to a landlord for apartments where hazardous violations exist.

Judge Guy Gilbert Ribaudo directed the tenants to turn over all rents due the landlord—about $2,000—to the court. He said the landlord could apply to the court for the money, but only for use to correct violations in the buildings, at 16 and 18 East 117th Street.

Jesse Gray, the organizer of the rent strike, called the arrangement a victory. He announced later that the rent strike, now involving 58 buildings, would spread to 300 buildings by tomorrow and to 1,000 buildings by Jan. 15.

Needed 'Push' Hailed

"This gives us the push our campaign needs," said Mr. Gray, head of the Community Council for Housing. "The tenants now know they don't have to pay rent to landlords who do nothing for them. No services, no payment."

The settlement yesterday, to which the lawyers for the landlord and tenants agreed, ended nonpayment proceedings brought against the tenants by the landlord, the One Can Realty Corporation. The corporation

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JAN 64

Letters to

Rent Withholding Lawful

Conditions Under Which Tenant May Refuse Payment Discussed

TO THE EDITOR OF THE NEW YORK TIMES:

I must take issue with your Dec. 26 editorial on the Harlem rent strike. You say that the rent strike uses methods that cannot be condoned to eliminate housing abuses that cannot be endured, that anarchy and lawlessness are implied in a rent strike and that nonpayment of rent is inexcusable.

The concept of withholding rent from a landlord who does not comply with the law respecting the maintenance of housing accommodations is embodied in the law of this state.

Section 755 of the Real Property Actions and Proceedings Law provides as follows: When a landlord brings a court proceeding to evict a tenant of a dwelling in New York City for nonpayment of rent and the tenant furnishes the court with proper proof that a notice or order to remove or cease a nuisance or violation or to make necessary and proper repairs has been made by the appropriate New York City department or departments with respect to the dwelling and the landlord has not complied with such notice or order, the court may stay the eviction proceeding until there has been compliance with the notice or order.

Determination by Court

In order to bring the sanctions of this statute into play, the condition against which the notice or order is directed must be found by the court to be sufficiently serious to constitute what is known in the law as the constructive eviction of the tenant. The court cannot grant such stay where it appears that the condition in question has been created by the willful or negligent act of the tenant.

While the stay of the eviction proceeding is in effect pending the landlord's compliance with the notice or order, the tenant, under this law, must pay the rent into court. After the notice or order is complied with and the court vacates the stay the rent is paid over to the landlord by the court.

So we see that the law of this state does provide, subject to the proceedings mentioned above, for the withholding of rent from a landlord to eliminate housing abuses that cannot be endured, that such procedure is lawful and not anarchy and that the law finds nonpayment of rent to a neglectful landlord under certain conditions to be excusable.

ROBERT MARTIN DAVIS.

New York, Dec. 27, 1963.

Christians with whom
America and they were entirely
the Christians our parents spoke about in the ghettos of Europe. Our parents, too, seemed to sense this and it was not too long before they came to regard these teachers as our gateway to the open society of the American civilization.

And so at Christmas time our parents, who could not yet write "thank you" notes in the English language, made an effort to express their

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CLOSEUP:

Housing?

Rent Strike Leader

JOSEPH KAHN

GRAY

Jesse Gray, fiery Harlem rent strike leader, has been on the slum front for a long time, and unless there's a sudden magical transformation of his battleground from hellhole to paradise, he'll be around a lot longer campaigning for decent housing.

"I want to see mass improvement and rehabilitation of the ghetto," he says firmly. "What we need is mass funds—state and federal money—to do the job. And the city must give the leadership."

Gray is slight, 39, and a bundle of action. He is usually in shirtsleeves without a tie. At his desk in the storefront office of the Community Council for Housing, 6 E. 117th St., he manages to talk on the phone, hand out instructions to lieutenants, and, at the same time, answer a flood of questions from tenants who drop in.

His enemies are poverty and decay. He wants them dealt with now. There has been too much pussyfooting by city officials and Negro leaders, he says.

"Let's get going before the floodgates give way. Our people have had it. We won't wait while the rats eat us up."

* * *

So far, Gray as council director has organized tenants in 59 violation-riddled buildings for the rent strike and more are joining every day. He believes the strike has reached the conscience of the city.

His organization hopes the present strike will result in stricter building code enforcement, rent reductions, stiffer fines and jail sentences for negligent and indifferent landlords, and more use by the city of the receivership power which enables it to take over a property and make repairs out of rent money.

On the long-range housing front Gray favors more low-rent housing. However, with funds from Washington running out and a shortage of space in the city, he sees rehabilitation as the only immediate remedy. He is convinced that the cost of rehabilitation, now passed on to tenants in increased rents, should be government subsidized.

To Gray, housing is an "acute" problem, while discrimination in employment—is "more subtle." "I know a lot of folks who have good incomes but still live in bad housing," he says.

One of the basics for decent maintenance is regular garbage collections. "It should be collected at the door six days a week," Gray explains, "but some superintendents don't come around for weeks. Landlords won't hire good supers. They pick up a bum and throw him a couple of bucks. That's why buildings become rundown. There's nobody around to take care of them."

Gray suggests that the city set standards for superintendents. "They are just as important as taxi drivers and they can be more hazardous. They should be licensed and supervised."

The slum fighter was not a city boy. The youngest of 10 children, he was born in a small Louisiana town. After graduating from Baton Rouge HS, he attended Xavier University until the start of World War II, when he entered the merchant marine.

He has tried his hand at tailoring and at selling advertising. In 1952 he came to New York and joined the Harlem Tenants Council. Five years later he opened the Lower Harlem Council, now the Community Council. In 1958-59 Gray sparked a rent strike of 15 buildings and drove several speculators out of business.

* * *

Politically, Gray says, he has consistently backed men on critical issues rather than political affiliation. In 1958, he supported Communist Benjamin Davis' candidacy for state senator. Two years later he was questioned by the House Un-American Activities Committee. He denied being a Communist, but refused to answer other questions, claiming his right under the Fifth Amendment.

In 1961, he ran against Hulan Jack in the Democratic primary for leadership of the 14th AD West. "I didn't do badly," he says, "even though I lost."

Gray lives in Harlem, a block north of Central Park, with his wife, Rosalie, a son, 13, and a daughter, 6. In his free time he reads about politics and housing, and sees an occasional foreign film. He plays tennis and softball in the city parks, doesn't smoke and is a moderate drinker.

Keeping the Community Council running smoothly is sometimes a 20-hour-a-day job. There are 2,000 members, who pay $1-a-month dues. Gray is the only paid staff member. His salary is $75 a week.

Arms and the Man

"Mister Abbott," George Abbott (Random, $4.95).

When you see a man with a gun on his arm going out to hunt deer, you see a man who has in him the instinct to hunt another man. The deer is considered "sport" because it can't shoot back.

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COMMUNITY DEVELOPMENT

Compiled and Edited

by

USNSA STAFF, 1963

UNITED STATES NATIONAL STUDENT ASSOCIATION

3457 CHESTNUT STREET • PHILADELPHIA 4, PENNSYLVANIA

COMMUNITY DEVELOPMENT

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INTRODUCTION TO WORKING PAPER ON COMMUNITY DEVELOPMENT

This working paper is certainly not all inclusive nor does it even include material on all the issues and areas which need to be considered when proposing that American metropolitan areas and isolated rural areas need the attention of the nation and students to begin the work in community development. The paper could include many more statistics citing the unemployment which drastically effects young people in our slum areas; it does not include the necessary statistics and discussion on housing, adult unemployment, delinquency, matriarchal families, or comparisons on amount of money spent in slum schools versus that in suburban schools. Nor does the paper include sufficient material on migrant labor problems. Nonetheless, I think that the paper begins to deal with some of the problems that face our depressed areas and it provides the start for a discussion of ideas.

When students and others think of the adverse conditions of urban slums, the first things that spring to mind are bad housing, unemployment (youth and adult), juvenile delinquency and inadequate education systems. Those are the most glaring examples of the problems faced by the inhabitants of our slums. We would be wrong, however, to only look at these problems when determining ways of waging war on those conditions which are promoting the increasing "social dynamite" in our slums. The need is for more than merely better houses, more jobs, and more money spent on education. The need is for an examination of that society and life and then a tremendous effort on all levels to break down the vicious cycle which now exists.

David Berkman in "You Can't Make Them Learn," Atlantic September 1962, wrote about the education system of New York City slums. Berkman is not the first, nor will he be the last, to point to the home environment as the root of the problem; but he does, perhaps, make this point more dramatically than others. It is fair and accurate to say that here, in urban slums, it is most clear that education cannot be divorced from the society and immediate community.

Consequently, I want to make some brief comments about urban slums. Until recently, inhabitants of urban slums were primarily immigrants from Europe. They usually had marketable skills and competitive spirits. Few of them viewed themselves as being permanent slum dwellers. During the twentieth century, particularly since the World War I, the slums of our urban areas have been filled by a Negro immigration, from the South to the North and from rural Southern areas to Southern urban centers. Many of these people have little if any high school education and few are skilled laborers. Discrimination in housing and employment has kept the Negro from moving out of the slum area, although a family may move from neighborhood to neighborhood in the same slum several times a year. Housing conditions are crowded with several people to a room. The parents may not be able to read or at least seldom do. The books, magazines and newspapers which we are accustomed to are not found in the slum areas. Row houses leave no room for lawns to play on; consequently asphalt streets become the children's playground. Children "grow up" in a world in which ideas are foreign and physical prowess reigns supreme. The mother of the family may often work and earn more than the father, if he has a job at all. The majority of "homes" if you can call them homes, do have

PAGE PARTIALLY ILLEGIBLE

T.V. sets. Television seldom shows Negroes or members of other minority groups in advertizements or on programs. For the most part, the T.V. viewer, slum or otherwise, sees a "white world". The person in the Negro slum area finds little to aspire to, little reason to feel he will someday work his way to a better neighborhood. The drop out rates among school age youth is high. Unemployment among youth age 16-21 usually runs between 25% and 50%. Slum area youth, finding no room or acceptance in the home and finding nothing in the schools to identify with or any means of determining and achieving aspirations geared to the adult society, turn to the streets. In regard to school drop-outs, research shows that the most common factor is their lack of reading skill.

Suffice is to say, the problems of urban slum areas are complex. In addition to this there is an increasing trend in northern urban slums, for Negroes to identify with other Negroes and Negro causes, merely because they are Negro. White people in Harlem or other Negro slums are immediately looked at with suspicion by the community. The Black Muslems have increased both in membership and in following. The Church is perhaps the institution mos deeply rooted in Negro slum areas, but until recently and in many areas, the Church still remains unconcerned about combating social ills in the society.

The problems found in urban slum areas are nearly overwhelming, yet responsibility demands that we attack them. More importantly, I am convinced, as are others, that students and others can meaningfully and significantly to confront the issues involved.

The University has the potential to join with the community in confronting the problems discussed briefly above. Let me repeat, however, we would be mistaken to view only the problems of unemployment, housing, and education. The problems are much deeper.

Let me now turn to community development projects. It is important that the goal is community development. This implies working with and developing leadership presently existing in the slum areas. The paper outlines many of the steps that should be taken. Let me emphasize the importance of working in the community--at first, perhaps, merely walking through the slum areas and talking with people. Work can engage all segments of the university--engineers, psychology and sociology students, physical education majors and all others for specific tutorial project assignments or general development work. Real emphasis needs to be placed on increasing reading skills of children in grades one through four as well as with older youths. Parks need to be built, not by university students, but by the children and adults in the community with the guidance of university students. The example of the Children's Theatre which is included in the paper is exciting. Its success in finding a key to the interests of youngsters and then using this to improve skills and increase its instructive. Tutorial programs for elementary and secondary students, slow learners and talented, can use the talents of all members of the academic community.

In many high schools their is a need for job placement services. Work is needed to bring parents closer to the educational work of the schools and to improve PTA's. In addition there is a need for adult education. Students and faculty members can play an important role in each of these areas.

In many slum areas the rate of unemployed dropouts runs as high as 70%--With unemployment for high school graduates this high there is little incentive to continue school. Selective patronage campaigns can break down discrimination barriers in employment. Business may be convinced to provide part time, in-service training, jobs for Negroes in high schools. In these efforts, students can do important research, help with organization and with negotiation.

Success will not be achieved unless housing conditions are improved. Many times, rentors do not know of or understand housing standards and codes that landlords have to legally maintain. Community action may be necessary to produce appropriate action, other times threat of legal action by an individual renter will bring results. Improvement of back yards and extra space along streets, planting of trees, etc. can do much to improve neighborhoods. The brunt of the work must be done by the community itself, but university students, seeking out community leaders in churches, barber shops and perhaps bars and taverns can serve as catylists to action.

Solutions to problems faced by those in slums can not be disassociated from their present lack of political power or knowledge. Voter education and registration can be the beginning of developing full participation in the political process, but it is only the beginning. Political issues must be defined and political action built upon organization. Indigenous leadership must be developed to probide the stimulus to action.

I have not discussed the problems faced by depressed rural areas and migrant laborers. Their conditions are similar, wages unbelievably low--aberage annual income is less than $1,000--housing and health conditions terrible, illiteracy high, education level low, and the possibility for good education of youth is not promising. Migrant families travel from early spring until fall. Not only does this interupt normal school, but continual travel makes it difficult to provide schools for migrant children during the harvest season.

Students in areas of migrant labor camps can provide the basis for significant programs to improve housing, playground facilities, education (youth and adult) sanitiation and home health standards.

There is no doubt that responsibility demands our concern and action. Programs must find unique methods of improving education, aiding the development of creative talents and community and individual prides.

Much of the following material is the result of the work of the Northern Student Movement. Their example shows that action is necessary and possible. In addition, I suggest the following books:
"Growing Up Absurd" by Paul Goodman
"Slums and Suburbs" by James Conant
"The Negro in America" by Arnold Rose (a condensation of "The American Dilemma by Gunnar Myrdal with an introduction by Myrdal).
"The Other American" by Micheal Harrington
"Black Nationalism" by E.U. Essieu-Udam

THE NEGRO DILEMMA

The question, then, is posed whether this unparalleled alienation and our partial entrance into what is termed the mainstream of American life precludes our exploration of our identity as a minority of African descent and our recourse to the African heritage as a fructifying source of our creative endeavor.

Samuel W. Allen*

A century after the Emancipation, nineteen million black Americans, robbed of their traditions and of a pride in their past, are still seeking acceptance by the white majority but are continuing to live in semibondage on the fringes of American society. They are groping for a way out of this dilemma, but no way is clear, certain, or easy.

Few middle-and upper-class Negroes[1] have escaped the cultural subordination and degradation of the Negro masses. Some have striven to become "white middle class," believing and acting as if they were exempt from the open contempt in which whites hold their race. Their world view and philosophy is a naive individualism. The road to success for the majority of them lies in trying to escape psychologically from their identity as Negroes and in practicing an unmitigated opportunism.

Until the early part of this century, most Negro leaders and many individuals among the first generation of educated Negroes proudly styled themselves "race men" who were above all concerned with reconstructing the economic, moral, and cultural life of their people. Today, however, such a reference is not only shunned but repudiated. The identification of middle-class Negro leaders with the masses of their race has grown increasingly tenuous and weak. They appear no longer to be seeking the dignity and the integrity of their race in America, but rather the political rights of Negroes as American citizens--a valuable goal but only one aspect of the Negro's experience and goals in American life.[2] The bonds of race which bind them to the masses are increasingly loose and involuntary. They are no longer the leaders of their race, for they have arrived, i.e., gained entrance into white middle-class society.[3] They cannot, however, take the millions of other Negroes along with them. They reject and despise the Negro masses, whom they deem responsible for what they know to be a continuing rejection by the whites, into whose society they are not really assimilated.[4]

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* The American Negro Writer and His Roots (New York: American Society of African Culture, 1959), p. 14

[1] For a most illuminating study of the Negro middle class, see E. Franklin Frazier, Black Bourgecisie (Glencoe, Ill.: Free Press, 1957).

[2] For a good discussion of "race values" and " race ends" among Negroes, see James Q. Wilson, Negro Politics: The Search for Leadership (Glencoe, Ill.: The Free Press, 1960), chap. XIII, "Goals of Negro Leaders." See also Gunnar Myrdal, An American Dilemma (New York: Harper, 1944) for the ambivalences in Negro behavior concerning "race ends"; Frazier, op. cit., pp. 216 ff.; R. Kinzer and E. Sagarin, The Negro in American Business: The Conflict Between Separation and Integration (New York: Greenberg, 1952); St. Clair Drake and Horace Cayton, Black Metropolis (New York: Harper, 1945) pp. 716-54.

[3] The term "white middle class" is used here as the norm of individual social attainment in the United States.

White middle-class society, in reality, is not, and for a long time to come may not be, open to the millions of black Americans. But, in fact, neither is Negro middle-class society open to them. The inferior material and cultural standards of the Negro masses prevent them from entering either society. Their economic status, their moral habits, and the image they have been given of themselves, condemn them to live and die trapped in the Negro ghettos of the urban centers of America. In all probability, most will remain members of the lower class, despised by white and Negro middle-class society alike. The overwhelming objective limitations placed on their cultural, economic, and political aspirations make it impossible for them to escape from their community; they cannot wish away their racial identity. Whether they view it positively or negatively, they cannot be indifferent to it. It is the stuff of their lives and an omnipresent, harsh reality. For this reason the Negro masses are instinctively "race men."[5]

This feeling of being "race men" as opposed to racists is an inarticulate but common one among the Negro masses. It was particularly exemplified in the lives and teachings of the Negro leaders of the nineteenth and early twentieth century, for these men identified themselves with, and were continuously involved in, the fate of the Negro masses without developing a racist ideology. The intelligentsia of the present, however, have lost touch with this concept in their concern over the legitimate importance of integration. In their anxiety not to appear racist in their thinking, they have repudiated all racially conscious movements and organizations, but at the same time, they find themselves, because of this repudiation, powerless to move the Negro masses toward their professed goals. Their attempt to be at once Negro and non-Negro is an insoluble dilemma. To some extent it accounts for their disdain and rejection of the black nationalist movements.[6] It also explains their failure to appreciate the as yet imprecise and conflicting yearnings of the Negro masses for racial definition and integrity.

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[4] We do not deny that there is greater social mobility among Negroes at the present time than in any other time in their history. In fact, it is for this reason that class distinction within the Negro group is acquiring new social significance. It makes the disparity obvious between the "fortunes" of the lower classes and those of the middle and upper classes.

[5] Cf. David Riesman, Faces in the Crowd: Individual Studies in Character and Politics (New Haven: Yale University Press, 1952), p. 91

[6] For attitudes of middle-class Negro leaders and intellectuals toward the Garvey movement, the only truly nationalist movement among American Negroes during the twenties, see Edmund D. Cronon, Black Moses (Madison, Wisc.; University of Wisconsin Press, 1957), pp. 113 ff.; Frazier, op. cit., pp. 121-23.

The nationalist leaders contend that the Negroes must become consciously aware of their identity as a group in America; they must realize their degradation and strive by individual and collective effort to redeem their communities and regain their human dignity. The Negro masses, unlike the middle and upper class, are seeking a way out of a sociocultural environment, a spiritual and psychological impasse, fostered by the stubbornly lingering mores of slavery and complicated during the present century by the urbanization of American society. The vast majority of black Americans, however, do not know how to liberate themselves. They look forward to that day when they will find themselves in the "promised land" without making any effort to bring it about.

This book attempts to record the striving of thousands, and perhaps unrecorded millions, of American Negroes to reclaim for themselves and their group the normalself-pride and confidence which their history in America has denied them. It is an account of their struggle to recover, even to reconstruct, a world in which they can enjoy an unashamed sense of identity and to vindicate their honor as black Americans.

The focus of the study is the Nation of Islam, a movement led by Georgia-born Elijah Muhammad, who is known to his followers as the Messenger of Allah and whom they believe to be divinely chosen and divinely inspired to unite American Negroes under the Crescent of Islam. In the early nineteen-thirties, the Nation of Islam was led by Prophet W.D. Fard, who is said to have come from Arabia. His organization first concentrated on Detroit Negroes and gained an estimated membership of perhaps 8,000 during the critical years of the depression. Late in 1933 he disappeared and Elijah Muhammad became the leader of the movement. Prophet Fard is acknowledged by Muhammad and his followers as the Mahdi. He is "Allah in the Person of Master Wallace Fard Muhammad."[7] (The Mahdi occupies the same position of Messiahship in Islam as the person of the Christ in Christianity.) Between 1934 and 1946 Elijah Muhammad also organized followers in Chicago, Milwaukee, and Washington, D.C. Prophet Fard's initial success in Detroit, however, was not matched at that time by comparable successes in any other large city. In fact, in 1942, when Muhammad and his followers were indicated and imprisoned for violations of the Selective Service Act, the total memberbership of the movement came to only a few hundred. Today, it is estimated at a quarter of a million, and followers are organized in twenty-one states and the District of Columbia.[8]

The movement is organized about Temples, each known as "Muhammad's Temple of Islam."[9] By December, 1959, there were said to be fifty such

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[7] The title "Mr." preceding the present leader's name distinguishes him from "Allah in the Person of Wallace Fard Muhammad," for whom the title "Master" is reserved.

[8] Membership has been estimated variously by the following publications: at 70,000 (Time, August 10, 1959, p. 25); at 200,000 (Sepia, November, 1959, p.21). Muhammad is quoted in Time as claiming a total membership of 250,000. U.S. News and World Report notes that "other sources place its size at anywhere from 10,000 to 70,000" (November 9, 1959, p. 112).

[9] Renamed "Muhammad's Mosque" in 1960. However, they shall be designated as "Temples" throughout this study, the name by which these organizational units are widely known.

Temples in various parts of the United States. Each Temple is under the direction of a minister who is directly responsible to Muhammad. The present study is based on an intensive examination of Muhammad's Temple No. 2, in Chicago, which was established in 1934 and now has a regular membership of nearly 1,000 adults. It functions also as the headquarters--"the Mecca" --of the movement.

For more than two decades the Nation of Islam was a small, highly secretive group known to few Negroes. Its activities and influence expanded immensely during the years 1954-61, however, and Muhammad now bids openly for the allegiance of the Negro masses of the country. His name is widely known among Negroes, not only because of the activities of the Muslims,[10] but also because of weekly columns which he writes for nationally circulated Negro newspapers; and he has also come to public notice through alarmist white newspaper, radio, and television publicity. The movement is under police surveillance in every city where there is a Temple, and the Federal Bureau of Investigation is said to have closely watched it for possible subversive tendencies. In 1959 the American white public became aware, to some extent, of this movement's existence and of the name of its spiritual leader. It can be asserted with some confidence that the Nation of Islam is now the most important black nationalist movement in the United States.

Elijah Muhammad claims that "Allah in the Person of Master Wallace Fard Muhammad," or Prophet Fard, confronted him in 1930 and for the following three years explained to him the history and significance of the "Black Nation." He taught Muhammad his beliefs concerning theCaucasian race, the religions of Islam and Christianity, as well as the "truth" about the beginnings of creation, the "impending" destruction of the Caucasian race and its civilization, and the final overthrow of white rule over the black peoples. Furthermore, Allah revealed to him that the United States would be destroyed in 1970. After this apocalypse, the Black Nation--the entire world population of the "black, brown, yellow, and red" races--would emerge as the sole ruler of the world under Allah's benign and righteous guidance.

The Nation of Islam, however, is distinguished from the Black Nation in that it is a chosen people within the Black Nation, elected by Allah as His special instrument for the entire redemption of the Black Nation. In theory the Nation of Islam consists of the Negro population of the United States; but in practice and for the time being, it is confined to the followers of Elijah Muhammad. Muhammad proclaims that his mission on earth is to deliver this message to the "so-called American Negroes," who until the coming of Master W.F. Muhammad had no knowledge of themselves or of their enemy (the Caucasian race and its Christianity), their religion (Islam), or of their God (Allah). For the present he is soncerned with organizing them so that they may return to their own relition and their own kind in fulfillment of the covenant which he believes Allah made with their"patriarch," Abraham of the Old Testament. But he is also bent on moral reform and dedicated to the cultural and economic advancement of his followers. Present membership in the Nation of Islam, which is strictly limited to non-whites, consists almost entirely of American Negroes. Belief in Allah and acceptance of Islam as taught by Muhammad are minimum requirements for membership.

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[10] Followers of Muhammad profess faith in Islam as they understand it. They refer to themselves as "Muslims." In order to avoid confusion with other

The concept of nationalism, which is germane to this study, may be thought of as the belief of a group that it possesses, or ought to possess, a country; that it shares, or ought to share, a common heritage of language, culture, and religion; and that its heritage, way of life, and ethnic identity are distinct from those of other groups. Nationalists believe that they ought to rule themselves and shape their own destinies, and that they should therefore be in control of their social, economic, and political institutions. Such beliefs among American Negroes, particularly among the followers of Muhammad, are here called black nationalism.

It must be admitted at the outset that neither the Nation of Islam nor any other black nationalist organization wholly conforms to this definition. Nonetheless, it may be helpful, in comprehending certain patterns of behavior among the black nationalists, to observe the degree to which they incorporate nationalist symbols, and in remarking deviations from the ideal type. Although black nationalism shares some characteristics of all nationalisms, it must be considered a unique type of separatist nationalism seeking an actual physical and political withdrawal from existing society. Apart from the unifying symbols of race and religion, it employs the heritage of abuse and indignity to which the Negro people in the United States have been subjected and, perhaps more importantly, their common desire for self-improvement. Although most nationalisms involve the idea of race, they are able to develop historically within a definite geographical territory and can therefore easily evoke the common traditions and symbols of that region. The Nation of Islam, however, lacks both a territorial base and the symbolism drawn from either the Negro's past in the United States or from his African origins. This peculiar nationalism has placed its antecedents in what it believes to be "Arabian civilization," the highest development of which was reached in Egypt. It is also extraordinary that its belief in itself as a definite nation of people has produced absolutely no political program for the establishment of a national home. Rather, the final national homeland is guaranteed solely through eschatological beliefs taken from Old Testament prophecies.[11]

The ideas of an eventual return to a national homeland and of black redemption after the apocalypse (the latter a version of the Armageddon of the Book of Revelation) lend the movement two forceful ideological dynamics and inform it with an abstract world view. Both ideas have inspired religious zeal, loyalty to the movement and its leader, and

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believers in Islam who go by the same name but whose creed is different, the English spelling "Moslem" is used to distinguish these other believers from Muhammad's followers.

[11] For an excellent discussion of eschatology, see Norman Cohn, The Pursuit of the Millenium (London: Secker and Warburg, 1957), p.xiii. In Christian doctrine, the final struggle is to be between the hosts of Christ and the hosts of anti-Christ. In Muhammad's teaching, the struggle is to be between the Black Nation and the Caucasian race--the world of Islam and the world of Christianity.

personal sacrifices for the common good. The Muslims' sense of expectancy' aids them in perserving and in sustaining their hopes.

However, the religious teachings of Muhammad do not fully explain the behavior patterns of the Muslims. Esoteric in nature, centered upon eschatological and apocalyptic hopes, they are too removed from the present realities of the Muslims' lives to account for the sincerity of their daily practices, their ethical and cultural prescriptions. Although extremely important as a psychological factor of unity and hope, they must be distinguished from the exoteric teachings of Muhammad, with which they of course interact. The exoteric forms of the religion stem directly from Muhammad's attempt to cope with the social, cultural, and psychological environment in which the Negro finds himself. They offer the believer a set of incentives and a definite discipline which enable him to transcend the common plight and degradation of the Negro masses, and they, the Muslims, are laying the foundation for a nation, even though it is now only a "nation within a nation." Second, they believe that in Islam, and particularly in the Natinn of Islam, they now enjoy freedom, fraternity, justice, and equality under their own government. Third, they affirm that their lives have been morally and materially bettered since they accepted Islam as a way of life. As shall be shown in later chapters, this last belief is an immeasurably strong motivation.

Muhammad's exoteric teachings emphasize the techniques for attaining the good life in the "sweet here and now" and not in the "sweet bye and bye." Heaven and hell are thought to be "two conditions on earth which reflect one's state of mind, his moral condition and actions." Knowledge of one's identity--one's self, nation, religion, and God--is considered the true meaning of the Resurrection, while ignorance of it is the meaning of hell. An interplay between the esoteric religious beliefs and the techniques for rising above the environment and attaining the good life has significantly limited the lack of discipline and the other-worldliness which the Muslims deplore as characterizing the religious life of the Negro masses. Similarly, it serves as an antidote to the intense messianic expectancy which often informs chiliastic movements. The Muslims have gained an enthusiasm for acting together to achieve their ends without necessarily sacrificing the mood of "watchful waiting."

The history of the alienation of Africans from their homeland and of their subsequent subordination and humiliation in the New World for over two centuries is well known. Equally familiar is the contribution of slavery to family disintegration and to cultural disorientation.[12] The result is that Negroes have acquired what appears to be an appalling sense of inferiority and even of hatred for their "Negro-ness." This heritage of slavery, as well as their continuing subjection to abuse and indignity, must be fully recognized and appreciated before the problem which black nationalism seeks to resolve can be understood.

Elijah Muhammad makes his appeal primarily to the urban lower-class Negroes, who are for the most part migrants from southern rural sections where they had been accustomed to a way of life markedly different from that encountered in the city. In common with the white working class, they share the frustrations, anxieties, and disillusionments of contempory urban life; but the Negroes' experience in adjusting to city life is additionally complicated and aggravated by their special status in American society.

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[12] See E. Franklin Frazier, The Negro Family in the United States (Chicago: University of Chicago Press, 1939).

Black nationalism has its roots in these urban tensions and in the hopeless frustration which the Negroes experience in trying to identify themselves and their aspirations with white society. Compelled by segregation, discrimination, poverty, and ignorance to remain on the periphery of white society and to live and die within the sub-culture of the Negro ghettos, the Negro masses have had to disassociate themselves from white society. At the same time, however, they are compulsively attracted to it, since power, status,security, even beauty remain white priorities, white possessions. This conflict in Negro thinking is further disturbed by the demand of white society that the Negroes conform to its material, cultural, and moral standards while denying them the ecomomic and social resources for so doing. Thus, the burden of a final irony is added to the Negro's dilemma.

White society assumes that the Negro will almost always act in accordance with the stereotypes of Negro behavior which it has evolved. Thus, in its view, the Negro will alwayes act as a paragon of almost supine patience and reasonableness; he will not be subject to the human emotions of hatred, anger, and love, nor of personal and group pride. He will be content with employment which does not challenge his intelligence and which pays him only a subsistence wage; he will be happy to live and raise his family in patently inadequate housing within a congested ghetto; and send his children to schools which add to confusion and frustrations rather than elevating human intelligence, talent, and dignity.[13]

Faced with these stereotypes and rebelling against them because of their untruth and hostile intent, the Negro also unconsciously rejects the standards of the ruling white society which has foisted them upon him. In doing so, he succeeds merely in perpetuating the stereotypes and in incurring the added opprobrium of white society, which sees in this rejection a confirmation of its unflattering views.

This dilemma, so fraught with paradox, is responsible for the attempt by middle-class Negroes to conform in detail to white standards and to separate themselves from the Negro masses. The black nationalists, however, though they too seek to differentiate themselves from the Negro subculture, have eschewed all rapprochement with white society.

However, the majority of Negroes accept their "place" in white society and in the Negro subculture as inescapable while at the same time unconsciously rejecting the subculture because of its low prestige, insecurity, and futility. Consequently, most Negroes live and die without ever achieving a unified consciousness of their membership in the Negro community or in the larger American society:

> It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self throught the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness--an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder.[14]

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[13] Cf. James B. Conant, Slums and Suburbs: A Commentary on Schools in Metropolitan Areas (New York: McGraw-Hill Book Company, 1961), pp. 2, 3, 18-27

[14] W.E.B. DuBois, The Souls of Black Fold, 7th ed. (Chicago: A.C. McClurg, 1907), pp. 3-4.

The Negro cannot choose both the dominant white culture and his own subculture. This sense of suspension between two societies and of dual membership presents enormous impediments to the process of adjustment. Negroes are involved, subconsciously though it may be, in assertion of membership in one and in denial of membership in the other, or in a feeble assertion of both, or in the denial of their affinity with both. In consequence no Negro "ethos" has developed, no ethnic and institutional loyalty aiding Negroes in pursuing common goals.[15] Involved only peripherally in the American ethos, they are thus only partially inspired by it.

Black nationalists have in general attempted to deal with the problem of the Negro's ethnic identity by inisisting that "what the Negro needs" is complete separation from the white majority and the establishment of a national home. Unlike the vast majority of American Negroes, the nationalists maintain that a positive identification with their "Negro-ness," or with their ancestral homeland, is a prerequisite to both personal dignity and effective social action. There is, however, no agreement among them as to what their ethnicity is. They are not even agreed upon a name for themselves. Some prefer "Afro-Americans," others "Aframericans," "Africans Abroad," "Persons of African Descent," "Asiatics," or simply "black people."[16] Thus when the word "Negro" is used by the Muslims, which is rarely, it is qualified by "so-called" or used contemptipis;u tp dofferemtoate Megrpes mpt be;pmgomg tp tje ,pve,emt frp, tje,se;ves/ They are also careful about the word "race" because they believe themselves to constitute a "nation." It is the Caucasians, they believe, "racing with time," who form a "race.:

This lack of consensus about the Negro's ethnicity appears also among non-nationalists. Although the majority of Negroes accept their American nationality and patiently and hopefully await the day when their citizenship will neither be qualified nor left in doubt, there is no consensus as to the terminology by which they wish to be known. They are still ambivalent toward the term "Negro," even though both "colored" and "Negro" are most widely used. The intellectuals as well as the ordinary Negroes frequently assert that since there is no complete biologican unity within the group, the very term "Negro" is a social rather than a racial classification in the United States.[17]

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[15] W. G. Sumner defines the word "ethos" as: "the sum of the characteristic usages, ideas standards, and codes by which a group was differentiated and individualized in character from other groups." Folkways (Boston: The Athenaeum Press, Ginn and Co., 1906), p. 36. The writer is especially indebted to Professor Edward C. Banfield's application of this concept in his analysis of an Italian community. See The Moral Basis of a Backward Society (Glencoe, Ill.: Free Press, 1958).

[16] Although the controversy over the use of the word "Negro" or "colored" is now less frequently voiced, the use ofeither word in addressing different Negro audiences continues to evoke a lively agreeable or disagreeable emotional reaction. The controversy finds guarded expression in print. See J.A. Rogers, Africa's Gift to America (New York: Futuro Press, Inc., 1959). Although Rogers prefers to use all the prevailing names, such as Negro, colored, black, African-American, he has suggested that the "correct" term would be "African-European-American-Indian."

[17] James W. Ivy, "Le fait d'etre Negre dans les Ameriques," presence Africaine (Paris), No. 24-25, Fev-mai, 1959, pp. 123-24; also E. Franklin Frazier, "What Can the American Negro Contribute to Africa?" in Africa

Some emphasize the fact that historical circumstances have made Negroes a "nation within a nation," and have evolved an indigenous "Negro culture" based upon their experiences in America or on their African origin, or on both.[18] Dr. W.E.B.Dubois has been foremost among those who emphasize this dualism (Negro-Americanism) in Negro thought--a nation without a polity, nationals without citizenship. His writings, strongly tinctured with nationalism, represent the effort of a highly sophisticated man to resolve these dilemmas and, in effect, they parallel efforts of others who seek resolution in black nationalism. Negro fraternal, philanthropic, and business associations are practical responses to the dualism of loyalty arising from the tensions of black-white relationships.

Black nationalists insist that these dilemmas, confusions, and the absence of internal cohesion are largely responsible for the failure of Negroes to exert concerted pressure for the things that they demand from society.[19] They claim that the solution to the problem of the Negro's identity and to internal constraints which arise from it is a prerequisite of all other solutions. They seem to believe that these internal constraints are overlooked by many Negroes (especially the middle class) and, consequently, that most Negroes tend to perceive their problems as well as their communities solely as the creation of white society. They come to the inevitable conclusion that their efforts must be directed to making white society recognize and assume full responsibility for the solution of these problems. The nationalists admit that attitudes and actions of white society are powerful obstacles to their solution, but they point out that the level of community involvement among the urban Negro masses--other than for "funerals, food, and fun"--is either nonexistent or absolutely minimal.

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seen by American Negroes, Special Issue of Presence Africaine, ed. J.A. Davis, August, 1959, pp. 275-76. Cf. W.E.B. DuBois, An Appeal to the World (New York: N.A.A.C.P., 1947) p. 1.

It is interesting to note that Dr. DuBois again discussed the problem of terminology for the Negro in a speech before the Seventh Annual Conference, the All-African Student Union of the Americas, Inc., held at the University of Chicago, June 18-21, 1958 (mimeographed), pp. 2-3. See also George S. Schuyler, "The Caucasian Problem," What the Negro Wants, ed. Rayford W. Logan (Chapel Hill: The University of North Carolina Press, 1944), P. 284: "The term Negro itself is as fictitious as the theory of white racial superiority on which Anglo-Saxon civilization is based, but it is nevertheless one of the most effective smear devices developed since the Crusades. It totally disregards national, linguistic, cultural and physical differences between those unable to boast a porcine skin, and ignores the findings of advanced sociologists and ethnologists...."

[18] Cf. The American Negro Writer and His Roots for this subject in general.

[19] Aside from their antagonism toward the National Association for the Advancement of Colored People, the nationalists point out that it does not receive the support of the Negro masses. The NAACP, which is the most "militant" organization seeking full citizenship for Negroes, can only boast a total membership of 334,000 as of December 15, 1959. The increase over the previous year is said to be a little over nine per cent. Considering the importance of the objectives of the organization, this is a rather small number out of a total population of Negroes estimated at nearly 19 million. It should be added that the membership also includes whites. See the Chicago Daily Defender, January 11, 1960, p. 7, for membership figures.

The writer has been impressed by the absence of internal cohesion and the low level of community involvement among the urban Negro masses. These explain in part the inability of Negroes to have a significant say concerning the economic and political norms of their communities. Furthermore, the Negro community provides few or no criteria by which its members can meaningfully interpret and relate the dominant white culture and the realities of American society to their specific experiences. The Negro masses cannot participate fully and responsibly in their communities. Perhaps more than is generally admitted, the internal constraints account for the Negroes' general lack of a sense of common need.[20]

It is no wonder that so many Negroes resort to mere opportunism and become totally preoccupied with immediate survival values (shelter, clothing, food, and recreation) or that they are easily swayed to seek salvation in escapist or purely diversionary activities such as alcoholism, drug addiction, gambling, spiritualism and conspicuous display. Many Negroes, however, hope that eventually the American Dream will be fulfilled for them as individuals, if not through their own efforts, then by "good luck."

Black nationalism has brought these problems into sharp focus, especially those internal constraints and divisions which prevent Negroes from acting in unison or even in seeking individual self-improvement. Although it would be hard to determine how much of Muhammad's effort is deliberate and how much is unconscious, the impression is given that he is trying to create a Negro ethos and hence a self-consciously unified Negro community. Examining his exoteric teachings reinforces this impression.

Because it symbolizes the oppression of the Negro, the white culture's political and religious basis is rejected: the Muslims do not vote in local or national elections; they resist induction into the United States military services; and they categorically reject Christianity as the "graveyard" of the Negro people. The Negro subculture is as well rejected as "uncivilized." and as impeding their material, cultural, and moral advancement.

In order to create, to fashion a unified community, Muhammad first directs his attack against those forces which have so disastrously atomized and weakened Negro society. He seeks to provide the Negro with a spiritual and moral context within which shaken pride and confidence may be restored and unused or abused energies directed toward an all-encompassing goal; to heal the wound of the Negro's dual membership in American society. Specifically, Muhammad denounces the matriarchal character of Negro society; therrelative lack of masculine parental authority which makes the enforcement of discipline within the family difficult; the traditional lack of savings-and capital-accumulation habits; and the folk belief that "white is right," which leads to a dependence upon the initiative of the white man. Personal indolence and laziness are sternly deprecated. Habits of hard work and thrift are extolled.

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20. Although this view does not deny the meagreness of material resources available with the Negro community, it emphasizes the absence of a psychological "leverage" necessary for mobilizing whatever resources there may be.

The Muslims disapprove of the expression of undisciplined, spontaneous impulses. The pursuit of a "righteous" life as prescribed by the "Laws of Islam" and by Muhammad's directives is seen as the major purpose of existence. These laws and directives prohibit the following: extra-marital sexual relations, the use of alcohol, tobacco, and narcotics, indulging in gambling, dancing, movie-going, dating, sports, long vacations from work, sleeping more than is necessary to health, quarreling between husband and wife, lying, stealing, discourtesy (especially toward women), and insubordination to civil authority, except on the ground of religious obligation. Maintaining personal habits of cleanliness and keeping fastidious homes are moral duties. The eating of pork, cornbread, collard greens, and other foods traditional among southern Negroes is strictly proscribed. No one is permitted to straighten his hair. Women may not dye their hair or conspicuously use cosmetics. Intemperate singing, shouting, laughing loudly are forbidden. Violation of any of these or other rules is punished immediately by suspension from the movement for periods ranging from thirty days to a maximum of seven years, depending on the gravity of the offense. The most important sanctions which appear to regulate the behavior of Muslims are loss of membership in the movement and the chastisement from Allah.

Muhammad's effort to inculcate a sense of self-esteem in the Muslims by encouraging them to practice and assimilate habits that we associate with the middle class is obvious in his teachings. The quest for respectability within and without the Negro community is a primary goal. Their enthusiastic desire to be independent of white control is demonstrated partly by their willingness to overstretch their resources in order to maintain private elementary and high schools in Chicago and Detroit. The effort to strengthen the Muslims' sense of pride is apparent in Muhammad's emphasis on the "glorious" past of the Black Nation: the special relationship between the Muslims and Allah and their connection with "Arabian-Egyptian" civilization.

It should be stressed however, that Islam is not offered to Negroes merely as a divisive symbol. To the believers it is a living faith and a positive way of life, enabling them, in unacknowledged ways, to follow with devotion moral values reminiscent of the New England Puritans and to aspire to a style of life usually associated with the middle class. The Muslims, being the elect of God, are obligated to pursue a righteous life which would justify their special status in His sight. The pursuit of wealth is good only in so far as it enhances the common good--the elevation of the Nation of Islam and, in general, the masses of American Negroes. The Muslims are determined to rise on the social scale by their own efforts. Imbued with a common purpose, the Muslims appear to drown their fears, frustrations, anxieties, and doubts in the hope of attaining a national home and in the promise and assurance of redemption now in the "New World of Islam," purged of the suffering and corruption of the world about them. Such is the sense of "tragic optimism" which has characterized the organized effort of the Negro nationalists to assert their identity and to discover their human worth and dignity in American society.

Reprinted from Slums and Suburbs
By James Conant

Elementary Schools in Negro Slums

With this background sketched in, I can now take up the educational problems in the Negro slums of certain of certain of our largest cities. I wish that I could do more than take them up. What I should like to do is to create in the reader's mind a feeling of anxiety and concern. For without being an alarmist, I must say that when one considers the total situation that has been developing in the Negro city slums since World War II, one has reason to worry about the future. The building up of a mass of unemployed and frustrated Negro youth in congested areas of a city is a social phenomenon that may be compared to the piling up of inflammable material in an empty building in a city block. Potentialities for trouble--indeed possibilities of disaster--are surely there.

Let me describe a slum that might be in any one of several of the large cities I have visited. The inhabitants are all Negroes and with few exceptions have entered the city from a state in the deep South anytime within the last month to the last three years. Often the composition of a school grade in such an area will alter so rapidly that a teacher will find at the end of a school year that she is teaching but few pupils who started with her in the fall. I recall the principal of one school stating that a teacher absent more than one week will have difficulty recognizing her class when she returns. This comes about because mothers move with their offspring from one rented room to another from month to month and in so doing often go from one elementary school district to another; I am told that resident tenements look more like transient hotels. I write "mothers" advisedly, since in one neighborhood by no means the worst I have seen, a questionnaire sent out by the school authorities indicated that about a third of the pupils came from family units (one hesitates to use the word "home") which had no father, stepfather, or male guardian. This particular section was by no means homogeneous, of course. For while many moved about from room to room, a quarter of the parents reported that they owned their homes. Only 10 per cent of the parents had graduated from high school and only 33 per cent had completed the elementary school. Contrast the situation in which a third of the parents have completed elementary school with that in a high-income suburb where as many as 90 per cent of the parents have bachelor's degrees, if not graduate degrees from a university.

These Negro slums seem to vary considerably with respect to the social mores. In some there are very bad gangs with gang warfare among the boys. There are also vicious fights outside of school between Negro girls. The condition in one such neighborhood was summed up to one of my staff by a principal of a junior high school who said even he was shocked by the answers to a questionnaire to the girls which asked what was their biggest problem. The majority replied to the effect that their biggest problem was getting from the street into their apartment without being molested in the hallway of the tenement. He went on to say that the area had a set of social customs of its own. The women, on the whole, work and earn fairly good wages, but the male Negro often earns less than the woman and would rather not work at all than to be in this situation. As a consequence, the streets are full of unemployed men who hang around and prey on the girls. The women are the centers of the family and as a rule are extremely loyal to the children. The men, on the other hand, are floaters, and many children have no idea who their father is. Similar reports from principals and teachers can be heard by the attentive and sympathetic visitor to the Negro slums of any one of several cities. Racial discrimination on the part of employers and labor unions is certainly one factor which leads to the existence of so many male Negro floaters. What is terrifying is that the number of male youth in this category is increasing almost daily.

I have so far referred only to white and Negro slums. A few words are necessary to point out that in some cities, New York in particular, there are slum areas inhabited by recent arrivals from Puerto Rico. In these sections, the problems are similar to those I have been describing but complicated by the difference in language. Unlike the American Negro from the South, these recent arrivals bring with them a set of social mores closely associated with their own methods of communitcation. At the same time, they often, if not always, come with children whose schooling has been bad. Clearly the task of educating these Puerto Rican children involves both a reading and a foreign language problem. These problems are so special I shall not attempt to discuss them here. One hardly needs to point out that their existence adds one more complication to the tasks confronting the administrators and teachers in the New York City schools. Add to these problems the possibilities of interracial hostility and gang warfare between Negroes and Puerto Ricans and the resentment of both toward the whites, and one has a veritable witches' brew which comes to boil with unsavory violence in certain schools in certain areas--particularly in the junior high school years. The amazing feature of the whole situation is that pupils make any progress in schools in some areas of the city.

One needs only to visit such a school to be convinced that the nature of the community largely determines what goes on in the school. Therefore to attempt to divorce the school from the community is to engage in unrealistic thinking, which might lead to policies that could wreak havoc with the school and the lives of children. The community and the school are inseparable. For example, I have walked through school corridors in slum areas and, loking into classrooms, have seen children asleep with their heads on their hands. Is this situation the result of poor teachers without either disciplinary control or teaching ability? No, the children asleep at their desks have been up all night with no place to sleep or else have been subject to incredibly violent family fights and horrors through the night. Checking into one case, a principal told one of staff that after climbing six flights of a tenement he found the boy's home--one filthy room with a bed, a light bulb, and a sink. In the room lived the boy's mother and her four children. I might add that it is not unusual for teachers in these schools to take home with them children with no place to go at night. The social attitudes found in this kind of slum neighborhood are bound to affect the atmosphere of the school. As one Negro teacher said to me, "We do quite qell with these children in the lower grades. Each of us is, for the few hours of the school day, an acceptable substitute for the mother. But when they reach about 10, 11, or 12 years of age, we lose them. At that time the 'street' takes over. In terms of school work, progress ceases; indeed many pupils begin to go backward in their studies!"

I ask the readers of this volume, many of whom live in wealthy suburbs, to ponder the contrast between the lives and the education of their children and the lives and education of the boys and girls in the neighborhoods I have been describing. It is after visits to schools like these that I grow impatient with both critics and defenders of public education who ignore the realities of school situations to engage in fruitless debate about educational philosophy, purposes, and the like. These situations call for action, not hair-splitting arguments.

Those who are deeply concerned with the education of the children in these slum areas are not waiting for others to change the social setting in which the schools operate. They are tackling the problem of getting the boys and girls from the poorest families to learn to read and write and do arithmetic. Foreign languages in grade 7 or algebra in grade 8 (recommendations in my junior high school report) have little place in a school in which half the pupils in that grade read at the fourth grade level or below. Homework has little relevance in a situation where home is filthy, noisy tenement. Discipline, of course, is problem. Many educators would doubtless be shocked by the practice of on-the-spot demotion of one full academic year, with no questions asked, for all participants in fights. In one junior high school I know of, a very able principal found so intolerable a situation that he established that very rule. As a consequence, there are fewer fights in his school among the boys, many of whom at one time or another have been in trouble with the police. In this school and in many others like it one finds the boys wearing ties and jackets to school, if not their one Sunday suit. When spoken to in the classroom, they rise to recite. Passing time between classes may be as short as one minute in order to preserve order in the halls. The school attempts to bring some kind of order to otherwise chaotic lives. And what is important, this formal atmosphere, at least in one school I know of, appears to work. School spirit has developed, and efforts are now being made to enlist the interest of the parents in the education of their children, who must stay in school till they are sixteen and whom the school will try to keep in school till graduation to prevent unemployed, out-of-school youth from roaming the streets.

In contrast to what one hears about "blackboard jungles," I think I am fairly safe in saying that the outward manifestations of discipline, order, and formal dress are found to a greater degree in the well-run slum schools of a city than they are in the wealthier sections of the same city. The contrast is especially noticeable between city slum schools and wealthy suburban schools, where informality in dress, deportment, and classroom procedure is the rule. I doubt that many suburban parents would stand for the regimentation and formal discipline meted out in many slum schools. It is not accidental that that part of the progressive movement in education which rebelled against formalism and authoritarianism found root in the suburban and private schools.

I should like to record at this point my impression of what my colleagues and I have seen in slum sections of big cities. Almost without exception we have seen white and Negro teachers and administrators struggling tenaciously and bravely against the adverse influences of the home and the street. As one of my associates who had spent the best years of his life as a principal of a suburban public high school put it, "I visited junior high schools in New York City in some of the worst areas. I expected to find blackboard jungles; instead I found schools with high morale, tight discipline, imaginative principals and teachers. My visits to New York City junior high schools," he went on to say, "have provided some of the most interesting and exciting experiences I have had. In bad neighborhoods with children from hopeless backgrounds these schools are really doing a magnificent job." My own visits were largely confined to similar schools in Chicago, Detroit, and St. Louis, and my admiration for what is being done in those cities is equal to that of my colleague for what he saw in New York City.

The Importance of the Home

In the slum school, the development of reading skills is obviously of first importance. The earlier the slow readers are spotted and remedial measures instituted, the better. Indeed, the same rule applies as well to any school, but in the heavily college-oriented suburb, the number of slow readers if relatively small and teaching children to read by no means looms so large and difficult a problem as it does in the slums. Some commentators have failed to recognize the relation of the reading problem to the socio-economic and cultural level of the home. Evidence on this point is found in the large cities.

Essentially the same methods are used in all the elementary schools in a city, and yet the average grade level of reading in the sixth grade, for example, may vary as much as two grades from one school to another. Concern with improving the reading of the pupils, particularly the slow reader, must continue well beyond the elementary school.

Different administrators and teachers in various cities are tackling the problem of teaching reading in somewhat different ways. My associates and I were very favorably impressed by the effort that was being made in many of the cities we visited. Just how far up the reading scale one can hope to bring the majority of pupils in a slum neighborhood is an open question. The factors working against all forms of intellectual effort are powerful negative influences to overcome. Since the degree of influence of these negative factors varies from child to child even in the same neighborhood, and the neighborhood's social climate changes from year to year, sometimes from month to month, it would be very difficult to obtain significant figures if an analysis of the social factors were attempted. One can only report that in spite of the Herculean efforts which are being made, there are many ninth-grade students in certain large city schools--in some as many as half--who are reading at a sixth-grade level or lower. It must be remembered, however, that because of the high family mobility very few of these youth have had the advantage of the special attention given to reading in the lower grades in the same city.

In one school I visited, the teachers themselves, mostly Negroes, felt that the only way to improve the reading of the children in the first three or four grades was to do something with their mothers. If the head of the family unit could be located and brought into communication with the school, attempts were made to stimulate an interest in newspapers, magazines, and possibly even books. One of the troubles, the teachers said, is that when the children leave the school they never see anyone read anything--not even newspaper. "If we could change the family attitude toward reading, we could accomplish much." With this statement one must heartily agree and likewise agree that even a slight change, which was all that was expected, would probably be reflected in the reading ability of the children.

In other all-Negro schools, this point was made again and again. Therefore many such schools use social workers or visiting teachers to keep the parent or parents in touch with the school. This is not always an easy task, for the almost illiterate parent may be frightened of anyone officially connected with education. But if the parents can be induced to adopt a positive attitude toward the school, a first step has been taken. If the reading of some sort of printed material can be started, the way is open for the only by a greatly increased expenditure of funds on adult education can the present blocks to children's educational progress be removed in the most depressed areas of the large cities. Trials of new procedures and imaginative approaches to a complex social and educational problem are certainly in order.

In connection with the difficult task of teaching reading, it is well worth pointing out that without the development of modern testing what is now being accomplished would be quite impossible. I am convinced that fifty years ago in all communities, and even fifteen years ago in many schools, the slow reader was not identified or, if identified, was just ignored. Today in all the larger school systems, reading tests are given in most grades, and the reading level of each pupil and the average of each grade are carefully recorded. This procedure has proved its value. Unlike the I.Q. scores it is clear what the reading level tests try to measure. Furthermore there is a mass of evidence that, by remedial work, a child may improve his standing on such a test. What is of prime significance in all the larger schools is that remedial measures are taken to improve the reading level of those who have some ability but are far behind the average for their age.

At the risk of being unduly repetitious, I must emphasize that for the last few pages I have been discussing, for the most part, Negro slums. To suppose that all Negroes live in such neighborhoods, even in the large cities, would be to make a totally unwarranted inference from what I have reported. A trained sociologist would perhaps be able to characterize every block of city tenements in terms of a series of concepts developed in recent years by his colleagues. Presumably to do so would require an extensive survey. As a first approximation to the data which would be thus obtained, one can use the information supplied by the principals of thepublic schools serving the different, and usually adjacent, Negro neighborhoods. Particularly significant are the reading levels, the scholastic aptitudes and achievements in grades 7 and 8, and the droppout rate after grade8. Using such criteria, I know that one will find gradations of Negro neighborhoods in a number of the large cities, just as one finds a similar gradation in white neibhborhoods--running from slums to well-do-do residential sections. Furthermore, in some sections of some cities, at least the upper grades will be mixed white and Negro, reflecting, of course a mixture of races in the larger geographic area from which the upper grades draw their pupils. In such schools, I am told, it is usual to find far more whites than Negroes in the group that scores high on aptitude and achievement tests. At first sight such facts might be taken as evidence as to the inherent superiority of the white children for academic work, but anyone who has observed even casually the situation of the Negro in the large cities and who knows the influence of the family on the school performance of the children will see the fallacy of any such conclusion. The position of the family in the total community, in this case the entire city, and the past performance of the friends and relatives of the family in getting a job and obtaining recognition enormously affect the attitude of the parents toward intellectual tasks and the desires and ambitions of the children.

The Economics of Racism   Michael Harrington (Reprinted from Commenweal July 7, 1961)

If all the discriminatory laws in the United States were immediately repealed, race would still remain one of the most pressing moral and political problems in the nation.

Negroes in this country are not simply the victims of a series of iniquitous statues, The American economy, the American society, the American unconscious are all racist. If suddenly all the laws were framed to provide equal opportunities, a majority of the Negroes would not be able to take full advantage of the change. There would still be the vast, silent, and automatic system directed against men and women of color. For to belong to a racial minority is to be poor, and poor in a special way. It is to live within a vicious circle of poverty which has been institutionalized for well over a century. Legislation which segregates buses or lunch counters is only part of this process.

Some optomistic pepple do not understand how deeply racism is established in American life. Given time, they argue, these people will rise in the society like the Irish, the Jews, the Italians and all the rest. But this notion misses two decisive facts: that the Negro is colored, and no other group in the United States has every really faced this problem; that the Negro of today is an internal migrant who will face racism wherever he moves, who cannot leave his oppression behind like a Czar or a potato famine. To be equal, the Negro requires something much more profound than a way "into" the society; he needs a transfoomation of some of the basic institutions of the society.

Perhaps the simplest way to point up the racism of the American economy is to recall a strange case of jubilation. Late in 1960, the Department of Labor issued a study, "The Economic Situation of Negroes in the United States." It noted that in 1939, non-white workers earned, on the average, forty-one per cent as muchn as whites; and that by 1958, their wages had climbed to fifty-eight per cent of those of whites. Not a little elation greeted this announcement, with some editorialists citing these statistics as indicating that slow and steady progress was being made. (At this rate, the Negro would reach parity with the white some time well past the year 2000.)

To begin with, the figures were somewhat more optimistic than the reality of the Negro gain reflectdd the shift of rural Negroes to cities, and Southern Negroes to the North. In these cases, the people involved increased their income by going into a more prosperous section of the economy as a whole. But within each area - Northern city, Southern city, agriculture, - their relative position remained the same: at the bottom. Part of the gain, then, was the result of economic geography rather than of the workings of the society. Then taking a depression year (1939) as a base and comparing it to a year of recession (1958) also tended to exaggerate the advance, for Negroes in 1939 were particularly victimized.

Another important aspect of the problemwas obscured by the sweeping comparison most editorialist made between the 1939 figures and those of 1958. Even the Department of Labor figures themselves indicate that the major gain was made during World War II (the increase from 1939 to 1947 was from 41.4 per cent for Negro males to 54.3 per cent.) In the postwar period, the rate of advance slowed down by two-thirds. Moreover, most of the optimism was based upon figures for Negro men. When the women are included, and one takes a median family income from the Current Population Reports, Negroes rose from 51 per cent of white family income in 1947 to 57 per cent in 1952 - and then declined back to the 1947 levels by 1959!

But even without these qualifications, the fact is stark enough; that the United States found cause for celebration in the fact that Negro workers had reached 58 per cent of the way to the wage level of white workers. And this situation is deeply imbedded in the very structure of the American economy.

For one thing, Negroes in the United States are concentrated in the worst jobs. A third continue to live in the rural South, most of them merely subsisting within an ecomomy of poverty and a society of more or less open terror. The third who live in Southern cities, and the third who live in Northern cities, have bettered their position when compared to the sharecropper. But they are in the lowest paying jobs, the jobs hardest hit by recession, and they are in any case hired last and fired first.

Thus, according to the Department of Labor, in1960 four per cent of Negro employees were "professional, technical and kindred workers" (compared to 11.3 per cent for the whites): 2.7 per cent were "managers, officials and proprietors" (compared to 14.6 for the whites). At the economic and status top of the occupational structure, in short, there were 6.7 per cent of the Negroes - and 25.9 per cent of the whites. And this, in itself, represented considerable gains for the Negroes as compared to 1940.

Going down the occupational scale, the Negroes are primarily grouped in the lowest-paying, dirtiest jobs. In 1960, 20 per cent of the whites had [illegible] skill industrial jobs, while the Negro share of this classification was [illegible] per cent. Semi-skilled mass production workers and laborers constituted around 48 per cent of the Negro male population.(and 25.3 per cent of the white males.) When it comes to Negro women, one confronts a discriminated minority within a minority. According to a New York State study, Negro female income as a percentage of white actually declined between 1949 and 1954 (and, in 1960, over a third of Negro women were still employed as domestics.)

In part, this occupational structure of the Negro community in the United States is the inheritance of the past. It reflects what happens to a people who have been systematically oppressed and denied access to skill and opportunity. If this exhausted the problem, there would be a basis for optimism. One could assume that the Negro would leave behind the mess of pottage which the white American has bequeathed him, and move into the future at a much improved rate. But that is not the case. For the present position of the Negro in the economy has been institutionalized. Unless something basis is done, the situation will reproduce itself for years to come.

Take, as an example, the problems of automation. This has caused "structural" unemployment through-out the American work force, i.e. jobs have been destroyed and not just temporarily suspended. When this happens, the blow falls disproportionately upon the Negro. As the last significan group to enter the factory, the Negroes have low seniority (if they are luck enough tobe in union occupations and they are laid off first. As one of the least skilled groups in the work force, they will have the hardest time getting another job. The "older" Negro (that is, above forty) will certainly never find another job as good, and he may well be condemned to job instability for the rest of his life.

PAGE PARTIALLY ILLEGIBLE

All of this is immediate and automatic. It is done without the intervention of a single racist; yet it is a profound part of racism in the United States. In the long run, however, automation will pose an even larger problem. The new structure of American industry is doing away with semi-skilled jobs and dividing the workers into polar groups: the highly skilled technicians; the unskilled sweepers and janitors, the low-paid workers of various service industries, the unemployed. At this particular point in time, the deficiency in skill and education which America has imposed upon the Negro becomes a special burden. It means, in some cases, wiping out the gains made by semi-skilled workers in mass production industries. Generally, it points toward the concerntration of Negroes in even lower sectors of the economy.

Much of this is "automatic", that is the consequence of an economic structure which has absorbed the consequences of racism and thereby hurts the Negro whether there is malice or not. However, there is another aspect of the situation which does involve conscious racism. In 1960, according to the report of Herbert Hill, Labor Secretary of the National Association for the Advancement of Colored People, Negtoes made up only 1.69 per cent of the total number of apprentices in the economy. (The exact figure offered by Hill has been disputed; the shocking fact which he describes is agreed upon by everyone.) In short, Negroes were being denied the possibility of changing their plight.

The main cause of this problem is the attitude of management, whicha fundamentally determines hiring policy. But in the case of apprenticeship programs, the labor movement and the Federal and state agencies involved also bear part of the responsibility. The exact assignment of blame has been a controversial subject recently, yet no one has really questioned the existence of a problem of tremendous magnitude and consequence.

Thus Negroes in the United States are concentrated in low paying jobs, in non-union jobs, in jobs without seniority. Where they are union members, they have low seniority. They suffer discrimination in both hiring and firing, and they tend to be grouped in occupations which are peculiarly vulnerable to unemployment (in the current recession, the Negro anemployment rate is over fourteen per cent, i.e. about twice that of whites). And they are not becoming the prime victims of the revolution in technology taking place in the United States.

These facts should make it possible to define the peculiar characteristics of Negro poverty, its special miserable place in the general American culture of poverty. The Negro finds himself in this plight because of what has been done to him throughout American history: he has been systematically prepared for taking the lowest position within the economy. In this context, the past weighs upon the Negro present. But at the same time, the Negro arrives at this impasses at a particular time in American history; not, as was the case for the great immigrant waves, during a period of movement west, of growth and expansio but rather when growth rates are slackening, when automation is destroying the mechanism whereby a man could gradually work his way up the skill ladder even if he lacked education. In this context, the present weighs upon the Negro future. If the "automatic" trends are left to themselves, American industry will continue to produce racism as a basic commodity.

It would, however, be a mistake to reduce the plight of the Negro to a consequence of the workings of unconsious economic laws. The attitudes and prejudices of American Society reinforce the tendency to keep the Negro at the bottom of the occupational structure. And the fact that the Negroes have the worst jobs, the lowest incomes, the most miserable neighborhoods, in turn reinforces racist attitudes. It confirms all of the stereotypes: that Negroes are lazy, inefficient, stupid, and so forth. Not only are these people held down, a majority of them at levels well below any standard of decency, they are then reviled for being where society put them.

Perhaps the easiest way to pinpoint the effect of a non-automatic and conscious racism is to see what happens when a Negro does get an education and begins to move up within the economy North, South, East, and West, the pattern is the same: Negroes are paid less than whites with the same educational background; and the more educated a Negro, the more he is discriminated against in this regard. Herman Miller, one of the best known authorities on income statistics has computed that the white Southern college graduate receives 1.85 times the compensation of his Negro counterpart; and in the North, the white edge is 1.59. This kind of situation is theresult of something more than automatic laws of the market, for it demonstrates that the Negro is paid less even when he has the skill, and that this aspect of discrimination increases as he becomes educated.

Indeed, the office is one of the main problem areas in the system of discrimination. Office work is regarded as more personal, more social than the factory. To at least some of the people involve, integrated working verges on the integration of the neighborhood or the home, and it is resisted mightily. The result is that Negroes are cut off from advancement into the better paying, higher status jobs by a wall of management and white-collar prejudice. (In 1960, almost a third of white women were in the office; the figure of Negro women was 8.0 per cent.)

This social isolation finds its classis expression of course, in the ghetto. As a result of the segregation of neighborhoods, it is possible for a city like New York to habe a public policy in favor of integration, and yet to maintain a system of effective segregation. In the mid-fifties, for example, New York public school system took a look at itself, dividing the schools into Group X with a high concentration of Negroes or Puerto Ricans, and Group Y where the Negro and Puerto Rican population was less than ten per cent of the student body. They found that the X schools which Negroes attended were older and less adequate, had more probationery and subbtitute teachers, more classes for retarded children and fewer for bright pupils. This situation had developed within the framework of a public, legal commitment to integrated education (some steps have been taken to remedy this situation, but it is still basically the same.)

But the other groups in the United States live in ghettoes when they first came. Isn't this simply a repetition of the pattern which obtained for the Irish, Jews, Italians, and the other? The enormous difference here is one of visibility. The talented and adventurous white immigrant could establish a store outside of the ghetto, could gett a better job outside of the ghetto, eventually could rise in a profession outside of the ghetto and then move. But the Negro takes the sign of the ghetto with him wherever he goes: like the Jew under Nazism wearing a Star of David, he is always identifiable, he will always bxciting what prejudice there is.

This becomes more of a problem the higher up in the economy one moves. The bright son of an immigrant family who got an education could begin to move in the society at large. He could be an Irish lawyer, or a Jewish doctor and have white, Anglo-Saxon Protestant clients and patients. But, outside of government service and a few other areas, the Negro professional is confined to the Negro world. Even when ther is success, racism limits it.

All of this has had a profound effect upon the Negro psychology. Some theorists believe that Negroes have a lower level of appiration, of ambition, than whites because of their positon in the economy and in the society. But in a study of the New York State Commission Against Discrimination, an even more serious situation was described: one in which Negro children had more aspiration than whites from the same income level- but less of a chance to fulfill their ambition.

In this study, Aaron Antonovsky and Melvin Lerner described the result as a pathological condition . . . in our society." The Negro child, coming from a family in which the father occupied a miserable position inthe occupational structure, was forced to reject the parents, and to put forth new and different goals for himself. At the same time as the level of aspiration was thus higher than that of the white children (who would feel the bitterness of their material poverty less, since it was not mixed with the degradation of racism), their ambitions were much more unrealistic, for they continued to live in essentially the same world as their parents.

In a sense, there is a symmetry in the social impace of racism in the United States. White American keeps the Negro down, and then uses the fact that the Negro is on the bottom of the pile as an argument for keeping him there,as a definition of what the Negro naturally is. On the one hand, the Negro is enough of an American to partipate in the cult of success and of advancement believing that he should rise in the society like everyone else. On the other hand, the Negro is not enough of an American (because the whites will not let him be) to participate in the fact of success and advancement in proportion to his numbers. Prejudice and hatred from the whites join with impossible ambition and disillusion from many Negroes and together they create a psychology of racism, a society of racism, even whennall the statues say very nice things.

This whole process of economic and social discrimination is a vicious circle (the concept of the vicous circle was orginally put forward in this field by Gunnar Myrdal). In the last quarter of the nineteenth century, racist laws played an important part in extablishing this pattern by effectively nullifying the emancipatory potential of the Civil War. Today, almost a century later, the laws are a small part of the problem, and the pattern has become institutionalized.

All of this can be expressed quite simply: that America has decreed a particular kind of poverty for its racial minorities, that it will not let them out This impoverishment breeds an inability to take advantage of the opportunities of the society, even when they do open up. If this situation is to be changed, it will be the result of a massive shift in public policy. That is theonly force strong enough to deal with this complex situation.

Once it is realized that the probaem of the Negro is the problem of institutionalized poverty, then the fate of the Negro is inextricably mixed with the fate of the ppor generally. If, for instance, the scandal of American housing were really challenged, that could have an enormous impact upon this whole problem. Miserable housing is probably the largest singae problem of the poor generally, the force that created and recreates poverty in generation after generation. Sharing this plight with all poor people, the Negro adds to it the indignity of the ghetto. If there was a public housing program which built the value of integration into its work, if it were decided that the ghetto was to be eradicated from the cities of America, it would mean more than decent housing for the Negro. It would mean a frontal assault on one of the prime mechanisms of racism in American Society.

On the job, the situation is perhaps even more difficult. The Negro is the most injured victim of automation: the Negro "type" of job is being destroyed at a much faster rate than those in which white workers are concentrated. To deal with the whole problem is going to require an enormous governmental effort, one which will include funds for retraining, for a different type of educational system, and for some kind of planning of industrial growth and location.

In a sense, this technological crisis offers America a unique opportunity. For if the nation were to attack the problem as a whole, if it were to deal with structural unemployment, it could at the same time change the position of the Negro within the economy. Any serious program aimed at providing displaced workers with skill and opportunity will automatically help the Negro as a Negro, if it does not contain racist features. The authority to act against discrimination in governmental and government-related employment already exists. If it is coupled with a program to deal with the consequences of automation, the social gain would be enormous.

Yet, one wonders. Housing and automation are two of the most crucial and controversial problems of American society generally. As they became more and more obvious in the late fifties, resistance to the effort required to deal with them increased. The forces of conservatism prepared for a bitter fight. Politically, the Negro is a minority and consequently incapable of putting across these programs on his own. Hi fate, as so often happens in this nation of profound "unofficial" racism, depends largely on what the white folks do.

If, as is quite possible, America reguses to deal with the social evils of structural unemployment and miserable housing, it will at the same time have refused to deal with thep problem of race. There will be speeches on equality, there will be good Court decisions, and the United States will move toward a constitutional definition of itself as completely egalitarian. The Negro, from within his world of double poverty (almost as if there were a race class condemned to be poor) will watch all this bitterly. There will be occasional celebrations - perhaps the next one will be called in twenty years when the Negro nears seventy per cent of the white wage level. But nothing basic will have changed.

"The Negro in Northern Politics" from An American Dilemna by Gunnar Myrdal

(Although written in 1946, Mr. Myrdal's comments have particualr significance in light of the recent Supreme Court Decision regarding reapportionment.)

The Negro coming from the South to the North was as policalIy innocent and ignorant as the immigrant from a country like Italy where democratic politics was not well developed and was very different from politics in the Northern United States. It was guite natural, therefore, for Negro politics in the North to take forms similar to Italo-American politics. Ignorance and poverty caused a disproportionate amount of non-voting among Negroes, although not nearly as much as among Italian immigrants who had to become citizens before they could exercise the franchise. Non-voting was perhaps accentuated among some Negroes by a timidity caused by violence in the South. Other Negroes, perhaps, felt a stronger urge to vote in the North because they had been disfranchised in the South. Like other immigrants since young adults migrate to a greater extent than any other age group, Negroes formed a larger propertion of the adult population than of the total population. Therefore they had a potential voting strength greater than their total numbers would indicate. Like other immigrants, they often traded their votes for these material favors, although they wer perhaps not as wise or successful as some of the other immigrants in getting a quid pro quo. iole ptjer ggnorant immigrants they tended to follow the narrow political leadership of those of their own group who sought politicaa plums for themselves. Still they were not unified, partly because of the rivalry between the recent immigrants from the South and those longer established in the North.

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In the last desade, however, the Negro vote has shifted radically under the pull of the New Deal and the push of the lily-white movement. Anotehr trait of the Negro vote was that it was, on the whole, passionately aware of the relation of a candidate or issure to the Negro problem. Unlike other native Americans, Negroes when they thought politically, though first in terms of their ethnic group and only secondly in terms of the nation as a whole. Foreigh-born citizens have this trait also, but it tends to disappear in the second and third generation. With Negroes it is tending to increase as Negroes become more organized and politically conscious. "No Negro leader can expect to remain popular if he supports a white man who is reputed to be anti-Negro." A "friend of the Negro people need not always have the backing of the local Negro leaders to get the Negro vote.

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Although individual Negroes are not restricted from voting in the North, there may be one condition which limits the influence of the Negro's vote once it is cast. We refer to the practice of gerrymandering - that is, of so setting the boundaries of election districts that the vote of a minority group is cut up and overwhelmed by the vote of the majority group...

Besides gerrymandering, there is another way in which the Negro vote is kept from having its proper weight in the election of candidates. This is by neglecting to redistrict as population grows or declines at different rates in different districts. The practice is especially important with respect to voting for national congressmen and state legislators, and it has some significance for the election of city aldermen. Negroes will flow into a district and still have only the sam e representation as a declining rural area with perhaps one-tenth population. This is, of course, a problem far more general than a Negroone: it is the problem of cities to get their fair share of representation in relation to sural areas, and the problem of densely populated city districts to geth their fair share in relation

tion to rotten boroughs. While there is probably no special anti-Negro prejudice in the practice, Negroes are hurt far more by it than most other groups since they have been moving to Northern cities at a more rapid rate than have others. While the practice is clearly unconstitutional, and the state legislatures are guilty as they are the only ones empowered to make the adjustments, the courts have been loath to interfere. The Constitution, however, gives the United States Cpngress power to override the state legislatures. The neglect to redistrict also creates a form of "natural" gerrymandering that hurts the Negroes. When migrants come to a city they usually do not happend to distribute themselves according to the boundaries of certain voting districts. As a result their vote becomes split even though they form a single community.

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No comprehensive wtudy has yet been made on the extent of non-voting among Negroes in the North. The general impressions is the Negroes - like whites with the same average educational and economic status - afe somewhat apathetic. The statistical evidence, however, does not present a consistent picture and suggests that Negro apathy is partly a function of local conditions. Negro apathy in Detroit seems to be due to the city-wide type of election, the non-partisan character of the election with a concomitant weak party organization and the lack of organization and leadership among Negroes. Negro activity in Chicago semms to be related to the partisan and close character of the election, the solicitation of the Negro vote by white politicians, the support of Negro racketeers and the strength of the Negro porganizations.

The fact that Negroes vote to a greater extent than whites in Chicago is startling. All existing studies - made for a few cities in the United States and for many demonratic countries in Europe - show a striking relationship between nonvoting and poverty. The correlation may be even stronger for whites in the United States since there is no labor party to bring out the labor vote, and the political machines bring out only a relatively small selected vote. Since the bulk of the Negroes are very poor, we should expect them to be much more politically conscious of the vote. The data do not support -so far as voting is concerned - the common stereotype that Negroes politically apathetic.

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On the whole, Negroes have come to be rather like whites in their political behavior in the North. They vote about the same proportions as whites; they are no longer tied to the Republican party; they eschew third parties; they have manifested a class differential in their adherence to the Democratic party. On they other hand, most Negro voters are more keenly aware of a candidates attitude toward their group than are most other Americans - perhaps only because they are one of the few ethnic groups against whom politicians ever discriminate. Even though Negroes are seeking only their rights as citizens and a proportionate share of the political spoils, they find they have to be choosy about parties and candidates.

The Black Muslim Movement

(Excerpts from The Black Muslims by
C. Eric Lincoln)

The Black Muslims are probably America's fastest growing racist sect - 100,00 militant "Black Men" who look forward to the day when the white man in America will be "treated as he ought to be treated." The Movement is growing rapidly, and it is nationwide...The membership is young, predominantly male, essentially lower class, almost wholly American Negro and predominantly ex-Chrisitan... In December 1960, there sixty-nine temples or missions in twenty-seven states, from California to Massachusetts and Florida. Under the leadership of Elijah Muhammad, who has been hailed by thousands inside and outside the Movement as "the most fearless Black Man in America," the Black Muslims are demanding and getting a hearing from a significant element of the Negro community. Their ultimate demand- that Black Men be allowed to set up a separate state within the United States, occupying as much as one-fifth of the nations territory - commands little or no attention among non-Muslim Negroes. But the lashing indictment of the white man that supports the demand strikes a responsive, if reluctant, chord in many Negro hearts.

The Black Muslims are neither pacifists nor aggressors. They pay zealous attention to the requirements of the letter of law regarding peace and order. They engage in no"sit-ins", test no segregation statutes, participate in "marches on Washington" or anywhere else. But they do believe in keeping the scores even, and they have warned all America that "an eye for an eye and a tooth for a tooth" is the only effective way to settle racial differences...

The Black Muslims are convinced that they have learned the ultimate truth and ready to make any sacrifice it may demand of them. Theirs is not a "Sunday religion": The Muslim temples hold frequent meetings, and every Muslim is required to attend two (and often more) meetings a week. Nor is it a religion that spares the billfold. The mass of Muslims are from the Negro lower class, with relatively low incomes, and they are encouraged to live respectably and pro for their families. But the men are urged to hold steady jobs; and all M are forbidden to gamble, smoke, drink, overeat, indulge in fripperies or credit. As a result most Muslims enjoy a healthy standard of living and have enough cash left over to swell the Movement's coffers.

Every Muslim is expected to give a fixed percentage of his income to Movement each year. In 1952 this percentage was set at one-third of all e but the figure is probably not always so high. In addition, the temples c contributions for a variety of funds, many for local purposes and at least the use of the national headquarters at Temple No. 2 in Chicago. Of the six known National funds, four are earmarked for real estate, public relations, official travel and new cars; one is an annual collection on the anniversary of Fard's birthday, February 26th, with no purpose designated; and one is a discretionary fund, the "No. 2 Treasury and Central Point Fund," for Muhammad to use as he sees fit. The increase in the total funds available to the Movement is suggested by the increase in its realestate holdings in Chicago in the last six years - from an estimated$150,000 in 1954 to an estimated $500,000 at the end of 1960...

The Muslims demand an entirely separate black economy, arguing that [illegible] until the Negro is economically independent will he be, in any real sense, free. The total annual income of the American Negro, they point out, is more than $20 billion - greater than the total income of Canada and greater than that of several European states. Such a purchasing power, if spent among Negro businessmen and invested in Negro enterprises, would earn the respect of every nation in the world. The Muslims concede that the white man has, for the moment, an edge on technical and commercial know-how. The Black Man must learn whatever the white man can teach him and then outstrip the white man in productivity and trade.

In elaborating their doctrines, the Black Muslims have achieved what seems to be a paradox: a rigorously high moral standard of personal and group behavior, laced with a consuming and potentiallyviolent racial and religious hatred. For the Muslims, however, this is no paradox. They urge "peace among brothers". [illegible]nt out that the white man, having scorned brotherhood with non-whites, [illegible] can only be a brother to himself." They urge submission to all authority except to the authority of the white man which, they assert, is not legitimate but is simply "imposed by force and maintained by intimidation". The Muslims' social morality is, in short, an in-group morality. They find no mandate, except that of temporary expediency, for peace and submission between whites and blacks.

A powerful and long-range recruiting device of the Movement is its parochial schools, with their massive emphasis on education about the Black Man - his resplendent past, his divine nature, his triumphant future... There are now two active parochial schools (known as Universities of Islam) in Chicago and Detroit, and plans have been made to have a school attached to each temple. The University of Islam in Chicago includes grades one to twelve and is accredited by the agencies which rate the city's schools. It is housed in a modern building and has an enrollment of about three hundred students. The University of Islam in Detroit has about one hundred students. In both the Chicago and Detroit schools, the "Future Leaders of Islam" attend classes fifty weeks a year. Both are staffed with Christian as well as Muslim personnel... In both schools Arabid is taught from the third grade on, for a mastery of his languageis held to be the Black Man's key to a knowledge of his past and to acceptability in the universal brotherhood of Islam.

Lincoln

NEGRO MILITANCY IN THE NORTH

talks by

Carl Anthony, Field Secretary
Northern Student Movement

and

Peter Countryman, Executive Directo
Northern Student Movement

delivered in New Haven, Connecticut
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Northern Student Movement
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HARLEM - Carl Anthony

You know after a very harassing meeting with some of the young people of the Harlem Educational Project Peter Countryman, Kathy Rogers and myself went to Kathy's house to talk and we were talking about nationalism. We arrived at a point where Peter said, "You know maybe I shouldn't say this, but frankly I think this business of the white man feeling guilty is for the birds. It just doesn't mean anything."

So I said, "Well, the truth of the matter is, if you want to be technical about it, the business of me feeling three hundred years of oppression is for the birds too. I mean I'm only 22 years old, how can I feel three - - you know, it doesn't make sense. I think maybe what I want to talk about is ambivalence. Maybe that's it. I want you to feel what I feel. I'm asking you to feel what I feel. And yet by my very being here, asking you to feel what I feel as a black man, by the black man's definition in Harlem, is Uncle Tomism. A paradox.

I was in the room last night as you began to sing and I had a feeling which I didn't understand. I wrote some things about it which I'd like to read since I probably will forget them. Maybe you'll understand. Last night as the music welled up in the room something began to happen, something inside of each of us which no man can explain. I looked about the room and saw tears in the eyes, tears streaming down the faces of people who had smiled earlier in the day, or who had looked bored. And I knew that some of you were experiencing a great liberation. You felt a warm and deep love for the students in the South who do what they do for all of us. And then suddenly I was depressed. I should have felt a great release, a great freedom. I was depressed and I couldn't understand why. The feeling worsened, and I went over to the piano and scribbled something on a piece of paper:

> 'My friend was thirsty and I went down to the bank of the river and knelt down and fetched up the water in my hands to bring it to him. And when I returned to him the water had drained away and my hands were dry.'

I was to bring a message about bitterness, about hatred because you wanted to hear, because you needed to hear, not for the sake of black people who are oppressed, but because as Emerson says, "He who has never seen the house of pain has only half lived."

The river was a place called Harlem where I spent many of my waking hours last summer. But suddenly I had no message. The freedom songs had purged my insides of every ounce of identification I had with the people there who hate you, who hate those of you who are white. And so I had nothing to say. I should have been free, but I wasn't. There was a sense of responsibility. I had to get across to you all of the ugliness, the bitterness, and the hatred which I've had myself for you, but which momentarily had no meaning.

I thought about Plato's Republic, about the myth of the cave.. The prisoners are chained; their heads are held fast and there is a great fire behind the prisoners. The fire casts their shadows on the wall. This is the only reality that they know. Behind them is a pathway which leads up to the light. Last night with the singing I climbed up that pathway, climbed up with you. And I felt depressed because I knew today my job would be to drag you back down that pathway, to see those shadows and somehow make it real, which is a difficult job. I don't know whether I can or not, but I want to.

I read an article not too long ago. The man's name I can't remember, but it was about the Rosenberg case. If you remember in maybe 1953 three Jews were convicted of spying, convicted to death. The judge was a Jew. This man conducted a survey of some fifty-eight Jews to find out what their reactions to the case were. The Jews felt a great anger, not at the judge, not at those who convicted, but at their fellow Jews for having committed this terrible treason, because they had made life a little more difficult for Jews. Think about that.

Now I'd like to compare that just quickly with a recent incident, with two recent incidents. The first one, which I'm not really familiar with in great detail, of a black man who was charged with spying. It was in the NEW YORK TIMES. I didn't read about it, but I heard about it. And I talked with some of my friends about it. You know what they said? "It's too bad that he got caught" I think this is an index of what's happening in Harlem.

Another index. William Worthy. Some of you may not know William Worthy. William Worthy is a correspondent for the Baltimore Afro-American. William Worthy went to Red China four years ago when there was a travel ban to get news about what was going on inside of China. The Justice Department revoked his passport. He was not permitted to travel unless he promised that he would not travel in those places where there were travel bans. William Worthy said, "I'm going where there's news and there's news in Cuba. He went down to Cuba four times without a passport. He came back last December. Not too long ago William Worthy was convicted of returning to this country without a passport. First time in the history of the United States. For returning to his own country without a valid passport because he went out to gather the truth.

President Kennedy. . . or excuse me Robert Kennedy is going to be receiving a reward next Sunday from somebody. I think it's the United Jewish Appeal or something. I don't know what it is, but the people in Harlem are going to picket that meeting because of what Bobby Kennedy did in the case of William Worthy; or what he didn't do. The award is going to Bobby Kennedy for his activity in civil rights. This is an index of where the people in Harlem are going. They stuck by him not only because he went out to get the facts, but because he was a black man.

I talked to Jim Monsonis about two weeks ago. We got in a little discussion about William Worthy and his philosophy and Jim said, "I don't agree with William Worthy because William Worthy sees things in too simplistic terms. He sees the world as a struggle between black and white and it's not that simple. It's more complicated than that." And perhaps Jim was right because he's spent a lot of time studying politics. The point that I'm trying to make is that something is happening in Harlem which is causing black people to reject your kind of analysis. It's as simple as that.

William Worthy made a speech also not too long ago about Cuba and he pointed out that when a man plays poker and every time he plays he finds the cards stacked against him, if he's a sensible man he does one of three things. He either quits, changes the rules, or draws from the hip. This is what is going on in Harlem right now. People are changing the rules. Soon they'll be drawing from the hip. This is what you need to recognize.

I'd like to take just a minute to ask the question - how? How in the Northern community where people arenot being castrated, where people are not being lynched as they are in the South, how this has come about? Why is it when a man like Sherrod can speak as he does in the midst of a kind of inhumanity that people in the North speak a different language? This is the question.

I read another statement which was made by Wyatt Walker in the Southern Christian Leadership Conference newsletter. Wyatt T. Walker said that the real significance of what is going on in Albany is a significance something like this. Albany, what's happening in Albany is something which the emancipation proclamation could not do. The emancipation proclamation freed men's bodies, but it did not free their souls. But in Albany what is happening is that we have men with their souls free and their bodies still in chains. Now let's go up in Harlem and see what's happening. First let us recognize that a community in Harlem came into being as a result of an assertion of freedom. People came from the South to the North because they believed that when they got to the North there would be freedom. This was forty years ago. Forty years ago. This was not last week, two months ago, or since the Supreme Court decision. This was forty years ago. What has happened? Well, for those of us who belong to a younger generation perhaps I can't really say what has happened. We only have hints of the past, of a past long struggle. And we have hints of a belief and hope on thepart of a people that one day they would be free. And yet when we walk the streets of Harlem we find that it really has not occurred. Conditions are still as they were. During the war years, for example, when Joe Louis was champion everybody would say, "Yeah." There's a man. He's a symbol of fair play. We're making progress. The black man is making progress. He's a symbol of fair play. He's a symbol of everything democracy represents to the black man. We're really making progress. Where's Joe Louis now? What does he symbolize? What does he symbolize not to the black man, but to himself? Then what does he symbolize to the black man?

Jackie Robinson. Jackie Robinson is running down to Albany now and he's a spokesman for black people in the North who're going to raise money and give it to the people in the South. He's a spokesman for the black man. What would happen if somebody like, I can't even think of a name. Give me the name of a white baseball player. [Mickey Mantle] What would happen if he went over to Africa to negotiate for America? You'd say, "Mickey Mantle? What does he know?"

Let me tell you what the black man in Harlem feels about Jackie Robinson. Just recently there was a big struggle on 125th St. about a black man who opened up a steak shop. 125th Street. This is the 42nd St. of Harlem. And up to this time no black man owned a store on 125th St. This man opened up a store. A big squabble resulted because the man across the street tried to put him out of business. And the Harlem Consumer's Committee got a big picket line and they started raising hell on 125th St. Jackie Robinson stepped in because somehow he had an interest in the affair so they started to picket Chock Full of Nuts. They said, "We like you playing baseball, but we don't like you talking for us." Why? Because Jackie Robinson is personnel manager for Chock Full of Nuts. And why is he personnel manager for Chock Full of Nuts? Because most of Chock Full of Nuts employees are black and just about the time that they began to get interested in forming a union the man downtown decided well maybe I'd better get Jackie Robinson and make him personnel manager. That's why. These people are not blind. They know what's going on and they need somebody who can talk the same language that they talk. Now unless you people can talk the same language that they talk, they gonna tell you, "Go back to your own community and straighten out, and when you come down to Harlem we don't want to see you." This is what I'm trying to impress on you. I don't know whether you can understand this.

I made a long list of things that I'd like to say. I don't think I'll be able to tell you about them all, but just in passing I'd like to mention one or two more things. Black man works somewhere near 42nd St., maybe in the garment industry. He's tired. It's 3 o'clock Friday afternoon. He wants to come home, but he knows a about the rats, about the dirty dishes, about the children running all over the place, about his wife going to ball him out because ain't a man and he can't stand up and do what the white man can do So he doesn't want to go home. What does he do? Goes after work. Gets drunk. Saturday, with whatever little bit he has left he goes and buys himself a new suit, a new pair of shoes. Goes out and has a good time. Spends more on liquor. Then Sunday morning he goes to church and the man takes what he got left and runs down to Albany to build a church. And then Monday morning he got to get up and go to the pawn shop with the suit that he just bought to get carfare to go to work.

Chuck is right. The system is using us. It's using us in ways which we can't realize. Creating divisions in the ranks of the Negro community. And so there emerges in Harlem black nationalism, black muslims. They say, "it ain't going to work, baby. The white man's a blue-eyed devil. You can't show me one of them that's any good." And I say well, I can, I can . . . I have a friend over here who's . . . I mean you know, pretty nice. Maybe a girl. "Blue-eyed devil. If you get interested in them you're not going to be able to tell the truth. You're not going to be able to tell the truth."

So this is what we're up against. I don't know what kind of message I can really leave except a tragic one. I wrote an essay about a year ago in which I made a comparison between the tragedy of the American Negro and Oedipus. I got a D for the paper. Maybe it was poorly written. I had a feeling that the instructor who marked my paper was kind of panicky. You see Oedipus was destined to kill his father. He was destined to violence. Now I made a point of the fact, for example, that my own great grandfather happened to be a slave, that his mother was a slave woman and he didn't know who his father was. And finally when he got fed up he killed his master from whom he took his name, but he didn't know whether this was his father. And this is his tragedy in a nutshell.

But the tragedy that I'm talking about is much larger than this. That's in the past. What I'm talking about is what we're coming to. And we're going to struggle. Those of you in the South are going to try to avert it, but you're going to have to try harder, because it's coming.

A WHITE MAN'S BURDEN OF CONFUSION - Peter Countryman

I'm afraid I'll have to be more personal than Cliff suggested and talk aboutthe militiancy of the Negro and how I fit into this. There's been a lot of talk about the confusion of the Negro in our society. I quoted that guy from Nashville who talked about the children down there who are taught to believe they're as good as white people. They're taught to believe that the white world is the way to live, and yet are totally excluded from that world. And these kids are confused. Well, I tell you that if this movement really begins to roll like it's rolling now the people who are really going to be confused are us people; and probably anyone who is more confused than me at this point is hard to find. The more I get into this, the more confused I get.

The first thing is this very basic question of color. I can feel very deeply that what brought me into this movement and what keeps me here is not a struggle to attain the rights of Negroes or any other particular group of people, but that it's for me, for my parents, for the nation, that it's for everybody, for each person regardless of his color. I can feel that discrimination against the Negro is a symptom of a deeper distortion of man's concept of dignity, that somehow we have to place ourselves above another group of people in order to alleviate our own fears and our own insecurity, and that this very basic value distortion alienates all men one from another whether they are both white, or white and Negro. But I still have to face the fact in the day to day work in the movement that everybody in the movement is aware of his color. We can't forget it. We won't forget it for a long, long time. I think this awareness of color and the difficulty it represents is more evident in the North than in the South, and this perhaps points up that the North is in a more potentially dangerous position than the South. Because we white people have been protesting for a long, long time that we believe in equality, that we welsome all people to share the concept of freedom with us, that we are willing to give to each human being the basic things that he as a human being deserves, and yet for the same amount of time we have systematically denied the Negro these very basic things. All of us in this room have done it. All the white people here, whether it was when you were eight years old and you didn't want to play with the Negro kids, or whether it's because you live in a suburb which does not allow Negroes to live in it, whatever it is. It may be directly an action of yours, it may be indirect. But it doesn't really matter. It's there. And now they are saying (and these are just the people who can verbalize it, how many more are there that can't verbalize) that they don't want any part of it any more. They don't want to listen to it. They don't need us.

I got it this summer from the Negro students who were living with us in Philadelphia. You know, the most sensitive, more hopeful Negro students living with a group of white students who, as Jenkins says, should be the salt of the earth. What better place to see an example of integration, expecially when you pack twenty-two people in one house. And yet it came out there very, very strongly, meeting after meeting. "You don't understand me. You'll never understand me. I'm not in this tutorial program to build an integrated society. I'm in this program to build my people up so they can be independent of you."

I got it at this meeting Carl referred to in New York. Couple kids from Harlem asking me about the NSM and I said that we had several staff workers one of whom was in the field. They asked me who this was. I said it was a boy who had graduated from Morgan State last June. They asked me how old this person was. I said he was 22 or 23. Very quietly they said, "Well then he's not a boy, is he?" Not much I could say to that. They proceeded to tear down the whole concept of an integrated movement, white leadership attempting to bring white students into a place like Harlem, to change Harlem. "We don't need it. Forget it."

I heard it at a party in a slightly different form about a week ago here where I was the only white person, with Joanie. We were pretty much out of it because I don't twist too well. I don't twist at all. Finally a guy from New York pulled me in and taught me how to do the waddle, and I was really, you know it was great. All this release. Then we sat down and he started to talk to me. Wanted to know where I was from. I said I was from Chicago. He said I'm from Chicago where did you go to high school. "Morgan Park" He said, "Morgan Park, I went to Morgan Park." It turns out he graduated with my brother.

I introduced Joanie as my wife; told him I was working in the civil rights movement. All he could say about every five minutes was, "Man, you're a long way from Chicago. You're a long way from home. Man, you are a freak. What are you doing?"

And we talked some more. He told me he was going to tell me, this poor white boy from Chicago a long way from home, what the facts were in Harlem. He was a welfare worker on the East Side of Harlem who probably day after day after day sees more of the guts of Harlem than anybody else does except the people who live there. "What are you fighting my battles for? What do you want here? We don't need you. I like you. I respect you. But there's no sense in what you're trying to do."

I said the reason I was in this, and I'm not sure I can articulate it very well here, any better than I did there, that people like me, and the Negro people in this movement have cut themselves off from most of the security measures that they have been taught to live by and protect themselves with. Whether it's Ralph Allen in Albany or Chuck Sherrod in Albany, or Carl Anthony in Harlem or Kathy Rogers in Harlem. We're all out on our own, and we can't say, "I'm a good man because I got a good business," and deeper than that, "there's no Negroes or Jews living in my neighborhood and I'm on top." We've cut ourselves off and what it's forced us to do is to be ourselves. And what it's forced us to do it to be free, whatever that means. At least to be free of the security produced by jumping on someone else.

Now he came back at me with this, and it surprised me very much. "I'm throwing these things at you, not because I don't like you, or because I think you shouldn't be doing what you're doing, but because you've got to believe very strongly in what you're doing. You've got to know what you believe in, because it's going to be tough before you really get anywhere." And he said, "Even if you get somewhere, even if you believe in what you believe in, you can't help these people. These people in Harlem are happy. They get their welfare checks every week, enough to get enough to drink, to get that fix. Now what do you want,man? Have. you ever been in a Negro church in Harlem? They sing much happier than they do in the white churches. These people are happy. What do you want to do in there? You can't change that situation. The three hours in church every Sunday is enough to face the rest of the week and the rats and the six children and the fact that you can't help your children cause you can't get a job. What are you going to do in there? Because it's theirs, and they don't want you, and you know it."

What I tried to say is that I had been in Albany and I had seen the people there. The guys that own the real estate in the Negro neighborhood and the guys that play checkers all day on the sidewalk. I'd seen all these people going to jail,cmming back with a different life. They had dignity now because they could act out and they could change, and they could make the world believe that what they wanted was right, that what they wanted was worthwhile, that they themselves had dignity. And I said couldn't the same thing happen in Harlem? Couldn't the people there push out, act out against the situation and change it, and know that by their power to change it they have changed themselves. They don't need anybody else to give them dignity. Nobody else can give it to them. By acting out and changing they can find their own sense of dignity in the community and in the individual.

Two or three kids who were with him and he himself saw it, but they didn't think it could happen in Harlem, and they didn't think white students could do it. I'm not sure. I really am not sure. There are people down in Harlem and there people in civil rights organizations who say that all white students can do is perpetuate that paternalistic relationship. All they can do is rob those people of their desires to make of themselves what they want to be. To rob those people of the knowledge that what they want to be is good and should be gotten. Maybe not only are the students going to be ineffective there, but they're going to hurt the situation. I don't know, but it occurs to me that if the civil rights movement is attempting to work with people in their desires and their strivings, then it cannot and should not for pragmatic reasons make a differentiation between men on the basis of the color of their skin. Because if they are, as Sherrod says, the system is using them at that point. Now this does not mean that you don't use strategy, does not mean that if it does not look like a white person is going to be able to move in a situation you don't send a Negro in there. But I think the principle holds, that if what we want is an integrated society, if there is the possibility of people living together and accepting each other as people, that white students, first of all can be used to build that community up, give it the sense that it can move and change, and give its leaders the sense that they can move the community against the system. Secondly that if this has happened, if that community begins to move and break out, and bust down the system, there have got to be white people who understand, people who are going to welcome, to live in respect with these people. Because if that community just builds up its power and its energy, you know, and they force somehow a way to break apart that ghetto and white people are still sitting there with a big wall up, then there is going to be trouble. Everybody is going to get hurt. And this nation, and this community, and this life, isn't going to be worth very much at all.

Employment: Excerpts from "Negro Militants and the Unions", Commentary, Sept.'61

On July 18-19, 1959, seventy-five Negro tradeunionists met in New York City at the request of A. Phillip Randolph to discuss the problems which confront Negroes in the labor movement and those whice face the Negro union leaders within the Negro community. In the course of his long career, Randolph had made several previous attempts to build a mass organization rooted in the Negro working class, the most notable of which was the famed March on Washington Movement that resulted in an executive order from President Franklin D. Roosevelt in 1941 to establish the wartime F.E.P.C. He was unsuccessful, however - along with Frank Crosswaith and others - in developing a more permanent organization under the name of the Negro Labor Committee, the principal difficulty being the lack in that period of a sizable and firm base of Negro union members. But as Herbert Northrup, among others, has shown, large numbers of Negroes entered unions through the World War II labor shortages and the postwar economic boom. The result is that today any Negro labor organization has, as a potential base, some 1.5 million Negroes who are now members of the AFL-CIO. Moreover, a growing number of Negroes hold posts in labor organizations, both large and small, and participate regularly in union conventions.

Ironically - in the light of subsequent events - the "committee of seventy-five" summoned in 1959 by Randolph decided that what the present situation required was a permanent organization patterned after the Jewish Labor Committee. The NALC (Negro American Labor Council) would speak for organized labor in the Negro community just as the Jewish Labor Committee did in the Jewish community; and in carrying on its fight for equality with the labor movement, the new organization would ally itself, as its Jewish counterpart had done, with other civil rights organizations. The "committee" of seventy-five" called for a founding convention in a decalration which fore-shadowed the tone and style of the NALC, established some ten months after this first meeting:

> We resent Jim Crow locals; we deplore the freeze-out against Negroes in labor apprenticeship and training programs; we disclaim the lack of upgrading and promotional opportunities for Negroes; we repudiate the lock-out against Negroes by some unions; we, above all, reject "tokenism", that thin veneer of acceptance masquerading as democracy. Since hundreds of thousands of Negroes are the victims of this hypocrisy, we ourselves must seek the cure, in terms of hundreds of thousands, in the dimensions of a mass organization.

Randolph's reasons for helping to establish the Negro American Labor Council are, as he presents them, clear-cut and logical. He argues that since the trade unions are essentially urban organizations and since Negroes are moving to cities in large numbers, it thus follows that "labor's future is tied up with the future of the Negro." Randolph emphasized that AFL-CIO president George Meany "is not a racist", yet Meany "hasn't a sense of the urgency of the question that is necessary in the 20th century." Randolph doubts, in fact, if anyone "except a Negro" can have that sense. The new organization over which Randolph presides is, then " a response to the basic need of the Negro masses to have a voice of their own." And, as Randolph firmly adds, "the voice of black labor is not going to be consonant with those (voices) that come from non-Negro sources, or from Negroes themselves, that are non-labor."

There is another side to the activities of the NALC. Randolph believes that his group represents the last chance of preserving the influence of organized labor in Negro affairs. "The Negro community possesses two principal mass organizations other than the political machine," James Z. Wilson notes in his important new book, *Negro Politics*, "the labor unions and the churches." In recent years, however, the unions have come under attack because of their discriminatory practices, and organizaed labor has come to be viewed less as an instrument of Negro militancy than as a proper object of it. Under these circumstances, the officers of NALC, as veteran trade unionists, think that their organization can save labor's standing within the Negro community.

Insofar as the NALC was created by Negro union staffers - and not by Negro workers or by rank and file union members - it might be called a "middle-class" organization. However, the most serious economic consideration behind its existence the plight of the Negro worker.

Economists are given to treating unemployment in the United States as troublesome "pockets" of an expanding economy. But to Negro workers, these "pockets" are a sea of quicksaand sucking them down to extinction. According to official Labor Department figures, non-whites comprise a full 20 per cent of all the currently unemployed. This figure includes Puerto Ricans as well as Negroes, but the Department's statistics for the past winter also show tha t the Negro unemployment rate is almost twice as high as the rate of white unemployment - 13.8 per cent as against 7 percent for whites. Further, an Urban League survey of unemployment among Negroes in 50 cities reveals that the "percentage of the Negro work force unemployed is frequantly twice to three times that of the towal unemployment rate." Thus in Chicago, where the total unemployment rate is 5.7 per cent, the percentage of Negro jobless is 17.3; in Louisville, Kentucky, the total rate is 8.3 per cent while the corresponding figure for Negroes is 39.8 per cent; in Pittsburgh the figures are 11.6 as against 24 percent; in New York City, 6.4 per cent as against 10 per cent. These statistics also suggest why current unemploykoyment is viewed with much less urgency by the white American community than by the Negro; in St. Louis, there are 35,000 unemployed Negroes out of a total of 72,700 jobless; in Gary, Indiana - more stikingly - 18,000 out of 20,200; in Detroit, 112,000 out of a total of 185,000.

But even when he has a job, the black worker's position is far from enviable. In 1958 the median wage of the Negro male worker was only 59 per cent as much as that of the white worker - $2,652 as against $4,569. (Randolph comments wryly - "When a Negro worker goes into the market as a consumer he cannot presume to pay only 58 per cent for comparable goods and services...purchased by white workers. The fact is, Negroes pay relatively much higher prices.") Similarly, white women averaged $2,364 a year, while Negro women - who, it should be added, are more offen the breadwinners of the family - only earned $1,055.

Various staff members of the Urban League all believe discrimination to be the main cause of Negro unemploylment, and they all feel that trade unions have a lot to answer for in this regard. Shelton Granger, executive director of the league's Cleveland branch, puts it succinctly: " Rage of unemployment high. Rage of discrimination higher. Major offenders are banks, insurange companies, retail outlets, and building trades unions." Marvin E. Jones, vocational serviees seccetary of the Baltimore Urban League, insists that "until unions and employers cease to discriminate by race, thus presenting the opportunity for Negroes to participate in apprenticeable trades, management traing programs, etc., permanent relief is inevitable foe the unskilled worker."

Though this last point may be overstated, the fact remains that the position of the Negro worker is steadily deteriorating. In manufacturing, Negroes have been confined by and large to the semi-skiller and unskilled jobs. Often these were dirty jobs that white workers did not want; yet now, because of the drop in the number of manufacturing jobs (due, in turn, to the recessions and the encroachment of automation), competition for all kinds of work - including semi-and

and unskilled jobs - is considerably more intense than it has been for some time. In this situation, the Negro competes at a great disadvantage

Take, for example, the building trades - one of the few areas where the work force is expanding. Secretary of Labor Arthur J. Goldberg recently advocated that the AFL-CIO's Building an Construction Trades Department develop a stepped-up apprenticeship training program. He pointed out that if "we are to fulfill our needs in the construction field during the next ten years, we will have to produce about 2.3 million additional skilled creaftsmen." Here, assuredly is a potential field of employment for Negro workers. Yet under present practices they are all but barred from it. The NAACP estimates that less than one per cent of the apprentices in the construction industry throughout the United States are Negro; even in the relatively liberal state of New York, the proportion of Negroes in the building trades' apprenticeship programs during the last ten years has gone up - exactly - from 1.5 to 2 per cent. Julian Thomas, Urban League director of industrial relations, reports that in 17 out of 32 major cities, the League did not find a single Negro apprentice. There was one Negro apprentice electrician in each of four cities and one plumbing apprentice in five. Throughout the 32 cities surveyed, the Urban League found a total of roughly 100 Negro apprentics - among all fields. "It's difficult," says Thomas, "to encourage a Negro youngster to take an interest in apprenticeship training when it takes us three years to get one Negro electrician hired in the nation's capital." Roy Wilkins of the NAAEP has remarked that "given a continuation of present rates of advance, it will take Negroes 138 years, or until the Year 2094, to secure equal participation in skilled craft training and employment." But Thomas adds, "Unless we get that training, we're in for becoming permanent wards of the richest country in the world."

The merger of theAFL and the CIO in 1955 achieved very little to alleviate these conditions - or so many Negroes belive. "We have not realized," says Dr. James M. Nabritt, Jr., president of Howard University, " in this combination of the AFL and the CIO - what we had hoped for in the labor movement." Randolph expresses the feelings of many Negroes when he says that "unless the AFL-CIO can be shaken loose from the position it now holds, Negro youth has no future."½

The question is: can the NALC do the job? Perhpas this question is best answered by illustrating the power which the NALC seems able to wield. Secretary Goldberg in February of this year, accepted an invitation to speak at a Washington, D.C. conference, sponsored by the NALC. The day he was scheduled to speak turned out to be an extremely busy one for the Secretary, so he suggested that William Wirtz, his under-secretary (and a former law partner of Adlai Stevenson), would be happy to substitute. NALC leaders, however, said that they would have the Secretary of Labor or no one.) Goldberg showed up. President Kennedy was also careful enough of the sensibilities involved to send the conference his greetings (although by normal standards, such as attendance, the meeting was not a success.) In contrast the AFL-CIO not only did not send greetings or a prepresentative, but pointedly refused to send even an observer from its Civil RIghts Department.

It cannot be said, however, that the NALC has won widespredd support among Negro workers; its growth so far has failed to match the expectations of Randolph and his followers. The organization claims a membership of 7-10,000, and a run-down of the various unions to which NALC vice presidents belong - most of them are paid functionaries - indicates that these members are drawn from the Auto Workers; the Steelworkers; International Union of Electrical Workers; Hotel and Restaurant; Retail Clerks; District 64 of the Retail, Wholesale and Department Store Union; the Brotherhood of Sleeping Car Porters; the Longshoremen; the Teamsters. NALC chapters have been established in most of the major industrial centers of the North - Chicago, New York , Pittsburgh, Youngstown. These chapters function in a variety of ways, which again serves to illustrate certain of the NALC's strengths and weaknesses.

The Detroit chapter (called the Trade Union Leadership Council) is, with 2,000 members, the largest and most active group in the NALC. It is almost exclusively political and, as one might expect, largely concerned with the affairs of the United Auto Workers. One of the TULC critics declares: "When a slate for union offices is drawn up, especially in the UAW, it's just about got to be cleared with the TULC. But there hasn't been any action aimed at discrimination or any effort made to bust through barriers erected by the building trades to Negro employment." The Chicago NALC, a chapter of some 700 which is less fully orientated toward the activity of a single union, has tried mainly "to get a few Negro youngsters out of the vocational schools trained in building-trade skills." Training is obtained "outside" the building trades' regularly endorse Washburn School for Apprentices; Negro non-union skilled tradesmen do the teaching. Then, "if youngsters are rejected because of color, we build up the record, mobilize public opinion, and prepare the way for a break-in - we hope." The New York City group - another chapter that draws from a wide variety of unions - engages mainly in fund raising activities.

The NALC has by-passed the usual union structure to recruit members and to ask for support. It cannot, or feels that it cannot appeal to union executive organs for support, financial or otherwise, as both the Jewish civil rights agencies and the NAACP do. It has turned instead to the Negro churches - with what response it is difficult to determine. One thing, however, is clear: the NALC cannot as yet mount the kind of community-wide offensive against job-discrimination that a group of ministers did in Philadelphia by conducting selective boycotts to force companies to open up hiring and upgrade Negro workers.

Why has the NALC failed to achieve the status and power that its founders were so confident it could have? According to one active member of the organization, it has been "bugged" from the start by "confusion as to its role." (The labor secretary of the NAACP, for example, vigorously performs many of the functions that might be thought to be the special province of a group like the NALC). Randolph, however, argues that the trouble stems from a "lack of funds to carry on a nation-wide systematic organizaing campaign" and from the intimidation of Negro unionists by white labor leaders. Still others believe that the fault has been the lack of guidance from the national office, the absense of program and direction. One white oppenent of the NALC says that it "diesn't fight cases, doesn't try to break in, and doesn't send in complaints (to AFL-CIO Civil Rights Department)."

Many other criticisms have been made of the NALC. On one hand, its leaders have been called "Uncle Toms": one labor leader asserts that "the NALC is a creature of functionaries appointed by white elected leaders to placate, or to serve as channels to Negro members." And on the other hand, George Meany has told Randolph (at the February AFL-CIO executive council meeting): "You've been doing a job outside the labor movement, not in cooperation with us." (The fear of "dual unionism" explains a number of reactions to the NALC. In general, the American trade union movement is highly ethnicized; many jobs, even whole industries, are thought to be the provinces of different ethnic groups - e.g. the needle trades "belong" to the Hews and transportation to the Irish. Conscious of these divisions, trade union leaders fear further fractionalism. Many devout Catholic trade unionists, for example, are completely opposed to the Association of Catholic Trade Unionists, which acts as a caucus within the unions. As Patrick E. Gorman, secretary-treasure of the Meat Cutters and Butchers Workmen, puts it: "There should be just one labor movement.... The Negroes shouldn't be getting together in any organization like this (NALC).)" It has also been charged that the NALC is a racist caucus and that one of its prime goals is the election and appointment of Negroes to union posts; if its leaders succeed in building a powerful and militant mass organization, presumably they will be able to maintain their position of power within the rapidly changing Negro Community.

The NALC's answer to its critics is perhpas best summarized by Herbert Hill, labor secretary of the NAACP, who has worked closely with the new organization since its inception. Hill argues that the NALC "had a choice of degenerating into an apologists for the labor movement with the Negro community, or of pussuing a vigorous role... It did not want to compete with other organizations to give more awards to George Meany." It is this vigor, Hill feels, that is resented by AFL-CIO leaders and by the spokesmen of the Hewish Labor Committee and the National Labor Service of the American Jdwish Committee.

The Npt-Buying Power
Of Philadelphia's Negroes

by

Hannah Lees

Philadelphia

When four hundred ministers in one city advise that their congregations not buy something, a lot of whatever that something may be goes unbought and the company that makes it is quickly award of the fact. For a month and a half, starting March 19, the congregations of four hundred Negro churches in Philadelphia have not bought Sunoco gas or oil for their cars and trucks or Sun fuel oil to heat their homes. Last January for exactly one week they were not buying Gulf gas or oil. Last October for two weeks they were not drinking Pepsi-Cola. And last summer for two months they were not eating any cakes or pies made by the Tasty Baking Company.

These periods of mass inaction have been the result of a joint decision reached last May by the pastors of those four hundred churches. They call it their Selective Patronage Program and their purpose is simple and forthright: to persuade-they reject words like "force" or "demand"- one company after another in Philadelphia to employ more Negroes in prestige jobs.

Their method is equally simple and forthright. A delegation of ministers sometimes five, usually four, calls on whatever company the group has decided to investigate and politely inquires how many Negroes it employs and in what jobs. The companies have given this information willingly so far, and they might as well; the ministers usually already know, unofficially. The first meeting is always exploratory, but a second meeting is then requested a week or two later. At this meeting the ministers, though still quiet, still polite, are sepecific about what they want. At first it wasn't very much. Lately, as with the present Sun boycott, it has become a good deal. Whether they are now asking too much only time will tell.

With the Tasty Baking Company the second firm they visited and the first one where they encountered opposition, the ministers asked the company to hire two Negro driver-salesmen, two Negro clerical workers, and three to four Negro girls in the icing department, where the workers had traditionally been all-white. They were not interested in the fact that the Tasty Baking Company already had hundreds of Negro employees. What they are interested in i placing Negro workers in positions of dignity and responsibility. Their aim is to change the public image of Negro workers. The Tasty Baking Company did not have any Negroes driving trucks or working in its office.

"Until Further Notice"

When Mr. Pass, the personnel manager of the company, and Mr. Kaiser, the president, pointed out that they had no need, just then, for more driver-salesmen or clerical workers, the ministers said politely but firmly that they still hoped these people could be hired within two weeks. If not, the four

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hundred ministers they represented would have to advise their congregations on the Sunday following not to buy any Tasty cakes or pies until they were hired.

Mr. Kaiser understandably felt pushed and resistant. The Negro driver-salesmen and clerks and icers were not hired within the two weeks, and the ministers did tell their congregations not to buy any Tasty cakes or pies until further notice. Printed advertisements to this effect mysteriously appeared in bars, beauty parlors, and barbershops. Nobody knows how many thousand dollars' worth of sales the Tasty Baking Company lost during those summer months, but there are 700,000 Negroes in Philadelphia and a large proportion have some connection with those four hundred churches. When the boycott was officially called off two months later from four hundred pulpits, the Tasty Baking Company had in its employ two Negro driver-salesmen, two Negro clerical workers, and some half-dozen Negro icers.

The Pepsi-Cola Company, which was called on last September, was also resistant to the ministers' requests. On October 2, a boycott was called from four hundred pulpits. Two days later the spokesman of the delegation received a telegram saying that Pepsi-Cola had hired the requested personnel. But the boycott lasted two weeks, because it is a policy of the ministers not to call a boycott off until the new employees are actually at work.

Gulf Oil, which was approached last winter at the height of the heating season, showed no interest in meeting with the ministers. When three weeks had gone by without an appointment being arranged, a boycott of Gulf products was called the next unday. The day after that the switchboards at Gulf were jammed with calls canceling oil contracts. Gulf then moved so quickly to meet the ministers' demands that the boycott lasted only a week. But here a new factor entered: the union. One of the ministers' stipulations, that the new Negro employees must not be the first to be laid off, conflicts with seniority provisions in Gulf's union contract. Union officials met with the ministers and explained that they were symapathetic with their aims, but not when they collided with union bargaining. Three Negro truck drivers had been hired and after thirdy days joined the union. All has been serene, but seasonal layoffs have begun by now. If drivers with seniority are laid off first the union is not likely to take it lying dow. The ministers may decide to finesse that one.

Bond Bread, Freihofer Bread, Coca-Cola, and Seven-Up all seem to have found the ministers' requests reasonable when they were called on. So, apparently, have Esso, Cities Service, Atlantic, and Mobil. None of these companies has had to cope with a boycott. Atlantic, which already had some Negroes in clerical and executive jobs before the ministers came to call, says it now has twenty-five Negroes in white-collar jobs, including a chemeist, a psychologist, and a former football hero in sales promotion. They say that they are well pleased with the quality of work these employees do and with the general office morale. The ministers mention Atlantic frequently as an example of how smoothly their project goes when everyone co-operates.

The origin and operation of the Selective Patronage Program are somewhat shrouded in mystery. It acknowledges no leaders, and no one will say who called the first meeting. "Some of us just got together," they say, "and decided we could not in good moral conscience remain silent while our congregations patronized companies thatwere discriminating against Negroes." The names of the ministers who have called on the various companies are on public record, but there is a different delegation for each company and a different spolkesman. The Reverend Alfred G. Dunston, pastor of the Wesley A.M.E. Zion Church, has been the spolkesman with Sun Oil. The Reverend Leon Sullivan of the Zion Baptist Church was the spokesman with the Tasty Baking Company. The Reverend Joshua E. Licorish, of Zion Methodist Church, was the spokesman with Gulf and with the union.

The Philadelphia Commission on Human Relations, which investigated the Tasty boycott at the request of the Chamber of Commerce- and found no illegal discrimination but no evidence of positive integration either-mentions Dr. Noah Moore, a bishop in the Methodist Church, the Reverend Lorenzo Shepard, pastor of the Mount Olivet Baptist Tabernacle, and the Reverend Leon Sullivan as prominent in the campaign. But no one will say who makes up the priority committee, which meets-always at a different place-to decide on the next target and what they will ask for. They have, they say, no officers, no by-laws, no minutes, no dues, and no treasury.

"But it is the best-organized unorganized program you ever saw in action. one of them said to me. "We can call a boycott of a quarter of a million people within twenty four hours and call it off within twenty four hours." A quarter of a million is probably not too high. Lined up solidly behind the ministers are fraternal organizations, social clubs, insurance agents, bartenders. beauticians, the N.A.A.C.P., and the Negro newspapers. Even local dealers whose sales have been hurt by the various boycotts seem to go along with the program.

Unorganized "Advice"

Highhanded and arbitrary as the Selective Patronage Program may seem, it is hard to find anything illegal or even really unethical in it. The ministers are simply exercising their democratic right to "advise" their friends what to buy and what not to buy. They are, of course, using their buying power to pressure these companies to hire employees they may not need at the moment, but their position is that if they waited for any of these companies to need that many Negro employees they would wait a long time. "We have waited too long already," one of them said.

A consistent complaint of both liberals and conservatives has been themselves, did not exercise enough leadership in solving their own problems. These Negro ministers are exercising leadership and, so far, with impunity. The Tasty Baking Company consulted both the Chamber of Commerce and their own lawyers to see if any counteraction were possible. The conclusion seemed to be that it would be pretty hard to take a group of unorganized ministers, to court, and even if they could it would not help Tasty's position much.

The ministers point out that some three thousand Negro boys and girls graduate from Philadelphia high schools, every year and usually end by taking the jobs that nobody else wants because they are the last to be chosen. Many of them, the ministers admit, are not as highly qualified as they should be, but even the qualified ones have to fight the preconceived idea that they are not qualified. This, essentially, is the battle the ministers are trying to fight for them.

There are some new elements to the Sun Oil boycott now in progress. The ministers are feeling their strength and pushing harder thanever before. They may be pushing too hard, but perhaps they have to, to find out how far and how fast they can move. They phoned Sun at the end of January and requested a meeting. Sun arranged a meeting for February 3 in a very relaxed mood. A year ago Sun had asked the Reverend Leon Sullivan and Dr. Jerome Holland, president of Hampton Institute, to advise it in setting up a program of increased Negro employment in white-collar jobs. At that time it had hired two Negro clerks. It had records of hundreds of Negro employees at its Marcus Hook refinery, some in responsible supervisory jobs. It had just decided to include three Negro colleges in its yearly talent search. Sun felt it was in the clear.

The ministers didn't agree. They weren't interested in the number of Negroes working in the refinery. Negroes had always held jobs like that. "You hired two Negro clerks a year ago, but none since," they said. "Two in an office force of fifteen hundred isn't much, is it? And you have no Negroes driving trucks. And even though you plan to include Negroes in your talent search, you haven't actually hired any."

Sun said business had falled off. They had had to move more slowly than they planned, but were now going ahead as fast as they could.

At the second meeting, two weeks, later, the ministers quietly dropped what must have seemed to Sun a bombshell. They wanted Sun to hire twenty-four additional office workers, three permanent truck drivers, and a motor-products salesman. When? Within the next month.

Sun said that wasn't possible, not within a month. There would not be anywhere near nineteen new job openings inthe office in that time. And how could it hire three new truck drivers when they were just about to lay offf thirty-five as the heating season ended?

It may be a coincidence that what the ministers have asked for at Sun is just about equivalent to the number of white-collar Negroes now employed by Atlantic. Each of them has about fifteen hundred people working in its home office. The ministers say that twenty-five Negroes in an office force of that size is not much to ask; that they can be found and will have to be if Sun wants any Negro customers around Philadelphia. The Urban League could supply them, say the ministers; they themselves could supply them if asked.

Sun has not, so far, asked the ministers to recruit for them, but it has been in touch with the Urban League. By March 16, the last meeting before the boycott deadline of Sunday, March 19, Sun had interviewed nineteen Negro applicants for clerical work, and had hired one of them. The others, they said, did not have the necessary qualifications. Sun had also hired one Negro salesman and upgraded one man from mechanic to truck driver. The ministers had accepted Sun's stand that it could not take on new truck drivers while about to lay off old ones and said they would settel for upgrading to truck driver three of their men who were already employed by Sun.

The boycott was called on March 19 and is still in progress. As of late April, Sun had hired about half the workers requested by the ministers. There were seven more Negro girls in the home office, there were two Negro salesmen, and three drivers had been upgraded from work in the garage and the refinery. Sun says that from now on it will hire people as needed, interviewing both white and Negro applicants without discrimination. When asked about the loss in business, spolkesmen for the firm shrugh and say it is hard to estimate. They seem unruffled and without resentment, but say flatly that they cannot do more. And there is no reason why they should if they can get along without Negro customers. The ministers estimate, however, that Sun is losing some $7,000 a week. And the number of Negro customers Sun may have to get along without seems to be increasing.

Those four hundred unorganized ministers now plan to spread their boycot progressively, first across the state and then, they say, across the countky, if necessary. On Sunday, April 9, they began the first part of what they call the second phase of their program. All the Negro Masonic lodges across the state announced a boycott of Sun products. Their members number 25,000 and they claim to be able to influence several times that many. Perhaps they can. If Sun has still not hired the requested twenty-four Negro workers in another couple of weeks, the ministers say the boycott will spread to all the churches across Pennsylvania, and after that to all the men's and women's clubs. And after that they will go beyond Pennsylvania.

Wouldn't it have been more logical, I asked to start with all t the churches in Pennsylvania?

"A boycott of the Masons is easier to control," I was told, "and easier to call off in a hurry if Sun fills its quota. We could easily call on a boycott of all the churches but it might take a while to call it off." "We don't want to hurt Sun. We aren't mad at anybody. We just want to see our boys and girls in decent jobs."

Danger Ahead

Do the ministers have this much power? They probably don't know themselves yet. They must feel there is a certain poetic justice in big business feeling pushed by its traditionally most subservient employees. They may feel there is a special poetic justice that Sun Oil, owned by the Paws who for years controlled the Negro vote in Philadelphia by dropping money where it would do the most good, should now be having to negotiate with the new Negroes. But this proposed state-wide boycott which originated with four hundred unorganized ministers is loaded with dangerous possibilities. George Schermer, executive director of the Philadelphia Commission on Human Relations, has been glad to see these Negro ministers exercising leadership. As long as they can function in this amorphous state, he is all for them, he says, but if they can make good on this spreading boycott, it may be hard not to develop an overt organization with leaders and factions and ultimate corruption. At the very least, any real organization could sooner or later run into some sort of conspiracy suit. These are the dangers ahead of the crusading ministers.

"Power corrupts, you know the old saying," I reminded one of the ministers. "Aren't you afraid that all this mushrooming power may land you in trouble?" He smiled gently. "No, honey," he said, "because we haven't any heroes to feed on that power, we haven't any leaders or bosses. And we aren't going to have any. As long as we can make out without them, we'll do fine." As long as they can, he is probably right.

FACT FINDING FOR A SELECTIVE BUYING CAMPAIGN

1. Discover where the power groups are.

    a. ministers.

    b. Civil rights groups (NAACP, CORE)

    c. Unions, social clubs, etc.

. Find out what programs already exist, and how effective they are in combating unemployment, job discrimination, etc. Learn about these programs. Know their strengths and weaknesses.

. Learn the law. If there are governmental agencies with legal authority to combat discrimination, learn about them and how successful they have been. Learn their weaknesses too.

. Try to get the endorsement of important community leaders and well known groups. (Sample enclosed) This is important, not primarily because you may meet suspicion and hostility, but because it will give you the added self confidence to make your project successful

5 Discover what research has been done already by the Urban League and other agencies. A local "Negro Chamber of Commerce" may have information or may be willing to help you with research.

Find out which consumer brands sell best in the Negro community. You can do this by visiting grocery stores in the Negro community and talking with clerks. You may not be able to talk with white grocers, but Negro grocers will be happy to tell you anything you want to know. It is best to go in inter-racial couples, or perhaps Negro students can take this responsibility. Concentrate on getting information about dairy products, bread and other necessities. (If possible, youth groups in the community, at the YMCA, the YWCA, church groups, etc. may be able to help you with research. It is a good idea to present them with the opportunity even if they cannot help you since it is a change for you to familiarize them with the idea of selective patronage.)

. Find out which companies that distribute these products have offices and plants in or near a Negro community. Visit the plants, talk to employees, find out how many people work at the plant, what kinds of jobs they do. Found out how many Negroes work there and what kinds of jobs they do. Pay particular attention to the so-called prestige jobs. Note whether Negroes are distributed in all job categories. Again, Negro employees will be happy to give you any information you wa t; however, to avoid unnecessary suspiciou (on the part of the management) it may be best not to go in inter-racial couples. Let the Negro students talk to the Negro employees; white students can visit plants where few Negroes work to gather general information. BE CAUTIOUS IF YOU APPROACH THE MANAGEMENT FOR ANY INFORMATION. WHAT YOU SAY MAY CURTAIL YOUR CHANCES OF GATHERING INFORMATION ON YOUR OWN. Visit the personnel director after you have gathered information on your own. He may be willing to give you further information.

8. Compile the results of your study. Fill it with facts about the unemployment situationgin the Negro community. Make comparisons between the percentage of Negro consumers a company has and the percentage of Negro employees it has. Be concrete. Try to illustrate as much as possible in terms of dollars and cents, i.e. how much money the company takes out of the community; how much it puts back. (The public relations director of the firm will give you a prospectus of the company's financial status, from which you may be able to make some calculation and an annual report of the company's products.

9. Present this information, along with stories of successful selective patrongge campaigns in other cities, to the most dynamic leaders in the community. Let them know, that as a student group, you would be willing to help them should they decide to initiage a selective buying campaign.

NEGOTIATION

In attempting to arrange a meeting with top-level personnel, indicate both that you ha e the facts and that you have the backing of recognized institutions, e.g. NAACP, ministers, etc.

2. People doing the negotiating should preferably be leaders in the Negro and Puerto Rican Community with student representatives. If the leaders want to say out of actual negotiation then go ahead on your own.

3. The demand should incorporate two concepts: a)that you are testing a company's willingness to hire minority group members where they have not hired before and b) you are demanding the hiring of Negro or Puerto Rican personnell in all job categories. Remember you are not charging any company with discrimination, you are merely asking that they recognize the existence of a social problem and cooperate by hiring a certain number of minority group individuals and continue such a hiring policy. The demand therefore should be a number which will clearly demonstrate the company's willingness to cooperate and should include specification of job categories. In New York it was estimated that 25% of Sealtest's business was done in the Negro and Puerto Rican communities. Technically they should emply 25% Negro and Puerto Rican - the demand was arbitraily set at 10% of this or 37 out of 1500.

4. A time limit should be set of from 2-4 weeks for complianne.

5. In negotiating affirm only your desire to see the company hire so many minority group members by a certain date; offer no compromises, accept none. They will hire these people if they are willing to cooperate.

Statistics on New York Sealtest

Office 808 Seventh Ave.			
Total number of employees		150	
Negroes			0
Puerto Ricans			0
Plant: Ice Cream Division 47th and Van Dyke Ave.			
Total number of employees		200	
Total number of Negroes			3
traffic department	2		
ice box	1		
Puerto Ricans			0
Plant 1346 Fulton Ave. Brooklyh		800	
Total number of employees		800	
Total number of Negroes			6
laboratory technician	1		
platform workers	3		
truck drivers	2		
Total number of Puerto Ricans			0
Plant (Milk service) 1055 Webster Ave. Brooklyn			
Total number of employees		375	
Total number of Negroes			1
foreman	1		
Total number of Puerto Ricans			possibly2
TOTAL NUMBER OF EMPLOYEES		1575.	
TOTAL NUMBER OF NEGROES ANDPUERTO RICANS			13

DEMAND 22 Negroes
15 Puerto Ricans

37

RUNNING A CAMPAIGN

1. Involve as manypeople from the community as possible. Leadership and decision making should either be in the hands of an indigenous group, such as the ministers, or in the hands of committee of representatives from the ministers, civil rights groups, students, etc.

2. Avenues of publicity include churches with the ministers speaking and student handing out leflets (get leaflets made in Spanish if there is a sizable Puerto Rican community) posters in barber shops, grocery stores, etc.

3. Try to develop a strategy which indludes a number of stages: non-buying generally, cancellations of contracts by stores, picketing, etc.

4. When the campaign is successful stage short but effective campaign asking people to buy the particular product.

5. Start on another company.

Housing

The Significance of the Problem

Housing is one of the most critical areas of discrimination because it has such far-reaching ramifications for other dimensions of the race problem. Segregated residential groupings mean de facto segregated schools, churches, playgrounds, stores, etc. Negro residential areas often receive inferior public services - street maintenance, police protection, enforcement of zoning laws, school staffing and upkeep, etc. And segregation perpetuates the notinn that Negroes are somehow different.

Some facts about theproblem:

Housing is a severe problem for Negroes because: 1) huge waves of migration have resulted in more inhabitants than housing units in many areas of the country; 2) Negroes are kept in nonwhite ghettoes by white landloads and realtors, forced to live in substandard housing and to pay, in most cases, exorbitant rents; 3) virtually no newly constructed housing has been made available to Negroes since World Warr II. An underlyingcause for such situations is ignorance on the part of white property owners who erroneusly think that the arrival of one Negro family in a previously all-white area means disaster for property values; and on the part of Negroes who do not kno their rights or their abilities. Actual discriminators include:

- landlords who refuse to rent to Negroes
- realtors who refuse to sell)(or even show) a house to Negroes
- bankers who refuse to loan money to Negroes
- public officials
  - Federal agencies which support home financing and construction establishments which practice discrimination
  - local officials who may manipulate zonong, urban renewal, sewage policies, tax rates, the right of eminent domain, building dodes.

What students can do

I. Compile information

Talk with City Planning Commission, Redevelopment Commissions, Urban League, NAACP, real estate brokers, contractors, Negro clergy, other community leaders.

Interview Negro families. They should be notified first and visited by integrated teams, if possible. (See enclosed sheet.

Interview sample white neighborhoods, apartmentsdwellers.

Investigate State and local laws; enforcement powers of State Commission.

From the above compile basic information on following:

Number of nonwhites in area; distribution; average housing conditions; mobility; general attitude toward moving.
Why segregated communities: restrictive covenants, discrimination by landlords, difficulty in obtaining mortgages, inferior treatment by realtors, hostile social climate.
Indication of effects of segregated housing on taxes, crime, school crowding, poor productivity of non-whites.
Indication of misconceptions surrounding inter-racial housing.

II. Organization

Establish working relationships with any community groups and if possible, serve as nucleus for formation of Fair Housing Practices Commission including clergy, faculty Negro leaders, businessmen, social agency representatives.

Attempt to establish personal relationships with young Negroes in the community, between the ages 16-30, and work with them in effecting change both within the Negro community and in housing policies.

III. Stimulating the Negro Community

Work through the churches, social agencies and personal relationships to:
Inform the Negro community of their rights and opportunities guaranteed by civil rights laws - again by visiting homes in integrated teams. Note: even a general public accomodations law can be used against discriminatory realtors.

Encourage individuals to move by establishing and publicizing vehicles for helping potential mover.

If feasible, mobilize entire community in mass demonstrations (under leadership of young Negro leaders) such as the sit-outs in New Haven which backed a number of resolutions calling for change in housing practices. (More complete information available on request.)

IV. Changing climate of opinion in white community

Conduct an open housing covenant campaign. An open housing covenant is a pledge - usually disributed for signatures by means of reproduction on a 4" by 6" card - that the signer will not discriminate on the basis of race, creed, or national origin in renting, selling, or welcoming neighbors in his residential area. The object of this devide is to make it clear to the community that there are hundreds of its citizens who are in favor of fair housing practices. This is done by publishing a fullpage ad in the local newspaper which quotes the text of the covenant and lists the naems of several hundred signers.

Conduct an opionion poll in a particular neighborhood, apartment house, or development to establish the fact that the majority of its residents are opposed to discrimination. Such a poll can cut the ground out from under the feet of a supervisor, or neighbor, who says, "I*m not prejudiced myself, but what would the other people say?" It thus accomplishes in a specific way what the open housing covenant is intended to accomplish in a general way.

Form study groups to increase the will to, and skill in action.

Write letters to the editor, hold public demonstrations, etc., in order to create public awareness of the urgency of the problem.

Publish a pamphlet with information particularly relevant to the local situation which poses the problem, indicates the difficulties facting the Negro who wants to move and allays the fears of whites about property values, flooding of community, etc.

V. Action

1. Organize a H.O.M.E. (Housing Opportunities Made Equal) committee with the purpose of bringing minority group buyers and renters into contact with open housing sellers and landlords.

2. Advertise for white home owners and landlords to register their vacancies with HOME.

3. Advertise in newspapers and send notices to all Negro churches and organizations asking for renters and buyers to sign-up.

4. Mimeograph list of homes and rents available and mail regularly to all interested Negroes.

5. Encourage Negroes to make own contacts but offer to help as intermediary between buyer and seller.(But

not in the matter of price negotiations -suggest that the Negro get a lawyer for this)

6. From lists of open occupancy pledges and interested students obtain housing assicstants to whom each Negro looking for housing is assigned. If the list of available housing from # 2 is inadequate then:

a. If there is no state law on open occupancy try the following prodedure: First the Negro and assistant together select from the newspaper desired advertised housing. They then contact an open occupancy pledge signer in the immediate area of the desired housing and ask if he will contact the owner to see if the Negroes will be accepted. Boston suburbs found nearly %50 of the owners were cooperative when assured by a local resident of the character, income, etc. of the prospective Negro buyer.

b. If a state law covers apartments and housing developments, the housing assistant may follow a different procedure with covered housing:

  1. Have the Negro independently make the initial contact with the advertised housing.

  2. If any difficulty arises then have the white aassistant representing the same type of family attempt immediately to secure the housing.

  3. If the white receives different treatment, report the violation to the state commission and urge them to bring pressure to bear.

Followup

I. Using cases of discrimination found in committee work, organize petition campaigns to press stronger state and local legislation.

II. Work on Real Estate Board to practice open occupancy policies and to admit qualified Negro Real Estate Brokers to Multiple Listing Services.

III. Check on Negros" treatment by banks and other lending agencies in regard to the granting of mortgages.

IV. Apply economic pressure if conditions make this possible. In an apratment building,adevelopment or a neighborhood where civil rights sentiment is strong, the landlord can be threatened with wholesale eviction if a racially exclusive policy is maintained. Realtors can be picketed or boycotted. Rent strikes are also possible leavers to obtain better housing conditions or practices.

Alleviating Poor Housing Conditions

Work with individuals in a housing unit to protest violations of housing code. Make lists of violations; go with residents to superintendent and then to landlord to demand better conditions. Stage protest if refused. See article on Woodlawn organization.

Work with community leaders to coordinate a clean-up campaign with a demand for better conditions aimed at owners. Youth could be a vital force here.

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Excerpts from

Wood lawn Begins to Flex its Muscles

by

Ulysses B. Blakeley

Charles T. Leber, Jr.

Reprinted courtesy of Presbyterian Life
September 15, 1962

On Saturday morning, August 26, 1961, the summer sun shone down on a group of dejected politicians standing in front of the Chicago City Hall. The word had been flashed from the Woodlawn district: "They're loaded and on their way." In Woodlawn forty-five rented buses, decorated with slogans such as "Jobs," "End School Segregation," "Stop Slumlords," had just formed a cavalcade headed for downtown.

Two thousand members of The Woodlawn Organization(T.W.O.) were aboard. They were going downtown in order to register en masse to vote. For Chicago the date marked the beginning of a major, mass-membership, Negro civic organization. For the civil-rights movement it marked the appearance in the Midwest of the new spirit of Southern Negroes. For the economic and political interests which have prospered by exploitation of Negroes it marked the beginning of a serious challenge. For the churches it marked a new ministry and a new life inplaces where faith itself seemed doomed to die and where the churches had almost disappeared from the urban scene.

T.W.O. is permeated with a Christian outlook, but it bears little resemblance to the calm and ordered Christianity of out suburbs. In Woodlawn the Church of Christ lives and grows in the same world that Elijah Muhammad and the Black Muslims do. In Woodlawn black supremacy is preached, and anti-Christianity is openly and militantly proclaimed. When Christianity is castigated on the streets as a faith foisted upon Negroes to hold them in subjection, there are some people who listen and believe; there are more who listen and ponderOhow different from communities in which Christianity is accepted as casually as the air. In Woodlawn Christianity must maintain a lively and constant contact with the struggles of that community to acheive justice and hope for all its residents, or die.

Slumlords Exposed

Woodlawn is plagued, like all big-city "ghetto" areas, with absentee landlords who make huge amounts of money by running slums. No city has made much headway against them. In Illinois they hide their names in secret trusts administered by respectable banking institutions. They are able to bribe building inspectors. When they are finally cited for their violations of the law, they secrue endless delays in court and laughably small fines. Recently Chicago's outstanding alderman, Leon Despres (a political independent) was quoted as saying, "Court fines on slum buildings are so small that they are actually a license fee to continue breaking the law."

T.W. O., which has grown to be a federation of more than one hundred and twenty church and civic groups, voted to do something about absentee "landlords" and thus decide d that it wanted Woodlawn to be a different kind of community, one in which slumlords would be brought to heel.

A bank vice-president looked up from his desk one morning to see standing in front of him forty T.W.O members led by a minister and a priest. They explained that they wanted to know when thebank was going to repair an overcrowded, run-down apartment building in which tenants were paying a hundred and twenty dollars a month for three-room apartments. (The banker explained to the group that the bank did not own the building and that he could not tell them the name of the owner. *ed.*)

The TWO members then explained to the banker that they were goin to hold the bank responsible for the slum conditions in the building, since the bank was paid by the owner to protect him from living up to his legal responsibilities. A sit-in, the committee told the banker, would take place in his bank until the slum building was repaired or the owner's name was divulged. Pleading for time, the vice president left the office in order to consult with the bank's president. The vice president soon returned and asked for a twenty-four hour delay. After pointing out that the bank had been party to the slum business for years, the committee agreed to the request.

The next morning at nine o'clock the bank called to say that it had resigned the trust and made public the long-hidden name of the building's owner. What years of litigation by city officials had not been able to produce, the people of Woodlawn had obtained in twenty-four hours. The owner, who was afraid that his friends and neighbors would discover that he was a slum operator agreed to make the necessary repairs. The TWO housing committee is led by a Lutheran layman. It has grown to over two hundred active members and has gone after dozens of bad buildings. In dealing with some slumlords, who have purchased immunity from the law and have lost all sense of shame, these methods of public exposure are the only effective way of gettin results. In one celebrated case of a dilapidated, wooden six-flat building without central heating which had been erected seventy years ago as a "temporary" building, TWO resorted to a dramatic expedient. The structure was beyond repair, and although the people living in it were in danger of being burned alive, the city would not or could not have it torn down. The only thing left to do was vacate it. Thus, one morning last spring, the owner got the shock of his life. As he drove up to collect the rents, he saw large signs on the front of his building. They had been placed there by the tenants, and they read "Fire Trap!" "We are getting out." Thanks to TWO members safe clean apartments have been found for the families living in the dangerous building. Money had been collected to rent trailers for moving the furniture. It was the work of a morning to get the people settled in their new homes. The firetrap apartments have not been occupied.

By last Fall, the people in TWO had gained the confidence needed to face up to larger questions than those affecting their community alone. The first and biggest problem was education. Chicago's publi schools are tragically segregated, as Federal Judge Julius J. Hoffman recently emphasized in his Chicago courtroom. The schools the Negro children attend are indescribably overcrowded and understaffed. The new leaders of the community who had risen to prominence through TWO put the question of what the organization should do for the schools. Segregation in the Chicago public schools is old and entrenched. It has powerful backing. Many school board supporters are important figures in their denominations. To raise a cry was to invite awesome opponents. The pastors, church delegations and other groups connecte with TWO voted to take the plunge.

Led by the clergy, TWO joined the campaign to bring the truth about Chicago schools to the attention of the city and the nation. Whe the school board held a public hearing which was supposed to air greivances (but was really menat to drum up support for the way things were), TWO acted. Hundreds of TWO members arrived early enoggh to fill the hall. The board president countered by trying to deny TWO president, the Reverned Arthur M. Brazier, the floor. TWO members then walked out in a body, leaving a half-deserted hall and an awakened school board in thei wake. Downstairs hundreds of other TWO members picketed the school board building. A few weeks later, TWO held its own school hearings in a rented hotel ballroom. Parents and children described the true conditions in their schools. The highlight of the evening for the thousand or more i attendence was evidence given by school teachers who were so afraid of reprisals that they had to appear hidden in sheets. This hearing was widely reported with portions appearing on national netwook television.

School strikes and sit-ins broke out across the breadth of Chicagl's Negro ghetto. Still the school board hoarded the empty classrooms in the all-white schools. For the Negro children the school board purchased hundreds of trailers. Parked on vacant lots, playgrounds, parks--where-ever space was available--they appear to the nearly nine hundred thousand Negro citizens of Chicago as flaggrnt symbosl of segregation.

PHILADELPHIA SUMMER TUTORIAL PROJECT

Introduction

The Philadelphia Project was sponsored by the Northern Student Movement, a coordinating body for sixty campus civil rights groups in the Northeast. The Project grew out of a need on the part of the leadership and staff of NSM to understand the problems of depressed communities in the North and to develop methods for students to work with these communities. A decision was made in March, 1962, to select a group of campus leaders who would live in an urban Negro community, participate in seminars and administer programs bringing both this staff group and a large number of college students in close contact with people of such a community. Philadelphia was chosen because of close relationships with a number of Negro clergy and educators there.

The concept of the tutorial for "underprivileged" youngsters came from a project in Stamford, Connecticut, run by a Yale undergraduate in the summer of 1961. Similar programs had been organized during the academic year 1961-1962 at Yale, Simmons, the University of Chicago, and the University of Pennsylvania. It became our purpose to test the tutorial as an instrument of massive uplift of educational levels and aspirations as well as meeting our own needs outlined above.

Organization

The project was discussed first with clergy and social agency personnel in the Negro community and then with individuals in the school system. Advice was sought from the Board of Education, the Center for Community Studies at Temple University, prominent professional people and city human relations and welfare agencies. In early a preface . . . on the problem

North Philadelphia is 85% non-white . . . 80% of its workers are unskilled . . . half of the families are on public assistance . . . some 60% of the students do not finish secondary school . . . the average household unit consists of five adults and five children all living in an apartment of five rooms . . . 50% of the fathers finished ninth grade or less . . . 2% went to college. [1]

Public schools in North Philadelphia stand on alien territory. They receive each year a new throng of small children who are already behind their middle-class counterparts, and the gap is quickly widened by large classes, inadequate teaching and a consistently uncooperative environment. By the time these students reach secondary school the battle has usually been lost: the drop-out rate rises, the disciplinary problems become more intense, the curriculum requirements are forced down and the number of potential college students dwindles.

In this situation the efficacy of teaching large classes at the secondary school level can seriously be questioned. A large proportion of the students have basic deficiencies in reading and mathematics. The teachers, for obvious reasons, are not able to deal with these deficiencies and at the same time complete a prescribed course of study. The students learn little and understand less of the content of these courses. Thus, education, seen as the communication of knowledge from teacher to pupil, becomes lost in mutual discouragement and uncreative mechanics.

Even the trade and commercial courses hold little interest for these students since racial discrimination in employment limits the possibility of a financially secure position in these fields. As a result the adolescents of North Philadelphia seem to have a tremendous drive for higher education as the only sure way out of their present life. For most, however, this drive only tarnishes the value of a non-academic curriculum. Those who do gain entrance to the academic course of study find themselves with the task of moving into the middle-class intellectual environment of college or of attempting to find employment without specific job skills.

The dilemmas to be faced by the student in the depressed communities are many and one wonders at even the few who do survive.

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[1] Information supplied by the Philadelphia Commission on Human Relations.

Prospectus for

THE PHILADELPHIA THEATRE FOR CHILDREN

Educational Programs other than tutoring

1.) Study Halls. College students serve as directors of student student centers. Churches, social agencies, and schools might offer their facilities for study rooms for high school, junior high school students whose homes lack desk space, lighting, quiet. Rather than act as a proctor, the college student can serve as a tutor, offering sporadic help to students who run into occassional difficulty with their homework. College students might work in teams to cover various disciplines -- English, math, science, language, history.

2.) Teaching. Undergraduates who are interested in teaching (though not necessarily committed to an education major) are used as supplementary and assistant teachers in high schools and often junior and elementary schools. Undergraduate teaching programs serve two important functions: 1.) they help alleviate the critical shortage of teachers in overcrowded schools and 2.) they give college students a chance to test their interest in teaching. Harvard Undergraduate Teachers (HUT) and the Barnard-Columbia Higher Horizons programs are examples of this experiment.in undergraduate teaching.

3.) Hillel-Winchester. Like the teaching programs, Hillel-Winchester, a cooperative prgoram run by students at Yale University, works within the school system. In this undergraduate program in a "community school" located in a depressed area, college students teach after school "club" classes in subjects chosen by the children. (How to read a Newspaper, Use a Library; Natural Science, etc.)

4.) Reading Readiness. It has been suggested that underprivileged children enter kindergarten and thest grade already three or four years behind other children because of the absense of books, newspapers, and interest in education in theri homes. College students might set up, or serve as assistants in pre-kindergarten work with underprivileged children to help fill the gap between home and school. (cf. Detroit Reading Readiness Program., U.S.. Civil Rights Commission Report - 1961. Education.)

school and in the entire shhool system. Finally, he can provide access to school facilities and serve as liason between each tutor and someone in the school who knows his pupil well.

It must be remembered that you are working with a community which is run by adults, not students. While students will want to keep the project in their contol at all times, adult cooperation will be necessary. This is true not only in getting students for the program, but also in securing funds, books facilities, and community support. The efficiency and integrity of the staff of the project is a major criteriod by which adults will make their judgements. Individual adults, college and university personnel, and community agencies can be used as advisors; at the same time it can be kept clear that their function is strictly advisory.

IV. The second step will be the establishment of centers in which tutoring will be carried on. Various alternatives include homes, schools, churches, and college campuses, as well as community agencies such as sattlement houses, Y's, boys clubs, etc. The type of place in which tutoring is done will effect the nature of the program. Schools, for example, may be disadvantageous because of their location. Neighborhood locations will be important if you wish to work with the poorly motivated student. The nature of established institutions such as churches should also be considered as a factor determining the type of youth who will be attracted to the program. Facilities at recreational areas and in housing projects may be convenient. The atmosphere of the college campus may be advantageous in certain situations.

V. Soliciting of tutees will not be difficult. The Philadelphia Project recruited both in schools and in churches. Other students will learn by work of mouth about the project. Whenever recruitment takes place applications should be referred to the tutee's school counselor and a working relationship established.

VI. General publicity, newspapers, radio, and TV will also expand the number ;f applications. At all times careful control should be kept on action which will attract new tutees. A surplus of tutee applications may pressure you into expansion of groups of tutees beyond the point desired, or may cause a large degree of disappointment among applicants and their parents.

VII. Recruiting of tutors may be done in a number of ways. You will know the student leaders and organization on campus which are likely to provide interested people. Secure the mailing lists of these organizations and explain your program to the members. If at all possible, speak before these groups. Personal contact is far more effective than letters. General publicity such as school newspapers, posters, and radio announcements should also be used to secure tutors.

VIII. If at all possible, a meeting of all tutors should be held at the beginning of the program. The meeting should attempt to explain the purposes of the project and its significance in social and educational terms (speakers from the school system and the community would be effective). An adult advisor should go over the educational problems of the students and how they can be dealt with in the tutorial situations. The extent to which the tutors understand the intent of the program and the problems of the students would seem a major factor in determining how effective a job they can do and are willing to do. This is particularly true in projects dealing with minority group students. The Philadelphia group used a series of seminars on problems faced by urban Negro youth to aid the tutors.

THE ORGANIZATION OF A TUTORIAL PROJECT

(These suggestions for the organization of a tutorial project were developed by participants in two programs which were in effect last year, the first, a winter project in New Haven, Connecticut involving 100 high school students and 100 Yale University students; the second, a summer project in Philadelphia in which 350 junior high and high school students and 175 college students participated. Given variations in the purposes, type of students tutoring and tutored, and facilities available, it is assummed that there are certain fundamental operations which are important in any tutorial program.)

I. It is essential that much time be devoted to setting up the project before the actual tutoring gets underway. This groundwork, once laid, can free any administrative staff for adjustments and expansion of the program.

II. The first step (and the most important) is making contact with the community. Students would do well to spend a few days just walking through the area if they have not done so before. Appointments should be made at this time with ministers and heads of social agencies and civic groups; they will provide the first indication of interest in the tutorial program.

The community should play a large role in the sponsorship of the program. (The Philadelphia Project was sponsored by the Northern Student Movement in cooperation with ten churches and social agencies. These co-sponsors served both as an introduction to the community and as an endorsement of the ability and integrity of the project staff.) See below.

III. Once the need for and interest in the project has been established by community leaders, contact should be made with the Board of Education. The objective of this contact is to form a working relationship with the counselors and teachers in the schools which will refer students to the program. Directives from the central office of the school board, at least in the form of approval (example: a letter to counselors introducing the tutorial project and asking their cooperation) will facilitate communication with individual schools. The superintendent of schools, therefore, should be the first school board contact. The person in charge of curricula is likely to be brought in for consultation and he can provide much needed information on the programs and materials used in the schools. The support of community leaders (ministers, businessmen, prominent citizens, college administrations) will be helpful in gaining approval from the school officials. It is assumed that at this time you know the educational situation well enough to present the board of education with an acceptable rationale for the program.

The counselor will be useful in several ways. They not only can refer the type of student you desire to the program but also can provide information on the problems of individual students; each tutee application ideally should be referred to the student's school counselor for comment.

A counselor or some other person in each school should be chosen as project contact. This person can advise the tutors on problems which come up in their tutoring and on methods of teaching. He also can be of aid in helping the tutors to understand the problems faced by the students in the particular

The recruitment of high school students was initiated at HANA's Annual June meeting, attended by several hundred teachers, parents, and civic leaders. The project was announced and applications were distributed. This procedure was supplemented by individual contacts, some publicity, and a registration evening, when the program was discussed with the students. Admission to the project was based on the students' interest. Enrollment was limited to 50 to test out the program on an experimental basis. As the summer progressed, more students joined and many more applied who could not be accommodated.

The tutors were recruited primarily through the contacts of the Northern Student Movement. Twenty-five were chosen from over forty applicants, partly from their academic qualifications and previous interest in civil rights, and partly from their immediate interest in HEP.

The tutors met regularly during June to plan the program and to learn about the community. The project began on July 10, with fifty high school students and twenty-five tutors representing more than ten colleges and universities.

Classes were conducted on Tuesday and Thursday evenings, from 7:30 to 8:30 and from 9:00 to 10:00, in the club rooms of HANA and the neighboring Harlem Branch YMCA. Each tutor met with from one to five students. Basic academic subjects were offered: math, sciences, languages, English, and history. Most of the students chose two subjects, each of which was taught two evenings a week. Books and syllabus materials were supplied by the Board of Education and by the tutors.

One vital and unique aspect of HEP was the Wednesday evening program, when tutors and students met together for lectures and discussion on Negro and African history, Negro literature, Jazz, and the needs of the Harlem community.

EVALUATION

This evaluation is based upon observation of the tutorial sessions, reports of the tutors, questionnaires answered by students and tutors, and discussions with all involved in the program.

A. Successes

These sources indicate that the program was, in general, a success. The very fact that fifty students in Harlem voluntarily gave up three summer evenings every week to study, consistently attended classes, and expressed great interest in continuing the project, indicates that HEP provided a positive educational impetus for the students. There were also signs of real academic achievement -- in the study of new subjects and the review of previous work. Tests given by some of the tutors demonstrated that the students prepared their assignments and many advanced in their courses. One girl remarked that her Geometry classes had improved her performance on the state regents examinations.

Through classes in English literature and frequent use of the small HEP library (supplied by the tutors), the students read many books over the summer, from Camus' The Stranger to teen-age mysteries. One student said that before participating in the project, he had not read a book for months.

The students and tutors evaluations of HEP point to the program's success. In response to the question, "Do you think that HEP has been helpful to you?" we received answers like these from the students:

> "I think that HEP has been helpful to me because I have accomplished more during the past six weeks than I have learned through my two years of taking Geometry....."
>
> "I definitely feel that HEP has done irreparable damage to my failing marks in French and Math...."
>
> "The review I got was priceless."

On the non-academic aspects of the program, these remarks were typical:

> "I have learned about college and college students."
>
> "It (HEP) gave me a chance to observe how a group of young people can promote the realization of their goals...."

The students also commented on the value of the Wednesday night meetings:

> "I enjoyed the programs very much. They had almost the effect of a revolution on my mind."

One girl hopes to participate in the program next summer as a tutor. She writes:

> "I hope that HEP will continue its good work for many years. This year I will be a freshman at CCNY. Next summer, if another tutor is needed for English, History, or French, won't you please call on me?"

The most common suggestion for improvement of the program was expansion:

> "You should have a lot more room for students to come."
>
> "We should have many more teachers and a big building to teach us in."

As originally planned, the summer's experience also had positive effects upon the tutors. First, it showed them that HEP was meeting a desperate need of the community. One tutor writes:

> "I have been often overwhelmed, and depressed by the gravity of the educational and social problems facing the youngsters of Harlem. This project has made the situation all the more real to me, not a very pleasant reality to be sure."

The project also awakened the tutors to the complexities of the civil rights problem.

> "HEP," one tutor comments, "has shown me that I must be more thoughtful about racial questions and has left me uncomfortably, but honestly, confused about problems for which I previously had pat, unworkable, or naive answers."

Another observed:

> "I found that the negro problem is far more complex than I believed it to be."

HEP also stimulated interest in teaching as a career. One college student notices:

> "I have become really interested in teaching and have begun to think about it for after college."

Another writes that:

> "Teaching has really interested and challenged me greatly, and I have thoroughly enjoyed it."

Finally, the tutors came to the encouraging realization that those who take a responsible and active interest in their community can bring about constructive changes. A college student who lives in Harlem writes:

> "The project has helped me to see Harlem as a community of possibilities, and has shown me the comparative ease with which interested individuals can play an integral part in community life,"

This same student worked with one of the high school pupils on a special housing program outside of HEP. A dilapidated apartment house was canvassed for tenant support to improve the building. By the end of the summer, the tenants were behind the idea, a joint letter had been sent to the landlord, and the tenants were prepared to take further action.

The important theme of individual responsibility to the community is prominent in the comments of a Negro tutor who sums up the feelings of many of the college students:

> "Besides having the opportunity to work with a varied and really fine group of students in assuming responsibility for what happens to the human race, I have learned a great deal about the problems of the Negro in America -- perhaps things that I've felt for quite a while but didn't really understand. HEP has allowed me to act rather than just study; to give back a very small quantity of what I have received all of my life, while at the same time it has made me more aware of the complexities of America's race problem and has encouraged me to look further and do more. It was one of the most memorable summers I've had."

B. Limitations

With these encouraging signs, there are also many areas for improvement of HEP. Because there was no full-time staff, and because organization of the program did not begin until late in May, the recruitment and placement of students was not adequate. There should be closer contact with the schools than was possible this summer to find out which students need what kind of assistance. The selection procedure also failed to reach those students who need help but lack sufficient interest to participate or are not in contact with the community agencies used for recruitment.

Again, closer contact with the schools would help. There should also be more individual recruiting through visits to homes, schools, and community centers. The present high school students could also be effective in recruiting others. More publicity would also help.

Once students are recruited, there must be a more efficient machinery to make sure that there are not great differences in the grade levels of students working with the same tutors.

Similarly, HEP's organization did not permit the most efficient selection procedure for the tutors. It was difficult to assess their abilities with any certainty. Almost without exception, however, the tutors did a competent and often sensitive job. They prepared for their classes with great enthusiasm and imagination, responded to the students with sensitivity, and willingly gave many hours of their free time to the project. Many of them will tutor during the school year. This is probably an exceptional group and recruitment in the future might be more selective. Applications, supplemented by interviews, should seek more information about abilities and experience in tutoring.

The non-academic activities of HEP have not lived up to expectations. The Wednesday night meetings -- while attended regularly by almost all the tutors -- attracted only half of the high school students.

Those that came showed interest but most did not participate actively in the discussions. There are indications that the program could be quite successful with more planning and aggreater appeal to the students. In an initial registration meeting, the pupils showed great interest in questions that immediately concerned them, such as why there are problems in their families and community, why there is juvenile delinquency, why girls marry so young, etc. Future programs should be adapted to these immediate concerns as well as to broader questions.

The project did not give the tutors a full understanding of the Harlem community -- its political structure, economic composition, and community organizations. A full-time staff should overcome this shortcoming by organizing an orientation period for the college students, and by introducing them to members of the community.

SUMMER TUTORIALS -- 1962

A report on the Philadelphia Tutorial
Project and the Harlem Educational
Project. Northern Student Movement,
404-A Yale Station, New Haven, Conn.

"The building up of a mass of unemployed and frustrated Negro youth in congested areas of a city is a social phenomenon that may be compared to the piling up of inflammable material in an empty building in a city block. Potentials for trouble -- indeed possibilities for disaster -- are surely there."

James B. Conant
Former President, Harvard University

Sample of Housing Survey: Negro Family Study, Holyoke, Mass. (Note: The following is a list of questions. Questionnaire contained space for answers to each question to be written by the interviewer.)

No. ______
Interviewer __________

Family Name ______________________________
Address ______________________________

1. How many families living in this building? ()one family ()two family ()3-4 family () 5-6 family ()over 6 family ()furnished room () other - explain

2. Does the landlord live in this building?
3. How many rooms do you have?
4. How long have you lived in Holyoke?
5. How long have you lived here?
6. How many of your family live here?
7. How mahy others live here?
8. How much rent do you pay?
9. How much does your heat cost? included in rent?
10. Do you own your own home?
11. What do you like about this neighborhood as a place to bring up children? What don*t you like?
12. What do you like about this neighborhood as a place for adults to live? What don't you like?
13. What do you or don't you like about your housing?
14. Would you be willing to pay more money for housing?
15. Would you rather live in a ()Negro neighborhood ()mixed neighborhood ()white neighborhood?
16. Where did you and your wife live until you were 16? In Holyoke. In adjoining town. Other town in Mass. Other?
17. Are ()single ()married () widowed ()divorced ()separated?
18. How much education have you and your wife had? Grammar school finished 8th grade. Some high school. Finished high school. Some college. finished college. Graduate or professional school. trade school. no school. other.
19. Do you and your wife attend church?
20. Do your children attend church? church school?
21. How many in household have jobs?
22. Where do you (did you) work? If unemployed, how long?
23. What do you do? Describe briefly.
24. Would you rather be doing something else? If yes, what?
25. Are you qualified for another job? if yes, explain.
26. Where does or did your wife work?
27. Describe wife*s job.
28 Would wife rather be doing something else. What?
29. What is take home pay?
30. What do you think of Holyoke - as town to live in, as town to work in?
31. If you could live anywhere you wanted to in or around Holyoke without prejudice, where would you move?

DO NOT ASK

31. General appearance of home: spotless, clean, unclean.
32. General appearance of building: dilapidated, run down, good .

April, a prospectus was written and staff application forms were sent to the campus groups affiliated with NSM.

In May, the Philadelphia Board of Education agreed to publicize the program in six high schools, to instruct guidance counsellors to cooperate with the Project in the referral of tutees, and to allow us to visit the high schools when the full staff arrived. Letters were sent to some twenty churches and social agencies in the Negro community asking for their co-sponsorhip of the Project, financial supoort, the use of their facilities, publicity and the referral of students. An Advisory Board was formed consisting of representatives from the school system, the Philadelphia Commission on Human Relations, and professional people from the white and Negro communities. An attempt was made to find employment for the coming staff, but this was largely unproductive.

The staff, consisting of twenty-three students from eighteen colleges in the Northeast, arrived in Philadelphia on June 11th. We lived first in a state-supported vocational school but moved later to the parsonage of the Tioga Presbyterian Church. It was three weeks before the entire staff found employment and many had to accept part-time work at subsistence pay. This created a situation of financial insecurity which persisted throughout the summer.

The staff was divided into committees responsible for the tutorials, seminars, publicity, and the extra-curricular programs. It was originally proposed that one member of the staff be hired by the Project as a full-time coordinator; this was changed to two, however, when a foundation grant was received in late June. The grant also provided for the hiring of a high-school guidance counselor, Mr.

William Cannady, as an Education and Community Advisor. The functions of the two coordinators were principally the daily administration of the program and fund-raising. The Advisor counselled the tutors when they encountered academic or psychological problems and served as a liason between the Project, the community and the school system.

The first three weeks of the project were spent in an attempt to recruit as many participants as possible. Interracial groups visited the six assigned high schools, and spoke to classes, study halls and individuals. Interested students were urged to see their guidance counselors and fill out application forms which were then sent to the Project. Staff members also spoke to the congregations of local churches, distributing application forms to parents and youth groups. Nineteen churches and social agencies agreed to the use of their facilities two, and in some cases, four nights a week. To recruit tutors, staff members visited the Temple and University of Pennsylvania summer schools and talked personally with students from their colleges who lived in Philadelphia. Radio stations and newspapers were asked to publicize the Project and did so throughout the summer.

In the week before tutoring was to begin two orientation sessions were held for prospective tutors. Mr. Cannady, the main speaker, discussed some of the problems which the tutors would encounter. Since the second of these sessions was also devoted to the final recruitment of tutors, matching and placement of the tutors and tutees was delayed until the night before the uttoring was to begin. As a result, the first week of tutoring was somewhat confused, with many people unsure of whom and where they were to meet. Despite this, the initial loss of participants was remarkably low, and by the second week, the Project had settled down with approximately 175 college students tutoring 375 secondary school students. Most of the tutees were from public high schools, a few from junior high schools. Approximately 85% of the tutees were Negro; some 60% of the tutors were white.

The project ran for eight weeks, beginning the first of July and ending in late August. Each tutor worked with 1-3 tutees twice a week in the same place. The subjects taught included English, history, physics, chemistry, reading, arithmetic, algebra, geometry, biology, bookkeeping, French, and Spanish. Books were given to the Project by the Philadelphia school system, the Plymouth-Whitemarsh Township high school and the Salvation Army. The semi-week sessions lasted approximately an hour and a half. Each staff member was in charge of one of the tutorial centers and an attempt was made to develop a group consciousness among the participants of the individual centers. All of the tutors at each center met weekly after one of the tutorials to discuss the particular difficulties they were having. Seminars dealing with the community problems of North Philadelphia especially as they related to adolescents were held occasionally for the staff and the tutors. Information on concerts, ballgames, plays, etc. was provided and groups of tutors and tutees frequently attended these "extracurricular" events. Several centers brought in social workers and professional men to speak to the group; one center visited several of the Philadelphia area colleges. In august a picnic was held for all of the Project participants. On the last night of the Project a college opportunities forum was held for the tutees and their families, the principal speakers being a local guidance counselor, and representatives of the National Scholarship Service and Fund for Negro Students, the Board of Education and the Board of Higher Education in Philadelphia.

Evaluation

Staff:

Probably the greatest deficiency in the Project was our inability to utilize effectively the staff's corporate energy and talents. The reasons for this were numerous. First of all, the daily schedules were far too intensive. Five days per week of work followed by four nights of tutoring and semi-weekly staff meetings or seminars left the staff too exhausted to undertake any administrative responsibility beyond heading centers. The two coordinators, therefore, had to adjust and expand the tutorial program, structure the extracurricular program as much as possible, attempt an evaluation of the tutoring and also raise money.[2] As a result only the tutorials were effectively administered (and these were run as much as possible at the center level) and a number of other potential resources were left undeveloped. These included:

-- the work of the Advisor. His function was never clearly outlined and his knowledge of the community and great sensitivity to the problems of the tutees hardly tapped. While it is essential that students work closely with skilled professionals, respective responsibilities and working relationships must be closely defined.

-- the staff's ability to work with the delinquent youth. The presence of twenty-three college students in an interracial grouping could have had a profound effect on the jumbled world of the adolescents in the community. As it was, this effect was limited to tutoring a comparatively small number of students, the weekends were spent in frustrated recuperation out of contact with the surrounding community, and those adolescents who would not volunteer for the educational program were never reached. Only toward the end of the summer were informal relationships established with a few "gang" members who began to come occasionally to the parsonage.

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[2] Money was needed for the Project supplies and also to cover the cost of food for the staff.

-- the staff's ability to develop there a greater concern for education. We were always in a teaching relationship to the community, a temporary island of people who were always too busy even to come to know the people across the street. The Project was co-sponsored by NSM and several community agencies but only two of the community leaders were involved enough to participate actively in the workings of the Project. We became merely an extension of the public school, a service for which the community felt little responsibility.

Tutorials:

Considering the goal of the Project as defined early in the summer, i.e., to test the tutorials as an instrument of massive uplift of educational levels and aspirations, the Project was a success. There was however no way to determine how much of an uplift the tutorials provided, either in terms of the abilities and motivations of the tutees, or the concern for education in the community, or in terms of the sensitivities of the tutors.

The tutors were left, for the most part, to their own teaching devices. They were urged to be as sensitive as possible to their tutees' deficiencies as they appeared. The process of volunteering two nights a week brought to the Project an excellent group of tutors who were interested in their studies and gratified at the chance to teach. The tutors' concern for intellectual content enabled them to approach their tutees on open terms rather than as subjects in need of benevolence or paternalism. The semi-structured relationship of teacher-pupil plus the informality of the situation and the gregariousness of the tutors led the tutees to be much more absorbed, creative and free to express themselves than they were in school.

In most cases the academic value of the tutoring was small compared to the degree of motivation and confidence imparted to the tutees. This merely verifies the assertion that tutoring is designed to supplement the school curriculum. As illustrations of this one can point to the tutor who found her student's difficulty with biology lay in his inability to read the text, so she substituted a simpler one. In a number of cases the teaching of algebra became the explanation of fundamental arithmetical concents. (Several tutors complained of having trouble teaching grammar, saying that they could speak grammatically but had forgotten the rules.) In other situations the work was more forward-looking, especially where history, English, or a foreign language was taught. Here new material was introduced (a great deal of Negro history was taught; it apparently does not receive much attention in the public schools) and the tutee was asked to write a good deal more than he does in the school. In one case the use of new techniques for teaching geometry induced an eleventh grader to indicate that she wanted to be a mathematician.

Three attempts were made to delineate the dynamic elements in the summer tutorials. A forty item questionnaire was given to the tutees midway through the program, an evaluation form was filled out by the tutors at the same time, and a set of ten questions was sent to all the tutees with a corresponding set to their counselors early in the fall. Unfortunately none of these forms brought forth reliable information -- the questions put to the tutees were too obvious in their positive and negative values, and the tutor-counsellor forms were too vague.

Several interesting concepts which emerged from these attempts should be noted: Educational motivation seems to be high in the adolescents of the community, dropping off sharply in later years. Parental pressure to join the program was noted in only 7% of the cases. Another illustration: 90% of our tutees indicated that they would like to go to college -- a lower percentage, however, indicated that they expected to go. The tutorials, with their total emphasis on academic subjects and the unconscious pervasion of middle-class educational values, seemed to heighten the drives for and thus anxiety concerning college. The following is a quote from a tutor who had one of the two larger classes:

> "Three of the girls have had Algebra and have received D's and E's. The other two have never had Algebra since they are majoring in dressmaking and practical nursing. The first three are looking forward to going to college: the latter two are unsure of college and do not know what they want to do after finishing school. All five attend sessions regularly...They do not have a great store of knowledge but catch on to ideas very quickly. Except for future ambitions, the group seems to be quite homogeneous and certainly functions well as a unit."

Twenty-five percent of the tutees felt it was true that Negroes cannot get into many New England colleges. The counselors, during the fall, indicated consistently that the tutees showed an increased interest in college and have made greater demands for counselling in this area. Nevertheless, one of the "limitations" of the summer program was that it created needs for greater resources when these resources do not exist. In an attempt to meet this challenge the summer tutorial in Philadelphia is being carried on through the academic year but this only partially meets the situation.

The effect of the tutorials on the college students can only be termed positive. For the most part they found the teaching intriguing but demanding and it can be said that the tutorials served as a paactical introduction to a possible vocation. The task of teaching a particular subject, in most cases related to their major field of study in college, also gave the tutors a greater insight into their own educational experience. Finally the close personal involvement in the social and educational problems of North Philadelphia tended to both disturb the college students and to give practical bases to their concern for social problems.

Extra-curricular program:

Unfortunately the extra-curricular program began haphazardly and only gained momentum toward the end of the summer. Tutors were encouraged at the first orientation meetings to take their students to concerts, plays, and other events related to the academic work. A calendar of events in Philadelphia was published weekly by the Project and distributed at each center. Center heads tried to organize extra-curricular programs for their own groups. Almost every center attended at least one outdoor concert of the Philadelphia Orchestra. Others went to baseball games, films, and in one case had "reverse tutoring" when the tutees took their tutors to a rock and roll concert. A Sunday afternoon picnic with sandwiches and soft drinks provided by local church groups drew more than three hundred Project participants. Without financial support, however, it was difficult to run a well-planned program of outside events specifically related to the tutorials.

Again, the tutees were overwhelmingly in favor of the activities planned. One tutor wrote:

> "I was a little skeptical, after a particularly gruelling session on quadratic equations, about suggesting that we spend any more time together that week. I asked, rather timidly, if any of them were interested in going to a Dell concert the next night. To my surprise all three said without hesitation that they wanted to go and what time should they be ready."

This enthusiasm can be easily traced to the comparative narrowness of the lives of many of the tutees, both as adolescents and as members of a depressed community. But it also seemed evident in the summer that the two contiguous programs, tutorial and extracurricular, were extremely complementary. The tutoring gave the extracurricular relationship a firm, constructive base, and the extracurricular activities gave the tutoring both openness and relation to the non-academic world. Education became for the first time not a daily chore with vague rewards fixed in the future, but an experience which was integral to the problem of living from day to day.

Recommendations

A number of specific recommendations have come out of the summer's experience:

1. that in future summer projects the staff number from three to ten students. The larger the staff the more time there will be to involve the community in the project. Once the tutorial is set up and running, the staff could spend the remainder of its time working to develop a greater concern for education among people in that area. Emphasis could be placed on developing leadership potential among youth and involving present leaders

in a comprehensive attempt to deal with the community's educational deficiencies. Methods might include attending social gatherings (church meetings, dances, etc.), speaking before civic groups and church congregations, arranging forums on higher education and leading discussion groups among high school students.

An increased staff also should be able to elaborate on concept of the tutorial, running tutorials for secondary school students, adult education programs and remedial reading for grade school children coextensively. College students could also be involved in the community in a number of non-academic programs such as producing a newspaper, directing plays, etc.

2. that the project begin with a clear definition of the responsibilities and relationships between the staff and any professional help. While as much professional help as can be used should be sought, the students should retain their essential independence, both from individuals and groups.

3. that some professional college guidance should be arranged in preparation for an increased interest in higher education. Perhaps a study should be made of available public and private guidance sources and contact made with these sources before the project gets underway.

4. that an orientation program for tutors should be planned carefully with much emphasis placed on tutees' environment as it relates to their education and educational needs. This information should be continually supplemented during the course of the summer by well-planned seminars, possibly including high school students.

5. that the energies of high school students be used in setting up the project. These students can help with recruitment in schools, churches, and social groups, and with tutoring younger children.
6. that the extra-curricular program be more closely integrated with the tutorial. A substantial item in the budget is required to finance such a program and some time should be spent with the tutors in planning at the beginning of the project.
7. that a system of evaluating tutee progress be set up and carried on throughout the program. Attention should be paid both to academic progress and increased motivation of tutees. A university research staff might be interested in running such an evaluation.

HARLEM EDUCATIONAL PROJECT

OBJECTIVES

The broad purpose of both the Philadelphia and Harlem projects is similar: to help overcome the educational disadvantages of minority-group secondary school student needs. More specifically, HEP was initiated with these objectives: 1) to improve the academic performance of the students; 2) to give the students some contact with college men and women and thereby interest them in higher education; 3) to expand the pupils' awareness of their community, their history, their culture, and educational, vocational, and cultural opportunities available to them; and, 4) to give interested college students an opportunity to observe the complex social problems of a large northern city.

The last two objectives were set as a part of a conscious effort to develop informed and sensitive leadership in both the college and high school students, and to encourage responsibility for what happens in the community. The summer's experience indicated that the development of youthful, responsible local leadership is essential for progress in Harlem.

ORGANIZATION

HEP was organized in May of 1962 by college students working with the Harlem Neighborhoods Association (HANA), a community organization with 80 church and civic group affiliates. The college students realized from the beginning that any such effort must have the acceptance and active support of the community. The planning and administration of the project was the responsibility of two co-chairmen, a secretary, and a steering committee. All work was done on a part-time, voluntary basis.

EVALUATION OF THE 1962 SUMMER PROGRAM

A list of the achievements of 101 pupils this summer will not provide an evaluation of the first season of the Philadelphia Theatre for Children; nor will the account of how ten people transformed an abandoned building into a theatre and a school. These things -- the exposure of impoverished children to the arts and the realization of a brighter present and future in a neighborhood which offers them neither hope nor beauty -- are noble, according to current versions of charity and progressive education.

However, an evaluation of what the Philadelphia Theatre for Children has achieved requires one to look beyond the socially commendable gesture to a very real transformation, the evidence of which was unfortunately obscured from the public eye because of the dramatically squalid environment in which it took place.

In fact, none of the poor became rich, nor were any suppressed truths unearthed, nor was a social theory proved. The change was less transparent, more profound.

The genesis of the theatre was conceived by its director, Christopher Speeth, in the fall of 1961. Mr. Speeth, a fifth grade teacher at the Chester A. Arthur School in South Philadelphia, inaugurated an advanced teaching program. Algebra was taught in special classes after school. Greek History and Mythology, Astronomy, the Literature of Shakespeare, Yeats, Sappho and Eliot became part of his curriculum.

The children's mastery of algebra and history dispelled misconceptions about the "inherent limitations" of children in underprivileged areas.

But their enchantment with the poets revealed a susceptibility to mysteries more compelling than problems, a response to forms more permanent than facts. Pupils began to research artists and compose lyrics on their own initiative. From one ten year old girl comes this statement on "What I want to be when I grow up."

> I haven't yet decided what I want to be. Sometimes I want to be a secretary or a nurse and sometimes a doctor. Perhaps I would like to be a teacher and a principal. Sometimes I feel that I want to be a reporter. Most of all I want to be a writer. A writer can learn a lot of things. I learned a lot of things about poems. Sometimes I want to be a poet like William Shakespeare. William Shakespeare wrote plays too. So I want to write some plays. Sometimes at night I write plays. But I really don't know what I want to be.

In December, the class presented an uncut performance of Menotti's Amahl and the Night Visitors. The opera, despite dramatic roughness, drew its players together in an interaction which is rare in any staged pagentry.

In April, the children began to rehearse A Midsummer Night's Dream. And as the play, designed to show the children's capabilities, began to cast its spell, the players became poets and the cast, both in and out of school, grew into a vibrant organism. Children studying their roles learned more than line, discovered more than characters, expressed more than themselves.

When the play was presented in full at the Arthur School, and in exerpts at Drexel Institute, Germantown Friends School, and at the Van Pelt Auditorium of the Art Musuem during the Philadelphia Arts Festival, it was acclaimed "incredible."

Its presentation was not entirely smooth, the diction of the players was sometimes indistinct, the timing not always right. But the children created much more than a diverting spectacle. They made the stage alive and invested 400 year old words with strangely current meanings and with a humor which provoked an outstanding Shakespeare scholar from the University of Pennsylvania to say, "Now, for the first time, I understand how Shakespeare so successfully used children in his plays."

The success of the Philadelphia Theatre for Children --- in terms of community applause -- was assured before the theatre opened. By late May only the lack of funds and community support stood between the realization of the theatre and its founders. The loan of an abandoned six-story building from the African Methodist Episcopal Church was secured by the promise of the building's improvement. The walls were scraped and painted, the windows replaced and the rooms lighted for the first time in six years. The Theatre was incorporated on a non-profit basis by a generous attorney who volunteered his time and services. Neighborhood residents offered their efforts. Glass and paint were contributed by local firms. Several area churches took up collection for the Theatre. The founders spent about $2000 of their own for books and materials for the children.

Between July 5th and August 22nd over one hundred children attended classes in dramatics, poetry, dancing, music, science and literature for six hours a day, five days a week. The children staged three productions: Cocteau's Orphee, Sophocles' Oedipus Rex, and Kleinbard's The Silver Feather of the Bennu Bird.

At the end of the season the Theatre received praises from Time Magazine, The Evening Bulletin, the Bhiladelphia Inquirer, United Press International and from commentators around the country. The approbation betrayed amazement that underprivileged Negro children were able to read Sophocles or listen to Mozart. But that is neither the purpose nor the revelation of the theatre. What the theatre does, in fact, reveal is that one invention of man is capable of instilling in his children a vision more vivid than appearances, and artistic vision.

PART II

BENEFITS AND REQUIREMENTS OF A CONTINUED THEATRE SCHOOL

A bright object in the distance may be viewed with greater clarity when the observer is shrouded in the shadows. This principle led the Renaissance stage-director Leone De'Somi to initiate the technique of placing "the fewest possible lights in the auditorium, while simultaneously endeavoring to illuminate the stage brightly." Audiences have, more or less, been sitting in the dark ever since. The advantages of this technical device are obvious when the play is the thing of importance. But this is seldom the case as may be witnessed in the rush for first performances, membership in the theatre bar, green rooms, and society nights.

The theatre is, in fact, an extremely exclusive enterprise. Depending on the organization, the theatre may promote a gregarious elite, develop demigods, capture a conscience, sell soap, or serve to encourage a great variety of worthy and unworthy causes which may or may not include causes related to the art of the theatre itself.

During the past year, we of the staff of the Philadelphia Theatre for Children have endeavored to brightly illuminate our stage to perfect an effective educational program for talented children of an economically depressed area while placing the fewest possible burdens upon our Philadelphia audience. Our resources were exhausted with the last curtain call, and with them the light returns figuratively to the audience to decide whether the show is over. Let us suggest that the decision which favors a continued theatre school for children such as ours is deceptively easy. This is because of the overlapping nature of social and educational quests which it undertakes. Many of the causes which presently argue for the theatre would be dispelled in a continued theatre.

The true benefits of such a venture cannot be seriously considered in terms of changing race relations nor in proving educational theories. These are merely effects. When several children voluntarily submit themselves to the arduous and rigorous discipline of producing a play, it is in this very process that a value may be attached to the theatre. For the space of the play, they have created their own culture. If this culture is more exciting, more imaginative, more intense than their off-stage environment, how can they help but return to their ordinary lives with something of the greatest value.

It is because the process of culture is necessarily a continuous effort that we urge the permanent establishment of a children's theatre. To this end, we have approached the great architect, Louis Kahn, who has enthusiastically endorsed our project adding to its design, the design of a theatre building especially for the children of this area. If realized, it would be a palace in the slums and a place of enchantment and mystery for the children of Philadelphia for many generations.

PART III

PROPOSED ADMINISTRATION AND STAFF

Aside from the non-salaried officers of the corporation (President, Vice President, Secretary and Treasurer) the Theatre will employ a staff of three administrators and three maintenance people during the entire year.

The Director will be paid an annual salary of $4400. This will be paid at the rate of $125 per week during the twelve summer weeks and at the rate of $80.50 a week during the forty winter weeks.

The Assistant Director and Business Manager will each be paid annual salaries of $4200. They will be paid $115 per week during the twelve summer weeks and $70.50 during the forty winter weeks.

The maintenance man will be paid $2600 a year at the rate of $50 per week for a six hour work day.

Two cleaning women will be paid $520 a year at the rate of $10 per week for working 10 hours a week.

During the summer thirteen teachers are to be paid $2 an hour for six hours of teaching a day. This would amount to a total of $4680, at the rate of $60 a week.

The teaching staff will include:

1. Four English teachers to be selected from Graduate Schools of English in the Philadelphia area, pending letters of recommendation from the Chairmen of their departments and approval by the Board of Governors.

2. Two dramatic teachers to be selected at the discretion of the director and subject to the approval of the Board of Governors.

3. One science teacher to be selected from a Graduate School of Science and to be approved by the Board of Governors.

4. One teacher of Classics who is fully qualified as a teacher of Greek and Latin and is familiar with classical mythology.

5. One music teacher to be selected from the student body at the Curtis Institute of Music.

6. One music teacher (to be filled by a composite of members of the Philadelphia Orchestra)who will give music lessons to qualifying pupils.

7. One art teacher to be selected from the Pennsylvania Academy of the Fine Arts.

8. One radio and television teacher to be selected from the Annenberg School of Communications of the University of Pennsylvania.

9. One teacher of the dance, pending auditions and to be selected by the director.

PART IV

PROPOSED CURRICULUM AND DRAMATIC SCHEDULE

SUMMER — 5 July through 16 August*

One hour courses from 11 A. M. to 6 P. M. will be taught Mondays through Fridays in the following: Poetry, English Literature, Diction, Creative Writing, Introductions to Dramatics, Theatre Design, Introduction to Radio and Television, Music Appreciation, Dance, Classical Studies, Science and Art.

In addition to the class schedule, students will audition for and perform in four productions, including one opera, now being written by David Diamond for the Philadelphia Theatre for Children, one classical play, one Elizabethan play and one modern play. All of these will be selected by a meeting of the director and the officers.

*The opening and closing dates of the Theatre are subject to change before the season opens. In any case, the Theatre will hold six weeks of classes with an additional two weeks for productions.

WINTER

During the winter, courses will be taught in the following: Diction, Poetry, English Literature, Introduction to Drama and Theatre Design. For eligible youngsters there will be advanced courses given in English Literature, Drama and Theatre Design.

Several plays, still to be announced, will be performed during the late fall and spring.

PART V

PROPOSED ATTENDANCE AND CLASSROOM SCHEDULE

SUMMER

During the six-week summer session, thirteen teachers will teach 250 students. The student body will be divided into a morning and afternoon group, each of which will receive three hours of training five days a week. Rehearsals for productions will be held on Saturdays and during the early evenings with the consent of the parents. An additional two weeks at the end of the season will be alloted for the performance of the four selected productions.

WINTER

During the winter season classes will be given from 9 A. M. to noon on Saturdays to a maximum of 100 students.

The four dramatic and six English courses will be taught by ten Graduate students of English. These teachers will be designated by the Director, following letters of recommendation from the chairmen of their departments. Rehearsals will be held on Saturday afternoons and after school five days a week.

PART VI

PROPOSED THEATRE AND SCHOOL BUILDING

According to Louis Kahn, the theatre and school would be built in one unit which would be housed in a shell very like an enormous truncated pear. The ten classrooms would face each other overlooking the stage, separated by a gallery which would lead onto the stage from the rear and center. The aggregate of classrooms in two stories, would serve as the back wall of the stage. The audience would sit in tiers molded into the general outline of the building and facing the classrooms. The roof would be equipped so that it would slide open and permit natural light to flood the stage during rehearsals and musical recitals. The seating capacity would be 150 arranged in balconies with several entrances. There would be a few special pockets in the structure to accomodate adult seating and the entire interior would structurally have the aspect of a labyrinth or a cave. It would also have an appearance reminiscent of a rococco opera house with its red felt and interior decoration.

The stage would be designed to accomodate various techniques of direction including all of the advantages of the Greek, Elizabethan, and procenium stages without sacrificing its own unique attributes.

The building will occupy 6000 aquare feet of land probably on one of three sites along Washington Avenue between 17th and 22nd streets in Philadelphia, but definitely on one of thirteen sites between Bainbridge Street South to Washington Avenue and between 17th Street West to 24th Street. The cost of the building would be $200,000.

MELON NEIGHBORHOOD PARK

The 1962 Budget Message of Mayor Dilworth of Philadelphia calls for . . .

". . . the creation of a permanent unit, consisting of seven persons, to assemble tax-delinquent properties for conversion to appropriate public use, such as play lots, parks, etc. The program will also eliminate properties whose condition endangers a neighborhood. The pilot project of this program, completed this year, was the Melon Play Park, created from 22 tax-delinquent properties. This was an outstanding success in the exercise of neighborhood leadership and city-community group cooperation. In this instance, the groups were the West Poplar Neighborhood Guild and the Department of Landscape Architecture of the University of Pennsylvania."

The author of this article, a Member of ASLA, is design and technical consultant to the Philadelphia program.

By KARL LINN

"When I saw a group of little girls sweep and then sit on our worn white marble steps before we had really started to build our amphitheater, I knew that they had known these steps before . . ."

A living city needs the omnipresence of its past at street corners and public squares. Unless the worn steps, the mossy sidewalks, the cracks in walls, and the assertive weeds and trees are integral experiences of our urban encounters, the city will cease to be a regenerative man-made organism. We need our ruins to give continuity to our urban life just as much as woods need their fallen trees for their self-perpetuation.

Philadelphia is recognized as a pioneering metropolis in urban renewal. Ever-expanding planning efforts led to passage of Public Bill No. 3224. This bill made it possible for the City to acquire tax-delinquent properties at sheriff's sales and lease them to responsible neighborhood organizations for nominal charges, to be used for neighborhood recreation. Heretofore, such cleared tax-delinquent properties became garbage dumps or unofficial parking lots.

Under sponsorship of the West Poplar Civic League, just such a property became the Melon Neighborhood Park. There were three raw materials: historic building materials, the labor of the people in the neighborhoods, and the aesthetic and muscular efforts of a design corps made up of students from the Department of Landscape Architecture in the School of Fine Arts of the University of Pennsylvania, under the direction of the author, who was also their professor.

Our aim was to create a park that has a "sense of a place" to which people like to come. The sense of accomplishment that the citizens experienced, as young and old joined in this self-help effort, will, we hope, be essential building blocks of urban renewal reinforcing the morale of the people. Our teen-agers, whom we equipped with an old pick-up truck, are already industrious scavengers of the city's historic building materials.

We dismissed the use of new materials partly for lack of funds, but primarily because in these old parts of the city new materials would constitute an affront to the existing crumbling structures. Our sense of rootedness, of belonging to our city, is undermined and violated if our entire link to the past is limited to a few historic buildings which are isolated in oceans of new concrete pavements. We cannot afford, not only for reasons of economy, to discard, destroy, or virtually give away these precious age-old materials.

We looked for materials which were part of the lives of the neighbors of this community so the areas being created were already imbued with an air of familiarity. We wanted to show that materials which bear the imprints of use and weather, when put together anew, will emanate a sense of relatedness to human and physical environment which one so misses in all construction that is new. To tie in our entire scheme, we deliberately utilized one remnant of an existing foundation, to show that one need not always start from scratch.

The idea of self-help, vacant-lot development through volunteer citizens' labor is doomed to failure if old building materials are not readily available. The endless efforts that are required to get hold of a few old railroad ties, flagstones, or cobblestones are so discouraging that if citizens

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Since the accompanying article was written, Melon Commons (formerly Park) has become an irreplaceable asset to its neighborhood. Its equipment has stood the test of rough and constant play. The author has been invited to Boston, New Haven, New York, Baltimore, Pittsburgh, Louisville and Seattle, where enthusiastic citizens have sought his knowledge as a starting-point for similar local programs. The nation needs such down-to-earth-projects: tangible, feasible, and visible, and created by the people with help of experienced designers. And the world needs leaders trained in the daily experience which these projects offer right at our own doorsteps. This can become grass-roots neighborhood renewal at its best.

Grady Clay, Editor

Reprinted from LANDSCAPE ARCHITECTURE Quarterly January 1962

meet the same obstacles with each new lot, soon the vacant-lot program will be abandoned.

It is common practice today to allow demolition contractors to salvage whatever material they want for their own use. This is considered part payment for their work. Only a small fraction of material is usually salvaged, while pavement materials are ruthlessly churned up. To prevent this thoughtless waste, I recommended a program of stockpiling historic building materials, beginning with a careful inventory of demolition sites of these precious materials. This has been adopted.

If any city will coordinate the stockpiling of its historic building materials, the deep-seated desire of citizens to contribute to the improvements of their neighborhood will be tapped and made available as one of the most vital, though still latent, forces of urban renewal. We have found proof in Philadelphia.

We made our colored mosaics of tile fragments, considering them integral surfaces of our old walls, because we believe that the joy of art should be part of our daily lives and not restricted to museums. Once Marvin Street is closed, we expect to surface it with colored tile mosaics. The street will be flooded for boating and cooling off during the summer and for skating in winter. This reflective sheet of water will help to separate our elevated stage from its audience, thereby giving greater drama to the amphitheater. The trees that we selected are those familiar to the neighbors, such as ailanthus trees which grow in so many of their backyards and alleys. These trees are hardy in city conditions and really look like "happy, thriving urbanites."

All during construction, children found so many exciting, unexpected uses of the park and its walls, steps, and building materials that we look forward to more imaginative uses once construction is completed. These children—aged 5 to 10—not only helped us physically, but also kept us company. And they taught us much about playground design.

The trenches that we dug were to us only necessary evils of construction procedures. Now, we will always recommend for playgrounds at least shallow trenches because children love to jump across them. The sunken sandbox brought forth much speculation of its possibly being a wading pool. No wonder! Once completed and filled with sand, "sand diving" became an activity that won much acclaim.

We had a notion that undulating terrain adds an important dimension to children's activities which level, scraped earth does not possess. However, we never envisioned the fun that the children had scooting down our mounds in old baby carriages or other wheeled contraptions. We have modified our scheme in such a way that our mounds are linked together by a narrow undulating path for roller skating.

One left-over jalopy served as a holdout for knights who, armed with wooden shields made of bottoms of tomato baskets, fought off enemies attacking with wooden swords. The roof of this jalopy also served as a satellite station, once the gang decided to descend from the lofty height of an adjacent garage. Being made of tin, it literally added extra "bang" to this pursuit.

We know now that children need more than level asphalt-covered play areas that are imprisoned by chain-link fences. These so-called "safe" level play areas are much less safe in the final analysis than one might think. In the past, children not only suffered fatal head injuries on these hard pavements, but the endless uninterrupted, glaring, monotonous, and stupefying surfaces do not offer opportunity for the development of muscular coordination. They bring about hazardous awkwardness or dare-devilishness.

Every day there were children playing away from the commotion and noise of construction, sheltered by a few slum buildings. Amidst debris and rubble, they planted twigs to gardens, cooked spinach-weeds in frying pans on brick hearths. Although these frying pans later became drums, providing music for a wildly jumping troop, these children found their peace in these secluded areas.

Children asked us often whether there would be fences or limited play hours, which they were accustomed to in other play areas. With relief they received the reply that there would be no restrictions. If boys are destructive, not they but the designers are to blame. We had not a single violation in this area, which is supposedly a tough one, except that one contractor dumped junk on our site after we cleared it. But since his rubble was full of cobblestones, I am still not certain whether this might not be considered a good deed. If the spaces we design are simple and strong and if they grow out of the real needs of the people, they will be understood and respected by any community.

All of us who design spaces for others should never forget that we fulfill our professional tasks only if these spaces are cathartic forces helping people to fuller realization of their potentials. In this so-called slum area, how much vitality and mental and physical agility we witnessed! How much there was for the children to do as construction progressed! All day long, they went from one activity to another. I hope that when completed, this playground will offer creative challenge and will have enough building material left over for the children's use. It would be an irony if a finished playground had less to offer than those under construction.

I am afraid, though, that this is often the case. Instead of creating spaces which activate the imagination of young and old, our spaces and recreation equipment are too static and overdesigned. Even our elaborate and expensive sculptural playground equipment is so contrived that, except for motor activity, it leaves little to children's fantasy. Would not a huge gnarled tree root sitting on the ground, like an octopus perched on its tentacles, do much better?

It was wonderful to see daily more children flow into our emerging spaces, emptying the dangerous streets of the fragile little bodies. The last few days our sand circle was filled with children to the extent that one could barely see any sand. And suddenly one became plagued by the thought of how minute our new facilities are and how staggering the need.

Reprinted from **The PROGRESSIVE**

APRIL 1963

the FORGOTTEN ones

by DANIEL PANGER

TWENTY-THREE years ago John Steinbeck shocked the nation with his story about the "Okies" who barely kept alive as migrant agricultural workers in California. A generation has gone by since he wrote *The Grapes of Wrath,* and while the living and working conditions of industrial employes have improved greatly in that span, little change for the better has taken place among the agricultural migrants across the country. The Joad families of today are nearly as submerged in poverty and squalor as were the Joads of the Great Depression.

In the present era of prosperity and high employment, the plight of farm migrants stirs few Americans to wrath. Only a handful of state and national legislators have sought, in vain, to put through measures to help the three million men, women, and children whose labor feeds *us* but scarcely keeps *them* going from year to year.

I had heard tales of how today's Joads work and live, but the wretchedness did not really touch me until I went through the backroads of California's San Joaquin Valley and saw for myself what their days and nights were like. My guide was a young labor contractor who wanted me to know the migrants' world, perhaps to share his guilt, perhaps to expiate it since he directly profited from the labor of a score or more farm workers whom he supervised. As the contractor, he retained a share of their wages.

I left Los Angeles at two in the morning, in order to meet my friend at Bakersfield by four. His day already had begun, and after he greeted me we went down to Cottonwood Row, a street that cuts across the Negro community of Greater Bakersfield. The sky was still black except far in the east where the faint beginnings of light were creeping over the Sierra Nevadas.

In almost any other place the only sign of life in the pre-dawn hours would have been a stray dog worrying a garbage pail, or perhaps an old drunk, rolled into a ball, insulated internally against the cold. Things were different on Cottonwood Row, as they must have been in the dozens of other gathering areas for migrants up and down the valley.

All around were people, hundreds of them. Most were men but here and there I saw women and youngsters. Congregated in small groups, they kept their voices low, as if talking full-voice might be considered indecent at this early hour. Many were thinly dressed and were stamping their legs and swinging their arms to ward off the chill. Some looked as if they had not eaten; their lips were whitish and they swallowed constantly. A few, who knew my friend, asked if he could advance them breakfast money. He gave fifty cents each to two, a quarter to another.

Most of those waiting were Negroes. There were some Mexican-Americans, some Caucasians. Differences in ethnic background were forgotten in this sad place. Men grouped with those they liked; race apparently meant nothing here. My friend informed me there were gathering places of a similar nature in the heart of the Mexican community and on the periphery of Caucasian communities in the cities, towns, and hamlets up and down the length of San Joaquin Valley.

As I stood there, trying to understand what I was seeing, buses began to roll up. Each man headed for the bus that represented the job he preferred. Some were chosen, others

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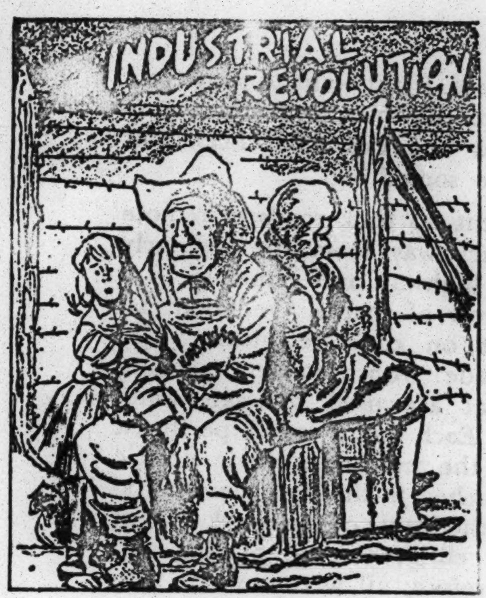
DANIEL PANGER is a fair employment consultant for the California department of industrial relations.



Eric in The Atlanta Journal

Displaced Persons

were turned away. Hands were needed to pick plums, peaches, and nectarines, to chop cotton and top sugar beets, to thin grapes and pick potatoes. A few specialists would be working in the rose fields.

One dollar an hour was the pay; ten hours the workday. Lunch would be thirty minutes, and the labor contractor would bring preserved meats and bread for those who could not buy their own in advance. At the end of the day he would take back his cost from the men's wages before the payoff. If a worker picked potatoes, he was paid seven cents a "stub." A stub was sixty pounds, but he picked eighty: The difference went to the labor contractor. Although picking potatoes was perhaps the hardest job of all, it was the one job most eagerly sought after, because if a man worked hard and fast enough he could make more than a dollar an hour.

I stood on Cottonwood Row until the sky was light. Most of the people were off to the fields but enough remained to constitute a tragedy. The fifty or so who could not get work would be forced to return home, and try to exist without money and frequently without food until the next day. Some of those left were youngsters. They tried to be casual, to pretend they did not care. The older men, those who were family men, wore their rejection like a cross of lead. One old fellow, who might have been sixty, or maybe a broken-down forty, came up to my friend. "I need breakfast," he said. My friend nodded and gave him fifty cents. One of the responsibilities of a labor contractor, it appeared, was to meet the daily emergencies that dogged the men he supervised. There were no banks to lend a man the price of a breakfast.

After all the buses had gone and the unwanted men had shuffled off, we went to the cafe across the street. All twelve stools were filled, but, as if by magic, two men slipped off and walked over to the juke box, making room as we entered. My friend bought coffee for several men. They sat at the counter, smoking and cradling the thick mugs in their hands. This cafe did most of its business in coffee. I saw no food being eaten, although some of the men looked as if they needed eggs or bacon. Something about this place—the obvious poverty, the subdued voices, or perhaps the presence of a dozen full-grown men, dressed for but without work—made me feel the utter hopelessness more acutely than when I had been among hundreds.

* * *

We drove east for some ten miles and stopped to watch potatoes being picked. I saw families working—father, mother, older children, and youngsters who could not have been more than eight or nine. Hanging down from their belts and between their legs were open sacks into which they thrust potatoes with unbelievable speed. The hands of the adults moved like machines, each hand seemingly guided by a separate force. Some moved so rapidly it was hard to follow them. The young children worked at a slower pace, and as the sacks grew heavy they found them more and more difficult to drag. Frequently an older child would help a younger one to unhook his sack when it was filled and set it up by the edge of the row. The smallest children ran free and played close to the work area. They never interfered with the workers. They never went out of sight, and although they were having fun, they were careful not to let their high spirits carry them away. They knew they were on the land of a stranger.

I saw two teen-age girls working side by side. They were barefoot, wore jeans, sweatshirts, and broad sun hats, but their faces were carefully made up with lipstick and eye shadow. While they worked, they whispered and giggled.

Another girl nearby was working like fury. All her movements were rhythmic. I walked near and heard music. She had a little transistor radio placed on a piece of newspaper at the edge of the row. Whenever she moved, she carefully placed it in a new spot. She handled the radio like a precious jewel. It probably cost twenty dollars and represented two ten-hour days of back-breaking work.

If I had been working beside these people, bent over, with the sun beating down, I doubt that I could have lasted thirty minutes. It must have been more than ninety degrees and before noon it probably would top a hundred. The choking dust alone would have stopped me, yet here were children, teen-age girls, and old people working ten hours a day for seven cents a stub—eighty pounds of potatoes. To earn ten dollars, they would have to pick 11,400 pounds, nearly six tons a day. As I watched them work, my companion told me that several weeks earlier a baby had died in a prune orchard. Its parents had been picking and the baby, a six-weeks old infant, was lying on a blanket nearby. The coroner said death was from malnutrition and too much exposure to heat.

We left the potato fields and started driving up a side road. We drove several miles and suddenly my companion stopped the car and pointed to a grape arbor. I was puzzled because there did not appear to be any sign of life. We walked up a row along an irrigation ditch. The only sounds were from insects and from the rustling of leaves, and the windless, sweetish air was oppressive. My companion pointed to a row of vines heavy with foliage. I stooped down and saw a man on his knees, almost hidden by the leaves, busily thinning the grapes with a pair of hand shears. He moved from vine to vine on his knees and only at the end of a row was he able to stand up for a mo-

ment and stretch before starting the next row. The temperature under the vines must have been upwards of 120 degrees. It was like being inside a hothouse with the sun beating down on the outside.

I looked around and noticed other men and women all busily engaged in the same task. My companion said under his breath, "They are braceros—laborers brought in from Mexico. Most of the work on grapes is done by them."

* * *

The braceros, my friend told me, are given better working conditions than are the American migrant laborers, since there are certain rules and regulations concerning their employment. For example, the braceros must be provided with adequate housing facilities on the land where they work. These requirements do not apply to the American workers.

Before we left the grape arbor, my friend, who had been intimately involved in farm-labor contracting for a number of years, said he could not understand how anyone could work all day underneath the vines. He said, "I'd rather starve or go to jail than be cramped down on my knees, sweating and having insects crawling down the back of my neck." "How much are they paid?" I asked. "A dollar an hour, like everyone else," he said. "Nobody gets more than a dollar an hour in this work."

It was getting close to noon, and the sweat was pouring off my face and shoulders in little rivulets. I had not done a stroke of work, yet I felt slightly dizzy and nauseated. "How do these poor people survive?" I asked myself. Then I remembered the disappointed people who were rejected for work that morning.

We traveled about the valley all that day. I saw rows of men and women chopping cotton. I learned that this had nothing to do with chopping down cotton, but was the task of removing weeds from the rows so the plants could grow to maturity. Unless the cotton fields were weeded at least three times a season, the crop would be ruined; thus all during the summer men and women would be needed to hoe the fields under the blazing sun.

There were only men working in the peach, plum, and nectarine orchards. Picking fruit involves climbing up and down ladders and the California law expressly forbids women from doing this kind of "hazardous" work. At the edge of a peach orchard a labor contractor sat at the wheel of a truck. Men would jog up with filled buckets, empty the fruit into wooden lugs on the truck's flat bed and jog back to the trees. Everything was done "on the double" in spite of the hundred-degree heat. It was not enough just to pick the fruit. The fruit had to be handled with care to avoid bruises and only a certain size and degree of ripeness would pass the inspection of the State Agricultural Department. The hands of the pickers seemed to have a sixth sense. They knew which fruit to pull and which fruit to let alone.

We traveled more miles. The sun had passed its zenith and the heat hung heavy and choking over the great San Joaquin Valley. We came up to the rose fields, where men worked in pairs; one man trimming, the other tying the rose bushes. The scent of the flowers lay like a blanket over the fields, and after awhile filled your nostrils and made breathing difficult in the over-heated air.

By now the workers had been at their various tasks some seven hours. Rivers of sweat had poured down tens of thousands of bodies laboring in this great, sweltering valley, yet they worked on. The sun's glare had developed bright spots before my eyes, and the faint nausea of several hours earlier had changed to acute discomfort. I suggested that we find some air-conditioned restaurant or tap-room where we might recover, but my friend held up his hand and said, "Please. I just want to show you where some of them live. Then you will know and can tell others, and maybe do something."

We went up back roads to remote places far away from the regularly traveled highway and came up to a double row of shacks. One-room affairs, set on concrete blocks, they were made from wooden packing cases that are used to crate automobiles. Each had a stovepipe thrust through the roof and a single electric wire attached to the lone electric fixture on the inside of the shack. About a dozen children were playing. All were barefoot; all were covered with filth.

When we drove up, a fat woman with flat, glazed eyes came out of one of the cabins. She wore a housedress partially open in front. Her gray hair hung disheveled and her bare feet were black with dirt. She asked if we were "from the County." When we said, "No," she shook her head and said, "I'm expecting someone from the County." She looked at us for a moment, puzzled, her mouth showing broken, discolored teeth. Then she turned and walked back to her shack.

"She's waiting for some kind of relief or aid from the County," my friend told me. "You can't get regular relief until you've been a resident of this state for at least three years but sometimes they'll give you food orders so you won't actually starve. Come on, let me show you," and he beckoned me to one of the shacks. When no one answered his knock, he pushed the door open with his foot and we went in. It was dark inside, and like walking into an oven. The stench turned my stomach. There was no running water. Several beds crowded together, and several old mattresses lying on the floor were the only furniture. In the center of the shack was an old-fashioned, potbellied stove.

"Do people actually pay for these places?" I asked. My friend nodded. "They charge a dollar a day, sometimes more. There are places like this all over the valley. A lot have been torn down but plenty still remain. The farm workers are glad to find them because it's better than sleeping out in the open."

There was one central wash house

for all the inhabitants of the thirty or more shacks. Its condition and odor defied description. "Are they all like this?" I asked, referring to the other settlements where farm laborers live. "Some are a little better, some are worse," my companion replied.

Moreover, many migrant workers live without any shelter at all. They sleep in automobiles, camp out under trees or on roadsides, without a minimum of sanitation or privacy.

Late in the afternoon we started back toward Bakersfield. As we passed the fields of cotton, roses, the grape arbors, the potato fields, the fruit orchards, we saw men, women, and children still working. Day would soon be over for them. They would be able to rest and sleep and tomorrow they would have a chance once more to line up and beg for jobs.

We rode together in silence for awhile, and then I asked, "How do they stand it?" My friend shrugged his shoulders. "Aren't they trying to organize them in some kind of union?" I inquired.

He nodded, then said, "As long as they bring in the Nationals—the braceros—they'll never be able to form a good union. Any time you try to ask for better conditions or for more money, the growers say, 'If you don't like it, we'll bring in the Nationals.' When they had the big strike of the lettuce workers down in the Imperial Valley, they used braceros to break the strike. Last year, up in Marysville," he continued, "they organized a strike, but they wouldn't let the workers picket because it was private property, and they brought in guys to break the strike. One man said he was going to picket anyhow, and was shot by a deputy sheriff. They killed him. Said he was trespassing. These poor people need help. They need it bad."

"How come you work with them? I mean, why do you contract their labor?" I asked.

"I have to live, man. I got a wife and family too. I'm just a little fellow. Sure I make more than they do, but I've got to live."

He was torn between the necessity of earning a living and acute awareness of the kind of business he engaged in. Later I found out that the small labor contractor seldom made more than seventy-five or eighty dollars a week, and was required to be out in the fields with his men all day. If anything went wrong, it was on his head.

Just before we parted, my friend looked at me and said, "There's plenty more you haven't seen. I know every inch of this valley, and all over it's the same or worse." He looked at me in silence for a minute, then said, "How come they let this kind of thing continue? Why don't the government do something?"

The National Advisory Committee on Farm Labor is a fact-finding, reporting agency. It provides information regarding the problems of farm workers to aid concerned persons in taking effective action. You may write to the NACFL for more information on this subject, for a list of other literature available, and for names and addresses of other groups concerned with this issue. If you wish to be kept posted on the status of farm labor legislation, write to the National Council on Agricultural Life and Labor, 1751 N St. N.W., Washington 6, D. C.

For additional copies, write to:

NATIONAL ADVISORY COMMITTEE ON FARM LABOR

112 East 19 Street, New York 3, N. Y.

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This memo was originally prepared for East River CORE of New York City. The legal aspects of rent strike need to be discussed with good housing lawyers in your community. The method is applicable for any sincere civil rights group which will stay in a given neighborhood over a period of time.

TENANT ORGANIZING TECHNIQUES

prepared by

Jo Adler
PROGRAM DEPARTMENT

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlandt 7 6270

There are two objects of the housing program, The first is the job of organizing tenants so that they

A. provide their own leadership
B. have a structure to solve their own problems

CORE members act as resource people to these tenant councils. CORE members help them focus on specific problems which the group can deal with, such as how to get a play street. The second, as a result of the first, is to pressure slum landlords into repairing and maintaining their apartments.

I.

.The CORE organizer should have a knowledge of the housing code when he enters the building, so that he may inform the tenants of his rights. This information can be obtained from:

280 Broadway
RE 2 0112

and the rehabilitation office uptown Manhattan, is

FO 8-5100

The first step in organizing the tenant council is the taking of housing violations. CORE enters a building, either through a complaint, or with someone from the neighborhood who has friends or relatives in the building, or "cold" because the building is on his block to be organized.

Enter the building with the housing violation forms, and some CORE literature with the office address and phone number on it. You may also take buttons. It is wise to have some kind of identification which is visible, such as a plastic name badge, with the name of the chapter. Buildings may be entered by one person, there is no particular danger. It is faster to take a team of two. It is best for the team to remain in permanent contact with the building and the block to avoid confusion and to maintain CORE's relationship with the tenants. During the first meeting inform the tenants of what CORE is, what the chapter is doing and look for two things:

1. An apartment with space and chairs for meetings.
2. A strongperson who will act as your building contact, and perhaps, as the tenant council representative.

Perhaps you can line up the apartment and set a time and date for the meeting on the first contact with the building.

Take the forms back to the office and file them immediately. Then immediately:

1. Draft a letter to the landlord listing the violations and inviting him to a meeting or into negotiations with you, a tenant committee and a lawyer. (He probably will not answer the letter.)

2. Fill out the rent reduction forms for each apartment and send them to the Rent and Rehabilitation office; (East River, through Lisa Gross).

3. Demand inspectors for violation from the following city agencies where evidence of such violation is apparent.

   a) Building violations
      Municipal Building
      566-3438

   b) Health Department (Rats)
      WO 4 3800

   c) Fire Department
      (the nearest fire station)

II.
The tenant council meeting.
Explain again the tenants' rights.

1. painting every two years
2. locks on the front door
3. plastering
4. extermination once a month
5. responsible janitor service
6. courtesy
7. receipts for rent
8. a new stove or refrigerator only increases the rent by $2.00 apiece a month
9. hot water and heat , outlets in every room, etc.

Impress the tenants with the necessity to complain as a group rather than individually. Individuals can be lied to and intimidated, the whole building provides strength to the individual.

What can the tenants do?

1. Take out a summons in criminal court. One tenant can act for the whole building but CORE cannot. Have this summons made out in the name of Mr.(s) X. et. al
This is done at:
52 Chambers Street (behind City Hall)

Arrive there at 9:10 A.M. and you will not have to wait too long. Say you are taking out a complaint against landlord X (or realty company) if necessary for:

FAILURE TO PROVIDE ESSENTIAL SERVICES UNDER THE 2040 PENAL CODE AND LIST THEM ON THE COMPLAINT.

Lack of essential services include: bad pipes, no heat, no hot water, poor janitor services, unsafe wiring and unhealthy conditions created by rats. (The complaints under 2040 technically do not include plastering, painting or holes.) This summons is served on the landlord by the tenant and you, (and you can get a policeman to come with you) or just by you if you have the summons made out in your name AS A THIRD PARTY. Try to have the tenant organizer present when the summons is presented to the landlord. You do not need a lawyer in these court proceedings, but it is very helpful.

When you go to criminal court, have a list of the flagrant violations with you. Take as many tenants as possible to court so they may testify. The landlord probably will not be there. Take out a second order , or if possible, a warrant for his arrest. The warrant is served by the court and will not actually put him in jail but orders him to appear in court. The hearing, in the case of the 2040, takes place in the civil court and the District Attorney will be the lawyer there. Be sure to have the list of flagrant violations with you.
Here is where the order to repair is made.

2. Rent Strike

All rent is witheld from the landlord. It is not kept by the tenants but is given to the CORE organizer in the form of a money order made in the name of the tenant and placed in a safety deposit box. Welfare clients must tell their workers to withold rent and the organizer must also tell the worker to withold rent. Inform and impress the tenant that a dispossess will be sent. Let them know that the eviction is illegal if they are under CORE supervised rent strike. We WANT a dispossess because:

CORE, the tenant and the lawyer go to the clerk of the court and take out a "show cause" at:

Landlord and Tenants Court, 1st floor
111 Center Street

This STOPS the eviction proceedings.

The tenant who got the disposses and as many other tenants as possible go into court to testify against the landlord. (This is also where theorder to repair is made.) When the show cause is taken out, CORE and the lawyer must subpoena the department of buildings, the fire department and the health department to have the city records in court the day of the trial. It cost $2.00 for a subpoena. Be sure to take the escrow money, a list of the flagrant violations, as many tenants as possible, and a lawyer. A lawyer is needed for every step of the proceedings in rent strike cases.

3. The third method to have repairs made is under direct confrontation with the landlord. His office may be picketed until he agrees to negotiate. The landlord should never be given money to repair , but rent money should only be handed over after repairs are made to the satisfaction of the tenants.

III.

CORE's role is not to have buildings repaired through our "help". The organizer must always keep in mind the overall goal: providing a way for tenants to organize themselves in terms of neighborhood problems and in attacking the sources of ghetto conditions. The tenant council is the basic building block. The tenant representative should be the building co-ordinator calling the meetings, collecting the escrow money and informing the office when dispossesses are sent. The organizer develops the tenant as a leader in as many ways as possible. It may be possible for the organizer to meet with the tenant council representative to draw up an agenda before the second meeting. Then the tenant can chair and ask for additions to the agenda. The organizer is present to clarify and keep order. In the early stages the organizer will probably be the focus point of these meetings, by informing the tenants and by encouraging everyone to speak to issues not concerned with the stage of rent strike. The organizer must work within the framework of:

1. clarifying enough issues into projects, so that the tenant council will continue to exist after the building is repaired.
2. considering himself part of the community.
3. eventually leaving so that the organization runs itself.

IV.

When several buildings on a block have been organized, representatives and committees can form themselves into block councils. These councils can focus on such issues as:

A. The neighborhood school conditions.
B. Poor police protection and brutality.
C. After school projects with children:
    1. A study club
    2. A teenage recreation center and library
    3. Tutoring programs
D. Conditions of street sanitation
E. A block newspaper etc.

Here again, the organizer must be flexible. He develops leadership from the block to take over the administration of these projects. He moderates between tenants unused to formalized structure It may be necessary to promote issues that everyone can work on and deal with certain people directly if they oppose projects brought up by other members.

A tenant council takes from four to six weeks to create, A block council may take up to six months. A number of people will move, and extra problems will arise from addicts, local politicians, conflicting organizations, and interpersonal conflict. People do not want addicts in their homes for the tenant council meetings, therefore you may have them in the hall, or an empty apartment. Tenant council projects force the local politicians to take a stand, and brings their real worth to the eyes of the public. There are two implications:

1. local politicians can be pushed to take more constructive stands
2. newly developed leadership will take over.

There will always be other organizations competing for loyalty. CORE may be in a position of:

1. strengthening their efficiency
2. coordinating with them on common projects
3. explaining why they are not useful in the long run

It is important for the organizer to forsee these problems and to expect to spend a considerable period of time befor concrete organizational results are obvious. The prize is a good one, for such connecting block councils can change local political clicks of graft and do-nothingness, generate community pressure to upgrade and integrate education, run irresponsible landlords out of business, provide a vehicle for cooperation between people who have had no contact with each other although they are neighbors, and give people self respect.

File

Housing

Report on the First Meeting of Human Relations Advisory Committee to Department of Relocation

December 11, 1963

JAN 2 1964

The meeting was attended by the following members of the Committee:

Robert Paul - Archdiocese of New York
Vincent Mase - Local 32B Building Service Employment Union
Morris S. Sass - Anti-Defamation League of B'nai Brith
Frances Levinson - N.Y. State Committee on Discrimination in Housing
Raymond A. Pickard - Community Council and Civic Organizations, Staten Island
Joseph B. Robison - American Jewish Congress
Allyn P. Robinson - National Conference of Christians and Jews
Norman Hill - CORE
Allan Hoffman - CORE
Jack E. Wood, Jr. - City Commission on Human Rights
Alice B. Arrington - Y.W.C.A.
James G. Farrell - Wakefield Taxpayers and Civic League, Inc.
Rita Smollens - Urban League of Greater New York
Jane P. Mills - West Side Urban Renewal Area
Norman Uris - Department of Real Estate

The following Committee members were not able to attend the meeting:

Adele Tunick - United Parents Association
Rev. Philip S. Hurley, S.J. - Catholic Inter-racial Council of New York
Joseph Morales - Commonwealth of Puerto Rico
Paul Gibson - N.A.A.C.P.
Cyril Tyson - Harlem Youth Opportunities Unlimited
Livingston Wingate - Association of Community Teams
Elizabeth Kempton - Housing and Redevelopment Board
Emanuel Muravchik - Jewish Labor Congress

The Department of Relocation was represented by Commissioner Herman Badillo, Mr. Frank Arricale, Jose J. Torres and Norman Shubert.

At this initial meeting Commissioner Herman Badillo and Mr. Frank Arricale explained to the representatives of the various human relations organizations the reason for the formation of the Advisory Committee. The basic purpose is the solution of the human relations problems which are handicapping the Department in its attempt to relocate tenants to "standard neighborhoods" as well as standard apartments. The problem of the physically standard apartment has been solved: the relocatees move to safe, clean, and adequately spacious apartments with central heat and hot water, private bathroom, and adequate ventilation. But the Department would like to go a step beyond this and be able to offer more apartments in good rent-controlled neighborhoods with low rent ratios, low delinquency rates, low rates of structural deterioration, and adequate schools. In short, the Department is trying to lift the families out of ghetto environments.

It is also important to encourage relocation tenants who are members of the minority groups to seek and accept apartments in hitherto all white areas. Relocation personnel must be helped to encourage tenants in this matter.

There are three inter-connected human relations problems here:

1. The landlords who list apartments under the Finder's Fee Program do not give enough listings in the good low-rent areas, such as Staten Island, Bushwick and Brooklyn Heights. Pressure from the City upon the landlords results in token cooperation, and so there must be additional pressure from civic organizations and from the neighborhood residents themselves. These people must convince the landlords that they would like to have Negro and Puerto Rican neighbors who would be able to rent apartments without experiencing discrimination.

The present residents of these neighborhoods must be helped in learning these changes, and the new-comers must be helped in adjusting to the area.

2. There is the problem of achieving economic integration as well as racial integration. In each of the new middle-income apartment buildings projected for the West Side Urban Renewal Area, approximately 20% of the units will be offered at the low-income rental of $18 per room. The problem is to achieve tenant acceptance of this "skewed rental" program, especially as it becomes an actuality; hypothetical acceptance of "economic integration" is a far simpler matter. The Department of Relocation and the Housing and Redevelopment Board are currently working to determine the criteria of eligibility for "skewed rental" tenancy. The criteria of the Housing Authority are being used as a guideline, but it is hoped that greater flexibility will be possible so that stable families ineligible for public housing could be eligible for this type of housing. It is intended, however, that financial eligibility will conform with the standards used by the Housing Authority.

3. The third problem is the necessity of instilling in the Real Estate Managers of the Department of Relocation a greater sensitivity to the human values involved in their work. Because the relocation staff came from the Department of Real Estate and the private real estate field, the orientation of the men had previously leaned toward the brick-and-mortar aspects of housing problems. The Advisory Committee could help the Department stimulate greater human awareness in the employees.

During the discussion period, there was a request for the following statistics: the annual relocation load; the percentage of tenants who fall into the middle-income category; the percentage of tenants using the Finder's Fee Program; and the percentage of tenants who are Negro or of Puerto Rican origin. Approximate figures were given, but the full statistics will be presented at the next meeting.

The problem of the ineligibility of many families for public housing was discussed. It was explained that one method of achieving greater eligibility is "Operation Phoenix," a tenant education program to instruct the tenants in the basic skills of housekeeping and treatment of property. This program is to be carried out by Goddard-Riverside Neighborhood Center through a contract with the Department of Relocation.

Another program on the West Side that could lead to increased eligibility is the diagnostic study being carried out by Greenleigh Associates. This study will produce a social work evaluation on every family. In January there will be an initial report on the findings, which are now in the process of tabulation.

It was suggested that the Commission on Human Rights can be of help to the Department of Relocation. Landlords who have been found guilty of discrimination should be required to list their vacant apartments with the Department of Relocation's Central Vacancy Unit as evidence of their good faith. In addition, relocation tenants should be made aware of the Commission's facilities in the event that they have difficulty obtaining apartments on their own initiative in private housing. Mr. Jack Wood of the City Commission of Human Rights said that he would meet with Relocation personnel very shortly on both these matters, and would report to the next meeting of the Advisory Board on what steps will have been taken to implement these suggestions.

It was decided that the Advisory Committee would meet regularly on the second Wednesday of every month at 10 o'clock.

NEXT MEETING, WEDNESDAY JANUARY 8th, 1964, 10 o'clock
THIRD FLOOR CONFERENCE ROOM
2 LAFAYETTE STREET
NEW YORK 7, NEW YORK

MINUTES OF HUMAN RELATIONS ADVISORY COMMITTEE

TO

DEPARTMENT OF RELOCATION

March 11, 1964

PRESENT:

Frank Arricale, JOIN
Herman Badillo, Commissioner of Relocation
Reverend William J. Cullen, Church of St. Peter Claver
Maurice Callender, Deputy Commissioner, Dept. of Relocation
Mildred B. Fisher, Community Council of Greater New York, Inc.
Mrs. H.N. Friedlaender, Women's City Club of New York, Inc.
John V. P. Lassoe, Jr., Episcopal Diocese of New York
Rae Lesch, Department of Relocation
David Levidow, National Conference of Christians & Jews
Jane Mills, West Side Urban Renewal Area
Edna A. Merson, Committee on Civil Rights in Metropolitan New York
Norman Uris, Department of Real Estate.

The meeting was opened by Mr. Frank Arricale, who made known his resignation as Director of Public Information and Community Services of the Department of Relocation and his appointment as Staff Director of JOIN. He announced that Assistant Commissioner Maurice Callender will take over his former duties until a permanent successor is appointed.

Assistant Commissioner Callender informed the Committee that the Department of Real Estate had taken title to the P.S. 149 site on March 10, 1964. Fifteen minutes before title was taken, an explosion occurred in which one child was badly hurt and which could necessitate the emergency relocation of several families. If this is required, these families will be temporarily rehoused on site, but eventually permanent housing will have to be found for them off site. A total of about 800 families are to be relocated during the next year from this site and from the nearby P.S. 56 site on West 116th Street.

The buildings on these sites are in particularly poor shape, as they are located in the heart of the area of concern to Jesse Grey. Many of these buildings have not had services for two years and the tenants themselves have been maintaining them. Specific data on family composition, income and housing needs are being secured and will be available within the next week.

It was recommended that the Human Relations Advisory Committee concentrate on the relocation of families from this one area in order to implement the departmental goal of opening up formerly all-white neighborhoods to minority families. A two-pronged approach to the problem was suggested; (1) to concentrate on opening up a selected number (5 or 6) specific neighborhoods, and (2) to approach the problem on a city-wide basis.

After considerable discussion, the following agreements were reached. First, it is essential to coordinate this program of the Department of Relocation with similar programs of other City Departments. Second, families requiring relocation services are usually low-income families and are generally not the ones best prepared to move into formerly all-white neighborhoods. In all probability, it would be better to concentrate on relocating them to neighborhoods in which some minority families are already living.

With this latter point in mind, Mrs. Jane Mills was appointed Chairman of a Sub-Committee to develop a program for opening up specific neighborhoods to these families. Such a program could include working with local contacts of member organizations of the Advisory Committee to secure new listings and to prepare the community to accept these families through the development of educational programs. The following neighborhoods were suggested:

Inwood, West Brighton, Tremont and Bensenhurst.

The next meeting of the Human Relations Advisory Committee will be held on Wednesday, April 8th, 1964, at 10:00 A.M. in the third floor Conference Room at No. 2 Lafayette Street. An agenda item of this meeting will be a report from the Sub-Committee.

Ace
Jo ce-go

The City of New York

Department of Relocation

2 Lafayette Street, New York 7, New York • *WOrth 4-5656*

HERMAN BADILLO, Commissioner **MEYER KAILO**, Deputy Commissioner

APR 14 1964

TO: Members of Human Relations Advisory Committee

DATE: April 10, 1964

FROM: Jane P. Mills

SUBJECT: Agenda for Human Relations Meeting on Wednesday

The agenda of the next meeting of the Human Relations Advisory Committee to be held at 10:00 a.m., on Wednesday, April 15, 1964, Third-Floor Conference Room, 2 Lafayette Street, will include the following items:

1. A report from the Sub-Committee to Open Up New Communities.

2. Further means of expanding the Finder's ? Fee Program.

3. Skewed Rental Program of the West Side Urban Renewal Area.

*4. Proposed NCCJ - Board of Education Program related to the schools of the West Side Urban Renewal Area.

Since these are all highly important items, I sincerely hope that you will be able to attend this meeting.

file

Report on New York Dept. of Relocation

Meeting, April 15, 1964

The first item on the agenda related to the work done so far toward opening up new communities (i.e. integrating white communities) with people who live in urban renewal area. The first project will consider relocating 10 - 20 "pioneer" families out of the 500 families who have the choice of dept. help in moving from the PS 149 site, in lower Central Harlem. (Jesse Gray's area) The reason for so small a percentage is in order to get the landlord's trust, so that the program can continue on a much larger scale in the future, and the landlord will continue to list his vacancies with the dept. of Relocation under the Finder's Fee program; and also to carefully detail the methods used for other cities and agencies.

__The Method:__

A. Explore white neighborhoods for suitability. The criteria are not 100% white; not violently opposed to integration, or desegregation. The neighborhoods chosen in the first breakdown for this project are:

Inwood, and perhaps Washington Heights, in Manhatten;
Tremont and Highbridge in the Bronx;
Bushwick, in Brooklyn,
Ozone Park, Queens;
and Staten Island. (The bridge to Staten Island opens
in the Fall)

B. A screening of tennants from the SOR card (Site Occumpancy card, see ex.) for suitability in the project. The specific criteria are that the family has no more than five persons, and the ability to pay the rent in the chosen area.

C. A listing of the key contacts in the white neighborhoods for community relations programs. These contacts have been submitted by Mildred Fisher.

__Implementation:__

Jane Mills has been hired head of the project under Commissioner Badillo. Seven white people are on her staff: three young women and one young man who are field personnel.

The first community meeting was already held on Staten Island with community leaders. They pledged themselves to integrated neighborhoods, and set up su-committees to continue on the nighborhood level where there are rent controlled apartments.

There was discussion about the validity of all the questions on the SOR card, particularly in reference to the questions on welfare and marital status. These were held to be necessary because welfare pays the rent and further housing negotiations go on with that department once the relocatee has approved an apartment. Marital status is relevant in applications for Public Housing under the Housing Authority Code. In the future, prospective "pioneer projectees" may be given a different form, to be drawn up, but the SOR interviews have already been held for the PS 149 area.

The second item covered on the agenda was the skewed rental program of the West Side Urban Renewal area. A law was passed in the State Legislature allowing middle income projects to subsidize 20% of its units for for low income people.

This opens up approximately one thousand apartments in the West Side Urban Renewal site. The point worth noting is that these low income apartments will NOT be under the jurisdiction of the Housing Authority, with their codes, but the Dept. of Relocation with qualifications for residence being more flexible. Commissioner Badillo suggests that welfare clients and women without of wedlock children be accepted.

A subcommittee of Mr. Levinard from ADL, and East River CORE member from AJC, and Dr. Horn, HA director, was created to insure fairness in choosing the tenants who will be a part of the West Side UR skewed rental program.

These middle income units are both coops and apts. The apt. rentals will be subsidized--(low income units range from 12-18 dollars per room, middle income up to 35 dollars per room)--and financing for coops is under negotiation in Washington.

Commissioner Badillo hope that mortgages will be extended so that these tenants will eventually own their own apts., just like everyone else in the building, rather than through a sub lease arrangement with the Housing Authority holding the deed.

The other items on the agenda were not covered. A fact sheet on the Finder's Fee Program was handed out for our information. This sheet was suggested by the race and religion dept. of the National Council of Churches and handed out to 200 congregations. Each congregation was to submit one apt. for non-white occupancy to the Dept. of Relocation.

Meeting adjourned.

CITY OF NEW YORK
DEPARTMENT OF RELOCATION
2 LAFAYETTE STREET
NEW YORK 7, N. Y.

FEB 3 1964

MINUTES OF HUMAN RELATIONS ADVISORY COMMITTEE TO DEPARTMENT OF RELOCATION

The meeting was attended by the following members of the Committee:

Rita Smollens - Urban League of Greater New York
Raymond A. Pickard - Community Council of Staten Island & Congress of Staten Island Community Organizations
Morris S. Sass - Anti-Defamation League of B'nai B'rith
Joseph B. Robison - American Jewish Congress
Robert Paul - Archdiocese of New York
Jack Wood - City Commission on Human Rights
Dave Gibson - New York State N.A.A.C.P.
Mildred B. Fisher - Community Council of Greater New York
Jean Kawesch - Commission on Civil Rights Metropolitan New York
Edna A. Merson - Commission on Civil Rights Metropolitan New York
Emanuel Muravchik - Jewish Labor Committee
Jane Mills - West Side Urban Renewal Area
Sally Olds - National Committee Against Discrimination
Norman Hill - CORE
Norman Uris - Department of Real Estate

The Department of Relocation was represented by Commissioner Herman Badillo, Messrs. Frank Arricale, Jack Puente and Dr. Lawrence J. Kaplan.

A statistical report was submitted by Dr. Kaplan which gave information on the number of residential tenants relocated from 1961 to June 1963 by the Department of Relocation and other Governmental agencies. The report also indicated the type of accommodations obtained by these tenants and the ethnic and racial composition of the tenants relocated by the City's Department of Relocation. A statistical chart gave the annual income by ethnic groups of Stage I West Side Urban Renewal Tenants.

Dr. Kaplan discussed and explained the report with the Committee.

Dr. Kaplan explained that prior to the HHFA approval of applications for the granting of Federal funds, the Housing and Redevelopment Board sub-contracts with the Department of Relocation to do a planning survey of the areas intended for urban renewal. The survey enables the HRB to know exactly the characteristics and composition of the tenants in the Urban Renewal Areas. Facts, such as, income, size of apartments occupied, rental ranges, eligibility for publicly assisted low and middle income housing, are among the important data covered by the survey. At the present time, the Department of Relocation has completed surveys on the proposed Tompkins Square and Bronx Park South Urban Renewal Areas.

During the discussion, Relocation Personnel disclosed that in order to enable families to move to better neighborhoods legislation was submitted last year to the State Legislature to increase bonus payments to families over a five-year period. The proposed bill recommended by Commissioner Badillo never came out of committee. It is expected that President Johnson's Housing Program will contain similar recommendations.

The assistance of the Advisory Committee is needed to determine the guide-lines establishing the definition of a standard neighborhood. The Department of Relocation should like to introduce a program which would enable its personnel to encourage families to find apartments outside of ghettos and outside slum areas. Just as the Department has succeeded in upgrading living conditions of families by paying bonuses only for standard apartments, Commissioner Badillo stated that he should like now to have the Department go a step further either by paying bonuses only for standard apartments in standard neighborhoods or by paying higher bonuses for standard apartments in standard neighborhoods.

The Committee was given a "homework assignment" for the next meeting. The Committee is expected to offer suggestions on the elements going into a definition of a standard neighborhood.

Mr. Jack Wood of the City Commission on Human Rights gave the following report:

1. The Commission wants to join with the Department of Relocation in its frequent meetings with site tenants in order to encourage these tenants to avail themselves of their rights and privileges under the anti-discrimination laws.

2. The Commission wants to train relocation personnel on every site to enable them to accept and process all complaints from relocation tenants in their areas concerning discrimination in housing.

3. The Commission will accept the Committee's suggestion of having guilty landlords, as a sign of good faith, list their vacant apartments with the Department of Relocation's Central Vacancy Listings Unit.

The next meeting of the Advisory Committee will be held, Wednesday, February 19, 1964, at 10:00 A. M., Third-Floor Conference Room, 2 Lafayette Street.

AGENDA

1. Definition of a standard neighborhood

2. Human Relations Staff Training in the Department of Relocation and in the Department of Real Estate

3. Proposed Human Relations Programs for skewed rental buildings in the West Side Urban Renewal Area.

Site

A/C No. D.P. No.

Block Lot

Area Code

THE CITY O

DEPARTMENT

SITE OCCUP

LAST NAME	FIRST NAME	A

APT. NO.	FLOOR	PHONE	NO. OF ROOMS	MONTHLY RENT	Check Items Included in Rent:
				$	Heat ☐ Gas ☐ Mo. Cost of Utilities Not in Rent $

FAMILY COMPOSITION—EMPLO

NAMES (All Members of Family)	RELATION-SHIP	YEAR OF BIRTH	BIRTH-PLACE	WE INC
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

NEXT OF KIN: NAME AND ADDRESS:

MARITAL STATUS

☐ Wid. ☐ Div. ☐ Sep. ☐ S.

Legally Wed ( )

Not Legally Wed ( )

O. W. Child ( )

Other

LENGTH OF RESIDENCE

Years on Site:

Years in City:

Move-in Date:

Veteran: Yes ( ) No ( )

Citizen: Yes ( ) No ( )

GROUP

WH ( )

N ( )

PR ( )

OTH ( )

WELFARI

Amount R

Case No.

Welfare C

Phone:

Investigat

ON SITE:

Inspected on:

Vacant and Secured:

(Sign)

OFF SITE:

Inspected on:

☐ Stand. ☐ Substand.

(Sign)

Date Informational Letter Served:

Date Notice to Vacate Served:

Date to Vacate Notice Expires:

Date of Court Proceedings:

Date Court Order Effective:

I certify that the above information is true to the best of my knowledge.

Tenant In

R101 (662)-20M-601037 (62) 371

CITY OF NEW YORK

RTMENT OF RELOCATION

CCUPANT RECORD

Date Vacated:

Termination Date:

Relocated by:

Move-Out No.:

ADDRESS BORO.

Rent:

☐ Hot Water ☐ Electric ☐

in Rent $

Apartment House ( )
Rooming House ( )
Roomer ( )
1-Family ( )
2-Family ( )
If sharing, check ( )

—EMPLOYMENT AND SCHOOL RECORD

TH-ACE	WEEKLY INCOME	ANNUAL INCOME	STATUS: Name and Address of Employer, School, Hospital (Specify Own Business, Pension, Retired)

BORO:

WELFARE ASSISTANCE: Full ☐ Part ☐

Amount Received Monthly $

Case No.:

Welfare Center:

Phone:

Investigator:

Served:

ved:

ires:

FAMILY RELOCATION PLAN:

Will self-relocate ☐

Desires assistance ☐

No. Rooms Required:

Monthly Rent $

Boro. Desired:

Private Apt. ( ) Public Hsg. ( )
Pur. Home ( ) Furn. Room ( )
Nursing Home ( ) Old Age Home ( )

Other:

ge.

Interview by Date

MOVE-OUT DATA:

ADDRESS:

Sent to Unit Clerk on:

Apt. No.: | **Mo. Rent: $** | **No. Rms.:**

RELOCATED TO: Tenant Found ( )

Sponsor or C.V.L. Found ( )

Public Housing ( ) Furn. Room ( )

Purchased Home ( ) Out of Town ( )

Temp. Location ( ) Sharing Apt. ( )

Unknown ( ) Other

HOUSING CONDITIONS		SITE	NEW
BATH AND TOILET FACILITIES:			
Complete Bathroom	Private		
	Shared		
Separate Toilet	Private		
	Shared		
Outside Facilities	Private		
	Shared		
COOKING AND REFRIG. FACILITIES:			
Gas or Electric Range			
Coal Stove			
No Cooking Facility			
Gas or Electric Refrigerator			
Ice Box			
No Refrigerator Facility			
HEAT AND HOT WATER FACILITIES:			
Central Heat			
Individual Apartment Heat			
No Heat			
Central Hot Water			
Individual Apartment Hot Water			
No Hot Water			
APARTMENT CHARACTERISTICS:			
Gross Rent		$	$
Number of Rooms			
Overcrowded			
Interior Rooms			
Adequate Light and Ventilation			
Needs Major Repairs			

RELOCATION BENEFITS:

Bonus $

Finder's Fee $

Moving Expenses $

If assigned, check ( )

Reloc. Allow. $

Painting $

Total $

Rent Arrears $

Actually Paid $

REMARKS:

APTS. OFFERED:	ADDRESS	DATE	APT. #	# RMS.	RENT
1					$
2					$
3					$
4					$
5					$
6					$

)

PUBLIC HOUSING: Eligible: Yes ( ) No ( ) | Date:

Application Filed on: | Application No.

PROJECTS OFFERED	DATE	REASON FOR REFUSAL

Remarks:

Claim Filed on: for $

To C.O. on: Pd. $ on

RENT	DATE ACCEPTED	REFUSED (WHY?)

SEPARATION RECORD

The following nonmanuscript items were removed from the C.O.R.E. papers and have been sent to the division and section indicated, either to be retained or disposed of there. Any items Manuscripts wishes returned are clearly marked.

BOOKS (Library)

PAMPHLETS (Library)
Relocation Key for Residential Tenants

NEWSPAPERS (Library - Newspaper Section)

GOVERNMENT PUBLICATIONS (Library - Government Publications Section)

BROADSIDES, CIRCULARS, AND PRINTED ADS (Library)

PHOTOGRAPHS AND PRINTS (Museum - Iconographic Section)

ARTIFACTS (Museum)

OTHER

Exec Order
Housing

A CALL ON THE PRESIDENT OF THE UNITED STATES FOR THE ISSUANCE OF AN EXECUTIVE ORDER ENDING DISCRIMINATION IN ALL FEDERAL HOUSING PROGRAMS

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York

September 1961

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York

A CALL ON THE PRESIDENT OF THE UNITED STATES FOR THE ISSUANCE OF AN EXECUTIVE ORDER ENDING DISCRIMINATION IN ALL FEDERAL HOUSING PROGRAMS

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IV. Letter to the President, November 1, 1961, Detailing NCDH's Position Advocating the Coverage by the Executive Order of All Federally-aided and Supervised Financial Institutions.

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The National Committee Against Discrimination in Housing, organized in 1950, is a non-profit organization composed of thirty-three major civil rights, religious, labor, and minority group organizations which seek to eliminate racial and religious restrictions from the nation's housing market. Member organizations are as follows:

Amalgamated Clothing Workers of America, AFL-CIO
American Baptist Convention, Council on Christian Social Progress
American Civil Liberties Union
American Council on Human Rights
American Ethical Union
American Friends Service Committee
American Jewish Committee
American Jewish Congress
American Newspaper Guild, AFL-CIO
American Veterans Committee
Americans for Democratic Action
Anti-Defamation League of B'nai B'rith
Commonwealth of Puerto Rico, Department of Labor, Migration Division
Congregational Christian Churches, Council for Social Action, and Race Relations Department, Board of Home Missions
Congress of Racial Equality
Cooperative League of the USA
Friendship Houses, USA
Industrial Union Department, AFL-CIO
International Ladies' Garment Workers' Union, AFL-CIO
International Union of Electrical, Radio and Machine Workers, AFL-CIO
Jewish Labor Committee
League for Industrial Democracy
The Methodist Church, Woman's Division of Christian Service
National Association for the Advancement of Colored People
National Association of Negro Business and Professional Women's Clubs
National Council of Churches of Christ, Department of Racial and Cultural Relations
National Council of Negro Women
National Urban League
Presbyterian Church, USA, Office of Church and Society
Protestant Episcopal Church, Department of Christian Social Relations
Unitarian Fellowship for Social Justice
United Auto Workers of America, AFL-CIO
United Steelworkers of America, AFL-CIO

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Bimonthly Publication - TRENDS IN HOUSING

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
426 West 58th Street New York 19, New York
JUdson 6-3460

September 22, 1961

The President
The White House
Washington 25, D. C.

Dear Mr. President:

Pursuant to our letter of August 22, 1961, we are enclosing herewith a brief, prepared by the National Committee Against Discrimination in Housing, which deals with your planned Executive Order to bar discrimination in Federal housing programs.

Incorporated in the brief are: 1) a statement presenting the case for the Order; 2) a proposed Executive Order; and 3) a Memorandum of Law on the authority of the President to issue such an Order.

We hope you will agree that this is a most timely opportunity to show the world and our own people that the Government is setting its own house in order in this most crucial area of civil rights.

We hope, also, that you will find it possible to confer at an early date with a small delegation representing our Committee in order that we may discuss with you personally the proposal we are submitting.

Respectfully,

/s/ Charles Abrams
Charles Abrams
President

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Enc.

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NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
426 West 58th Street New York 19, New York
JUdson 6-3460

November 1, 1961

The President
The White House
Washington 25, D. C.

Dear Mr. President:

We were extremely gratified by the October 6th housing report of the U. S. Commission on Civil Rights, which paralleled to a remarkable degree our recommendation for an Executive Order to ban discrimination in all federally-aided housing operations.

We had hoped to confer with you personally on September 27, when our Board met in Washington, in order to discuss our proposed Order which had been submitted for your consideration on September 22. A supporting brief and memorandum of law accompanied the draft Order. Harris Wofford kindly advised us of your inability to receive an NCDH delegation on that date.

The Attorney General has graciously granted us an appointment for November 8, at which time we anticipate a full discussion of our recommendations and those of the Civil Rights Commission.

However, we are again requesting the privilege of meeting with you personally. Representing, as we do, the major civic agencies and leading experts in the housing-civil rights field, we believe much can be gained in substance and interpretation as a result of such a conference.

The National Committee Against Discrimination in Housing fully supports the finding of the U. S. Commission on Civil Rights that:

> "For full effectiveness, an Executive order should extend to all Federal agencies concerned with housing and home mortgage credit, including those agencies which supervise the mortgage lending community. It should apply to all federally assisted housing, including housing constructed with the assistance of Federal mortgage insurance or loan guaranty, as well as federally aided public housing, elderly housing, and urban renewal projects."

The draft Executive Order prepared by NCDH will, we believe, accomplish this goal. It is designed to apply to the financial community aided and supervised by the Federal Government, as well as to the Federal Government's actual housing activities. This Order would require that all Federal laws providing for assistance to housing shall be administered so as to insure equal opportunity. The Federal programs covering banking institutions provide substantial aid to both banks and to housing.

Approximately 90 per cent of the home mortgages throughout the country are affected by some Government activity. About 30 per cent are insured or guaranteed by FHA or VA. More than 60 per cent of the non-farm home mortgage debt is held by financial institutions that are benefited in varying degrees by the Federal Government and closely supervised by one or more of four Federal regulatory agencies - the Federal Home Loan Bank Board, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation.

Federal savings and loan associations operate under Federal charter and are subject to the exclusive control of the Federal Government. In addition, the Federal Home Loan Bank Board exercises authority over state savings and loan institutions that become members of the Federal Home Loan Bank System. These institutions issued 50 per cent of the non-FHA and -VA mortgages under $20,000 in 1960. The mortgage field for lower-priced homes is completely dominated by the savings and loan associations.

In addition, the Federal Government plays an equally substantial role with regard to commercial banks. The Comptroller of the Currency charters national banks. The Board of Governors of the Federal Reserve System supervises the activities of all national banks and also of those state-chartered banks that are members of the System. Finally, the Federal Deposit Insurance Corporation has jurisdiction over both national and state banks that qualify for deposit insurance.

As the Civil Rights Commission pointed out,

> "Federal involvement varies in degree according to the type of credit institutions and the precise nature of the transaction, but it is clear that the Federal Government is the Atlas of the Nation's home finance community, supporting the entire structure with its resources, its prestige, and its blessing. In this role, it has significant power to help shape the Nation's housing future." ....
>
> "The resources of the Federal Government, then -- its credit, its sponsorship, its very name -- are involved in virtually all aspects of mortgage credit, and yet racial discrimination is a widespread practice among the enterprises which enjoy these Federal resources."

There are some differences between the administration of Government housing programs and Government banking programs. The rules and regulations affecting access to Federal housing aids are spelled out in minute detail in printed manuals by the Federal housing agencies. The regulation of financial institutions by Federal agencies, while extensive and firm, is remarkably informal. Administrative procedures and detailed rules have been avoided. The methods of supervision have been kept extremely flexible.

The Federal housing agencies have evidenced concern with the problems of discrimination and evinced a desire to remedy the situation, once policy is established by the Chief Executive. However, the Federal agencies which supervise financial institutions, with the exception of the Federal Home Loan Bank Board, have condoned the use of race as a criterion in the issuance of loans and have indicated hostility to the enunciation of any policy of nondiscrimination by the President.

A broad array of means to insure nondiscrimination is available to each of the Federal agencies supervising or providing benefits to the housing industry and financial community. The housing agencies operate through rules and regulations and contractual arrangements. Therefore, NCDH in its proposed Order details the procedures that should be followed by the housing agencies to insure equal opportunity, including a contract clause requirement.

But the NCDH proposed Order avoids specific provisions dealing with banks. It has been pointed out that all of the Federal agencies which supervise the banking community enjoy high prestige among the institutions they supervise, and much of their authority is exerted effectively through essentially informal means. Given a clear-cut policy, and a determination to carry it out, the Federal supervisory agencies could quickly and quietly end the racially discriminatory practices of lending institutions. The NCDH Order, therefore, would give responsibility to the President's Committee on Discrimination in Housing, set up under Section 4, to work with the Federal agencies involved to develop effective procedures to bring financial institutions into line.

It is clear that the Federal Government, through a variety of programs, aids and supports both the home building and home finance communities. A clear and unequivocal nondiscrimination policy must be established, applying equally to all segments of the real estate industry - the developer, the builder, and the lender.

We earnestly submit that there is great urgency for the immediate issuance of a broad housing Executive Order. We believe that the country is expecting it and is ready for it.

Respectfully,

/s/ Charles Abrams

Charles Abrams
President

CA:eh

# A CALL ON THE PRESIDENT OF THE UNITED STATES
for the
Issuance of an Executive Order Ending Discrimination in All Federal Housing Programs

Almost two decades ago, Gunnar Myrdal, in his monumental study, An American Dilemma, charged that "Government policies have, on the whole, served as devices to strengthen and widen rather than to mitigate residential segregation." (Page 625)

Despite the vast advances that have taken place in civil rights in the past seventeen years, despite progress in employment, in schools, and public accommodations, this indictment of the Federal Government's role in extending housing segregation is as true today as it was in 1944. The evidence is clear and irrefutable:

Item - 1958: "The policies and actions of government agencies and public officials must be counted among the principal influences sustaining residential segregation in housing." (Report of the Commission on Race and Housing, Where Shall We Live?, conclusions from a three-year investigation of racial discrimination in housing conducted by an independent citizens group chaired by Earl B. Schwulst, president of the Bowery Savings Bank, and representing leading figures in industry, finance, publishing and education - page 29.)

Item - 1959: "But Federal mortgage loan insurance still goes unquestioningly to builders of great projects and new development towns who openly plan to, and do, exclude Negroes. Public housing projects in many parts of the country are in fact segregated either by declared city policy, as in Atlanta, or by the process of site location, as in Chicago. Urban renewal projects are in some places accentuating or creating patterns of clear-cut racial separation." (Report of the United States Commission on Civil Rights, page 459.)

Item - 1960: "Discrimination continues to be the rule in most of the housing produced with the assistance of government." (Residence and Race by Davis McEntire, published by the University of California Press, page 298.)

The Role of the Federal Government in Housing

The Federal Government is the single most important factor in the housing market. Housing is no longer a strictly private undertaking. There is probably no other aspect of our economy where the Federal Government has given more assistance, exercised more controls, and brought about more changes, than in the field of housing. Since 1933, Federal housing programs have been directed toward stimulating the economy and bolstering a faltering real estate industry during the depression, clearing slums during the '30's, meeting defense needs and housing war workers during the '40's, accommodating returning war veterans after World War II, beautifying and renewing our cities since the beginning of the '50's.

These various purposes have been furthered by extension of Government credit to aid people in buying their homes, by Government insurance of mortgages and deposits in savings and loan associations, by Government benefits to builders, by grants of Federal monies for the write-down of the cost of land, by grants of Federal funds to local communities to tear down slums and evict their residents and build public housing.

In short, housing has come within the compass of public interest and is conceived as an essential of life which the private builder is no longer able to provide unaided.

The Scope and Effect of Government Housing Programs

The housing market and the face of America have been transformed in the past 25 years by the programs of the Federal Government. These programs have made possible the emergence of the large-scale builder, the vast new suburban subdivisions, the amortized mortgage marketable on a national basis, long-term credit and low down payment, and large-scale slum clearance and renewal of our cities.

But the benefits of these programs have been largely denied to a major segment of our population - to Negroes and persons belonging to certain other ethnic minorities. This group, the nonwhite population of the United States, numbers some 20 million persons.

The vast scale of Government housing programs is immediately apparent. The Federal Housing Administration, through July 1959, insured mortgages on 6 million homes in an amount exceeding $46 billion, and insured over 24 million repair and improvement loans totaling over $11 billion. Housing with FHA- and VA-insured mortgages has accounted for the major portion of all non-farm housing constructed in the

United States since World War II.

The Public Housing Administration has provided over 600,000 units of public housing in approximately 1400 communities. An additional 15,000 low-rent housing units are in the planning or construction stage.

By the end of 1960, Federal grants totaling $1.9 billion had been expended by the Urban Renewal Administration to assist in meeting the costs of 870 slum clearance and urban renewal projects in 475 different communities. In addition, 1500 small localities in 39 states were benefiting at the close of 1960 by URA grants for comprehensive urban planning.

More than 200,000 units of Federally-financed college housing had been completed by 1960 and over 43,000 were under construction.

At the end of 1960, Federal financial assistance had been approved for approximately 10,500 dwelling units for the elderly.

With the passage of the 1961 Housing Act, it is expected that activities will be increased under each one of these program.

Federal Housing Programs Are Extending Segregation

Housing, despite the involvement of the Federal Government in the housing picture, is the one commodity where the race, religion or national origin of the purchaser determines what he may buy and where he may buy it, regardless of his ability to pay. In this aspect of our economy, the free enterprise system has broken down and private prejudice has determined public policy.

There is massive evidence that the Federal Government is actually promoting and strengthening nationwide patterns of residential segregation, and is violating clear constitutional principles by practicing racial discrimination in its own programs.

Federal housing programs are made possible by Federal funds drawn from taxes imposed on all Americans alike. Segregation in any of them necessarily reflects sanction by the Federal Government itself.

The Federal Government has become both the architect and enforcer of segregated communities:

- Over eighty per cent of federally-sponsored public housing is operated on a segregated basis. New segregated public housing projects continue to receive Federal approval.

- The Federal Government approves urban renewal projects, despite exclusion of minority families from the new housing and wholesale displacement of minority families from areas of long continued occupancy. Urban renewal projects are, in some places, accentuating existing residential segregation and in others creating new patterns of racial separation where none had existed before. They are resulting in both the curtailment of living space available to minority families and increasing segregation. Entire Negro neighborhoods are being cleared to make room for housing restricted to whites only. Even some presently integrated areas are being "renewed" on a segregated basis.

- FHA and VA continue to underwrite racially exclusive suburbs. New all-white towns which could not have been built without FHA and VA financing assistance surround all our major cities. Less than 2 per cent of the new homes insured by FHA have been available to nonwhite families. FHA's own analysis of nonwhite occupancy of newly-constructed private housing in selected metropolitan areas from 1950 through 1956 underscores the infinitesimal amount of new housing available to nonwhites: Boston - 0.2%; Philadelphia - 0.7%; Detroit - 1.4%; Los Angeles - 1.9%; Seattle - 0.8%.

Action by Federal Agencies Affecting Discrimination Under Government Housing Programs

The actions taken to date by the Federal housing agencies in the race relations field have been clear indication of an awareness of their responsibility to act. However, the picayune nature of such actions has made them exercises in futility.

Government policy can be broadly divided into three phases:

Phase one, from 1933 to 1948, was the period when the Government followed a positive policy of promoting separation of the races. For example, FHA included a model race restrictive covenant in its underwriters' manual.

Phase two represented a policy of strict neutrality. Following court decisions proscribing government sanction of race restrictions, the Federal housing agencies scrupulously expunged references to race from their rules and regulations, closed their eyes and ears to any problems of race, and took refuge in the concept of local autonomy.

The current phase, starting in 1951, can be described as one of pleading and exhortation to local agencies and the industry to "do the right thing" and build on an open occupancy basis. Thus, the Government of the United States has placed itself in the untenable and contradictory position of subsidizing and otherwise supporting segregation while deploring its existence.

A rundown of the actual steps taken demonstrates their peripheral character:

- FHA and VA will not grant mortgage insurance if there is a recorded restrictive covenant on the property. FHA and VA will and do grant mortgage insurance on property which is blatantly restricted as to race, as long as the words are not written on the deed and recorded. Race restrictive covenants may be a thing of the past; race restricted property, aided by the Federal Government, is a fact of everyday life.

- FHA and VA have agreed to "cooperate" and obey the law in those states which have found it necessary to enact legislation outlawing the discriminatory practices prevalent in federally-assisted housing.

- Since 1951, FHA and VA have stipulated that housing which they repossess and offer for resale shall be available for purchase by all, regardless of race. Yet exclusive contracts for the sale of these generally attractive buys are still given to brokers who deal only with the white market. By and large, nonwhite access to this housing is minimal, and depends upon local groups fighting all the way down the line.

- After exposure of the fact that allocations of FHA's Section 221, 100% insured, relocation housing were being made on a racial quota basis, the agency in 1959 ordered that a policy of nondiscrimination be followed.

- Discrimination is barred in the FHA's direct loan program for housing for the elderly.

- PHA has a "racial equity" formula. As stated above, PHA's official reports indicate how it works: 80.5% of all public housing is segregated.

- Urban Renewal follows FHA and VA and bars recorded agreements restricting occupancy. This agency has shown as little concern with de facto restrictions as have FHA and VA.

- In addition, assurances are supposedly required from local public agencies that the project will not result in a reduction of the supply of dwellings available in a community to minority families. URA's own figures reveal the meaningless character of this regulation. Seventy per cent of the families displaced by urban renewal are nonwhite, while at the same time the program has resulted in a reduction in the total housing supply of more than 75,000 dwelling units.

- In order to be eligible for urban renewal grants, a local community is required to establish a citizens advisory committee with minority representation. There is no evidence that these committees have accomplished anything of significance.

Thus, in only two minor Federal housing programs, Section 221 housing and housing for the elderly, is nondiscrimination required. No other meaningful action has been taken by any arm of the Federal Government to prohibit denial of equal access to housing aids provided by the Federal Government on the grounds of race, religion and ethnic origin.

This "hands off" policy with regard to who is qualified to live in the housing is in sharp contrast to the concern displayed by the Federal housing agencies regarding the physical attributes of the housing made available with Federal aid. Detailed regulations blanket all the Federal programs, prescribing the character of the site, the manner in which it may be developed, the architecture and kind of construction - room size, number of trees, type of building materials, grade of plumbing, electric wiring, etc., etc.

Commitments by Federal Officials

For the past fifteen years, the highest Government officials - the President of the United States, Housing and Home Finance Agency Administrators, Federal Housing Administration Commissioners, the Solicitor General of the United States, Senate and

House committees - have admitted the fact of racial discrimination in the Federal housing programs, deplored its existence, and promised remedial action.

President Kennedy dramatically pointed up the situation during the recent election campaign when he said:

"The Administration could now make a real political contribution to civil rights progress by issuing the Executive Order against discrimination in Federal housing programs which the Civil Rights Commission proposed eleven months ago. I renew my call on the President to issue that order. If he does not do it, a new Democratic Administration will." (Press statement, Aug. 9, 1960.)

And on Oct. 12, 1960, in deploring the failure of President Eisenhower to issue such an Executive Order, President Kennedy said, "One stroke of the pen would have worked wonders for millions of Negroes who want their children to grow up in decency."

Party Platform Pledges

Both major political parties are committed on this issue.

Democratic Party Platform, 1960: "The new Democratic Administration will take action to end discrimination in Federal housing programs, including federally-assisted housing. ... To accomplish these goals will require executive orders ..."

Republican Party Platform, 1960: "We pledge: Action to prohibit discrimination in housing constructed with the aid of Federal subsidies."

Executive Action in Other Areas

As matters now stand, the President of the United States is in the anomalous position of barring racial discrimination in the dispensing of some Government benefits and, in effect, condoning racial discrimination in the dispensing of others.

For example, by Presidential Order, the developer of an urban renewal project, in his role as builder of Government-assisted housing, must sign a contract which includes a non-discriminatory hiring provision. This same developer, in his role as seller of Government-assisted housing, is free to follow a pattern of rigid racial discrimination.

By Presidential Order, the Negro soldier is guaranteed service in an integrated Army. If he seeks living quarters in Federal public housing, the chances are better than eight out of ten that he must accept housing in a segregated project.

By Presidential Order, employees of all the Federal housing agencies are guaranteed equal job opportunity and, in fact, the housing agencies follow a policy of positive recruitment of qualified minority personnel. For example, a Negro appraiser is guaranteed equal opportunity in seeking a job with the Federal Housing Administration. If, however, he seeks to buy a home in a development with a loan guaranteed by FHA mortgage insurance, the chances are 98 to 2 that he will be barred by racial discrimination. (In the eleven states with fair housing laws he has some recourse.)

Thus, Executive action to insure equality of access to Federal benefits covers many fields: employment with the Federal Government and in connection with Government contracts; service in the armed forces; accommodations in national parks.

Housing remains the major Federal aid program unprotected by any requirements of equal opportunity. A standard of racial equality in one Government operation, but not in all, is contrary to good morals, logic and constitutional principles.

Open Occupancy is Feasible, Practicable and Inevitable

It can be stated categorically, where it has been tried, that open occupancy in housing works. It works in public housing, in Government-assisted housing, in private housing. It works in apartment houses; it works in single-family neighborhoods. It works in the inner city; it works in the suburbs. It is working successfully in every region of the country, including border cities, outside of the South. And throughout the South, racially-mixed neighborhoods have traditionally been prevalent.

Open occupancy has succeeded whether conceived voluntarily or brought about by legal mandate.

Furthermore, it is increasingly apparent that open occupancy in housing is inevitable. It is part and parcel of the inexorable movement toward full equality in every area of American life.

Experience in open occupancy in various types of housing over the past decade has provided three basic guideposts for success:

1. A firm, unequivocal policy, clearly communicated.

2. Starting open occupancy at the earliest possible stage - preferably at the planning stage in new developments.

3. An open occupancy policy covering the major portion of the housing market, thus placing all suppliers and consumers on the same competitive basis.

There is massive documentation to support the above statements. The following are a few examples:

- Open Occupancy in Public Housing. Public housing provides many striking examples of the feasibility of integration, even when initiated under the most adverse circumstances:

Border cities such as Baltimore, Wilmington (Del.), Louisville (Ky.), and St. Louis desegregated long-established segregated projects.

"In the five years since the desegregation decision was announced, the public housing projects have not seen a single racial incident of any consequence. There has been no mass exodus of white families from mixed projects." (Toward Equality - Baltimore's Progress Report (1960), The Sidney Hollander Foundation, page 72.)

"We are convinced that families of the same economic level can live and will live on an integrated basis." (Dudley T. Finch, executive director, Wilmington Housing Authority, letter dated May 4, 1961.)

For more than 20 years, various racial, ethnic and religious groups have lived together harmoniously in public housing projects in cities in Connecticut, Massachusetts, New York and other states. The racial disturbances widely reported at Chicago's Trumbull Park project some years ago were the exception and authorities in the field agree could have been avoided.

- Open Occupancy in Government-assisted Housing. Open occupancy has proved successful and profitable in high-rent urban renewal housing in such cities as Washington, Chicago, Philadelphia, New York, Pittsburgh and others.

- Open Occupancy in Private Housing. Open occupancy suburban developments are too numerous to list. They have been identified in over a hundred communities. Their numbers have been rising spectacularly. In 1946, two integrated developments were undertaken in the entire year; in 1950, six were built; by 1955, fifty private interracial developments had been built. By 1960, more than 60 such developments were operating in New York State alone.

Housing value seems to override even latent prejudice - no instance is known where the interracial character of a development has caused it to be a business failure.

Legal Mandates for Open Occupancy Have Proved Sound

A legal mandate provides the essential framework within which the community can and does move toward equal opportunity in housing. Experience in those cities and states (ten states and two cities) which require open occupancy by law has proved that:

- In no instance has the real estate industry been adversely affected. Real estate values have not dropped in areas where the laws are operating, building construction has not declined - in some instances it has increased, and mortgage money is no more difficult to obtain.

- Overt opposition from the real estate industry is less than had been expected In some areas, there has been considerable cooperation from the industry.

- The market for the housing within the scope of these regulations has continued high for both whites and nonwhites.

- Middle-income minority families have been able to enter the housing market in substantial numbers and to obtain housing accommodations previously denied them.

- Revolutionary change has not taken place. Neighborhoods have not been inundated, intergroup tensions have not increased, and there has been no accelerated flight of white families.

Action by the President is Required

In the housing field, no change in the present pattern of racial discrimination practiced by the Federal housing agencies will take place unless and until the President of the United States orders an end to such discrimination. The present HHFA Administrator stated in a Congressional hearing that an open occupancy requirement in federally-aided housing should be accomplished either by Congressional legislation or by a directive from the President. As a practical matter, there can be little expectation in the foreseeable future for the enactment of specific civil rights legislation of this nature by Congress. This situation has been clearly recognized by President Kennedy.

Furthermore, it is the Chief Executive's responsibility to see to it that our laws are properly implemented. They are not being properly administered when the benefits provided by the Congress are confined to one segment of the population and refused to another solely on grounds of race. This is the situation with regard to the Federal housing programs. This being the case and because of the paramount national importance of the problem, direct action by the President in the form of an Executive Order on equality of opportunity to participate in the benefits of Federal housing programs is required.

Power of the President to Act

A Memorandum of Law defining the authority of the President to issue an Executive Order barring discrimination in all Federally-assisted housing programs accompanies this statement.

Scope of Action Required

Any Presidential Order in the field of civil rights should be predicated on the unequivocal principle that all benefits of the Federal Government must be equally available to all citizens, without any distinctions as to race, creed or ethnic origin.

An Executive Order in the housing field must cover all housing accommodations aided in any manner whatsoever by programs of the Federal Government.

A proposed Executive Order is appended hereto. This Order would require that all Federal statutes providing for assistance to housing of any type whatsoever be administered in such a way as to insure equal opportunity for all to enjoy the benefits of those statutes, without discrimination based on race, color, religion, national origin or ancestry. The Order would seek to prevent such discrimination by agencies of the Federal Government, by agencies of state and local governments operating housing assisted by the Federal Government, and by private persons, corporations and other agencies in the housing industry that receive assistance from the Federal Government, directly or indirectly, whether in the form of subsidy, loan, mortgage insurance, commitment for mortgage insurance, advice and approval on the selection of sites and methods of construction, or otherwise.

To achieve this result the Order would instruct the various agencies in the national administration dealing with housing to adopt appropriate regulations. Among such regulations would be one requiring every Federal, state and local agency to include anti-discrimination clauses in every agreement by which public assistance or credit is granted to developers and builders.

Violations of such agreements may be referred to the Attorney General of the United States for appropriate action, if the head of the Federal agency involved fails to gain compliance.

The head of each Federal agency with any housing program would be required to report to the President the steps taken by the agency to comply with the Executive Order on a regular basis.

In addition, a President's Committee on Discrimination in Housing would be established, composed of six members appointed by the President, with the chairman of the U. S. Commission on Civil Rights as a member ex officio. The role of this committee would be to evaluate the degree of compliance by the Federal agencies with the Presidential Order, to make such recommendations as may be required to the Federal agencies for more effective implementation, and to report their findings and make recommendations to the President at least annually.

Anticipated Impact of the Executive Order Proposed by NCDH

It is recognized that the national housing picture will not undergo revolutionary change as a result of this Order. Experience under state open occupancy laws, while emphasizing the feasibility of public mandate, at the same time underscores the steady emerging progress that takes place. It is reasonable to expect similar experience under the Order. In a country the size of the United States, the pace of progress will of necessity vary somewhat from area to area.

Of first importance, a national ethic will have been enunciated and the framework established for the realization of the goal of the National Housing Act of 1949 of "a decent home in a suitable living environment for every American family."

From a practical standpoint, the following specific results could be expected in the major Federal housing programs:

- Public Housing. It is expected that all federally-aided public housing, existing and future, would be covered by the Order. It is reasonable to assume that compliance would be easiest and most complete in projects in planning and those not yet occupied. Compliance in existing projects would of necessity be slow, considering, among other things, the low turnover rate in public housing. It is not expected that wholesale transfers would be made in existing projects in order to bring about integration. It is expected that as vacancies occur they would be made available without regard to race.

Little change could be expected in projects located in areas of minority concentration. In fact, one of the likely schemes to evade the effect of the Order would be to place new projects desired to be "all-Negro" in predominantly Negro neighborhoods. The extent to which this device succeeds would depend on the effectiveness of the Public Housing Administration's implementation of the Order.

It could well be that initially there will be a temporary decrease in applications for public housing from the South. However, a combination of factors militate against any wholesale application slowdown. Some of the most urgent need for low-rent public housing exists in the South. In addition, low-rent public housing is more generally accepted in the South than in some other parts of the country.

- FHA and VA. The proposed Executive Order would cover the practices of all builders making use of FHA- and VA-insured mortgages, all housing built under the direct loan programs, and any housing owned or repossessed by these agencies. In addition, the Order would apply to the rental and cooperative projects covered by existing FHA-insured mortgages where FHA has a continuing supervisory relationship.

It is not expected, however, that the Order could practically cover the individually-owned private dwelling with an existing FHA- or VA-insured mortgage. In this situation, the relationship of the Federal agencies with the individual homeowner is too remote to permit effective control.

All experience with the building industry demonstrates that it can best live with open occupancy so long as the open occupancy requirement puts all builders on the same basis. The FHA and VA programs, particularly as provided in the Housing Act of 1961, are too attractive to the industry to permit it to withdraw. As big a builder as William Levitt had this to say about the industry's relationship to Government:

> "... no longer can we consider our housing industry divorced or independent of Government. We are 100 per cent dependent on Government. Whether that is right or wrong, it is a fact. The Government is in the housing picture to stay, and anybody that begins waving a flag and talks about free enterprise all of the time is merely doing just that, flag waving." (Housing Act of 1957, Hearings before the Subcommittee on Housing of the Committee on Banking and Currency, House of Representatives, page 566.)

While here, too, there might be some temporary decrease in the use of these Federal programs by builders in the South, this could hardly continue for any period of time.

Experience indicates that the transfer of Government sanctions from segregated and restricted housing to open occupancy as a general requirement binding on all who would make use of Federal assistance can effectively serve to alter the climate and rules of the housing game. The threats of open occupancy as a business deterent, North or South, are rendered illusory when most builders are covered.

It is because the Negro is denied free access to any neighborhood he chooses and can afford that he is forced to concentrate in a few. Because he is restricted in his movements, he attempts necessarily to break out of his barriers, often forcing a change in neighborhoods, schools, associations and institutions. This situation often results in fear and panic. Yet, if the Negro were free to move where he chooses, tensions would subside and the problems would disappear.

The bulk of Negro families, in fact, have incomes which are 65% that of whites and only a fraction of them can afford new FHA- and VA-insured housing. While the majority of nonwhites would probably continue for some time to live in areas of concentration, new open patterns would emerge, and gradually nonwhites would begin to disperse as other ethnic groups have done in the past. There would be no valid threat to any community if the barriers to open occupancy were removed simultaneously in all.

- Urban Renewal. This program, the keystone of Federal housing activities, is finally getting off the ground. The deficiencies and inequities whereby some cities were able to remove minority families from areas of long occupancy, use the program to clear out minority families, to evade the Supreme Court decision on schools, and to displace large numbers of low-income families and put up luxury housing are now being corrected. At this stage, a firm policy of open occupancy in this vast program is imperative.

Urban renewal is desperately needed by the nation's cities. It will be utilized by all cities where responsible leadership is genuinely interested in reform and progress, open occupancy requirements or not. Residential integration in this kind of housing is an inevitable as school integration. Responsible communities, like Nashville and Atlanta, will sooner or later accept both. Those Southern communities unwilling to accept the justice of open occupancy are not at a stage where they can properly assume the responsibilities of urban renewal. It should also be noted that a disproportionate part of urban renewal funds has already been allocated to the South.

On the other hand, general open occupancy requirements for Federal housing programs will enormously assist communities throughout the country in progressing with urban renewal. Lack of living space available to minority families is compounding the problems of city planners and city administrators across the nation. Open occupancy in Federal housing programs could alleviate these difficulties. There can be no rational redevelopment of our cities within the framework of a segregated housing market.

The Imperatives

The time is long past due for the Government of the United States to meet its responsibility for the manner in which its own housing programs are carried out. The record of Government involvement in the extension and perpetuation of segregated housing negates our nation's most basic principles of freedom and equality.

Every section of the country and every segment of our population will benefit from the effects of an Executive Order barring discrimination in Federal housing programs. Such an Order will establish the standard not only for the Government's own vast housing operations, but for the nation's entire housing market.

It has been said and will be said again that the issuance of this Order will kill Federal housing programs, particularly in the South. Similar forecasts of disastrous consequences have preceded each effort by Government to bring about equal opportunity.

- It was said that businesses would not bid on Government contracts if they were required to follow nondiscriminatory hiring practices. Discrimination in this type of employment has long been prohibited by Presidential Order, and businesses - North and South - have continued to vie with each other for Government contracts, whether during a time of war or peace.

- It was said that integration in the armed forces, also brought about by Presidential Order, would not work. It has worked, North and South, with southern white personnel being commanded by Negro officers and vice versa. In addition, on-base housing for the families of military personnel, as well as schools, are integrated - North and South.

- It was said that southern communities would refuse to accept Federal grants if conditioned on a policy of nondiscrimination. Mississippi, rather than lose a new veterans hospital, agreed to accept racial integration in that facility. And throughout the South, communities are continuing to plead for Federal airport construction grants, despite requirements of nonsegregation.

- It was said that business would flee the states which required across-the-board nondiscrimination in employment. Twenty states now have such laws, and they are among the most prosperous in the nation.

On the other hand, there has been a sharp drop-off of business investment in those southern communities which have adamantly defied the Supreme Court and held fast to discriminatory school practices.

- It was said that Washington, D. C., a city with southern traditions, would never tolerate integration in housing, schools, and places of public accommodation. Almost overnight integration has been accomplished in all these areas - from public housing to luxury housing, throughout the public school system, the drugstore lunch counter and the most exclusive restaurant, and hotels in every section of the city.

It can be categorically stated that equal opportunity in employment, education, public accommodations and housing can be successfully and harmoniously brought about by Government fiat and that none of the dire predictions of opponents such as increased tension or business deterioration come about.

What was once considered the "ultimate" among integration goals by civil rights adherents in the South - "breaking bread together" - has been accomplished in restaurants and other eating facilities in more than a hundred southern communities in a period of less than a year.

Every instance of disorder following the installation of a policy of nondiscrimination has been the result of failure of government to take a responsible and firm position.

Under no circumstances can possible reaction in one region of the country be allowed to determine whether the Constitution,and laws of the United States shall be followed. This has been succinctly put by the Southern Regional Council, a highly respected organization which is rooted in the South, with headquarters in Atlanta:

> "The probability of Southern opposition should not be a deterrent. Federal policy must be the same throughout the country, and must be enforced everywhere with equal firmness. If housing starts in the South are reduced, there is every reason to believe they will not be for long: the benefits of participation in federal programs have a powerful attraction." (The Federal Executive and Civil Rights, January 1961, page 45.)

In the global struggle between the forces of democracy and those of tyranny, the world's eyes rest on the United States. In this age, when mankind's freedom quite literally hangs in the balance, it is imperative that the Federal Government set a standard of the highest moral and ethical conduct for the fulfillment of the American people and the integrity of our nation. What is more basic to the whole democratic process than man's right to seek shelter for his family, without the artificial restrictions of race, creed or national origin?

Thus, there are compelling reasons - moral and practical - why the Federal Government, through its Chief Executive, should firmly exclude discrimination from all aspects of its own housing programs.

* * *

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

PROPOSED EXECUTIVE ORDER TO BAR DISCRIMINATION IN HOUSING RECEIVING FEDERAL ASSISTANCE

WHEREAS the Congress in the Housing Act of 1949 declares that the purpose of the provisions contained therein for Federal assistance to housing was to achieve the goal of "a decent home and suitable living environment for every American family" as well as to bring about "the elimination of sub-standard and blighted areas" (Public Laws 1949, Ch. 338, sec. 2, 63 Stat. 413); and

Whereas full realization of these goals is prevented by the existence of practices of discrimination (which term as used herein includes segregation) based on race, color, religion, national origin and ancestry because those practices exclude minority group families from the benefits made available by the Federal housing laws and force them to live in circumscribed sections in sub-standard, unhealthful, unsanitary and crowded living conditions; and

Whereas the segregated patterns of housing created by this discrimination result in other forms of segregation that impair the national defense program and frustrate the commands of the Fifth and Fourteenth Amendments of the Constitution; and

Whereas the use of federal funds, credits, assistance or other support for the construction of housing is based on the use of monies collected from all the people, and the Federal Government therefore has a duty to assure to all people, regardless of race, color, religion, national origin or ancestry, equal opportunity to participate in the resulting benefits; and

Whereas the national housing program provides aids and supports to the housing industry, and any discrimination by such industry causes exclusion of minority groups from the benefits of the program, with corresponding frustration of the goals of the program and the commands of the Constitution; and

Whereas the Congress declared in 1866 that, "All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property" (8 U.S.C. Sec. 42):

NOW, THERFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, it is ordered as follows:

1. Discrimination Prohibited. In compliance with the Constitution and the stated aims of the various Federal statutes providing for Federal assistance to housing, all such laws shall be administered in such a way as to insure equal opportunity for all, without discrimination based on race, color, religion, national origin or ancestry. This policy shall be effectuated by preventing such discrimination by agencies of the Federal government, by agencies of state and local governments operating housing assisted by the Federal government, and by private persons, corporations and other agencies in the housing industry that receive assistance from the Federal government, directly or indirectly, whether in the form of subsidy, loan, mortgage insurance, commitment for mortgage insurance, advice and approval on the selection of sites and methods of construction, or otherwise.

2. Agency Regulations. All the various departments and agencies of the Federal government having powers, functions, or duties under any law pertaining to housing (herein referred to as "operating agencies"), shall adopt appropriate regulations to carry out the policy stated in Section 1. Such regulations

(a) shall include provisions prohibiting discrimination on the basis of race, color, religion, national origin or ancestry in the sale or rental of any housing receiving assistance from the Federal government and aiding or abetting such discrimination;

(b) shall provide that all agreements between the operating agency and state or local governmental bodies, private persons, corporations or other agencies providing for assistance or benefits from the Federal government under any Federal housing program shall contain a clause (i) prohibiting discrimination based on race, color, religion, national origin or ancestry by such governmental body, private person, corporation or other agency and (ii) providing appropriate enforcement procedures in case of discrimination in violation of the agreement, in addition to enforcement of the agreement, including where appropriate, suspension or termination of the agreement and disqualification of the party to the agreement from further assistance or benefits under the Federal housing program while the party is failing to comply with the contract.

(c) shall provide that any state or local governmental body applying to the operating agency for assistance or benefits under the Federal housing program shall agree to include in any contract, deed or other instrument transferring the affected housing to a private person, corporation or other agency, a provision prohibiting such private person, corporation or other agency from discriminating on the basis of race, color, religion, national origin or ancestry.

(d) shall prohibit any Federal, state or local governmental body from adopting or carrying out a program of public housing, publicly-assisted housing, urban renewal or urban redevelopment, or a program of relocation of displaced tenants in connection therewith, in such a way as to create, maintain or extend any discrimination based on race, color, religion, national origin or ancestry.

(e) shall provide a procedure for investigating and determining whether discrimination in violation of its rules or of any agreement has taken place, for notification to the affected parties of the operating agency's determination and for the steps to be taken to enforce the non-discrimination requirements of this Order and of the non-discrimination clause in the agreements entered into with the agency.

3. Enforcement Procedures. (a) If the head of any operating agency concludes that a state or local governmental body, private person, corporation or other agency has violated this Order or the non-discrimination provision of any agreement with such agency or any of its constituent agencies, he shall endeavor to end and remedy such violation by informal methods of conference, conciliation and persuasion. If the head of such agency fails thus to end and remedy such a violation, he shall refer the matter to the Attorney General for appropriate action to enforce the Order or agreement.

(b) The head of each operating agency shall report to the President, at such intervals as the President may establish, the steps taken by the agency to obtain compliance with this Order.

4. President's Committee on Discrimination in Housing. (a) There shall be established a committee of seven members, to be known as the President's Committee on Discrimination in Housing. The Chairman of the United States Commission on Civil Rights shall be a member ex officio of the Committee, and the other six members shall be appointed by the President. The President shall designate the Chairman of this Committee.

(b) To the extent necessary to effectuate this Order, the Committee shall:

1. Examine into the steps taken by the operating agencies to carry out this Order.

2. Examine the rules, regulations, procedures, policies, program and practices of the operating agencies, and of all other government departments and agencies affecting the development or operation of housing.

3. Confer with and consult any government departments or agencies, public interest groups, voluntary organizations and others.

(c) All government departments and agencies are authorized and directed to cooperate with the Committee and to furnish such information and services as the Committee may require.

(d) The Committee shall employ an executive director and counsel and such other staff as may be necessary.

(e) The operating agencies shall report to the Committee, at such intervals as the Committee may establish, the steps taken under this Order.

(f) The Committee shall report to the President at least annually and at such other times as he may require with regard to its operations and shall also recommend such action as it may deem necessary or desirable to eliminate discrimination in housing.

MEMORANDUM OF LAW
ON THE
AUTHORITY OF THE PRESIDENT TO ISSUE AN EXECUTIVE ORDER
AGAINST
DISCRIMINATION IN THE FEDERAL HOUSING PROGRAM

This memorandum examines the power of the President of the United States to issue an Executive Order barring discrimination in housing receiving Federal assistance. Point No. I below analyzes the President's power to insure that the administration of the various housing programs complies with the requirement of equality in the distribution of governmental benefits imposed by the Fifth and Fourteenth Amendments. Point II avers that even if the Constitution does not require action barring discrimination in Federal housing programs, the President and the Federal housing agencies have ample power to take that action in order to achieve the stated purpose of the Federal housing laws - assuring a decent home for all Americans. Point III describes the specific provisions of the proposed Order.

I. THE PRESIDENT HAS THE POWER TO PROHIBIT DISCRIMINATION IN ALL PUBLICLY ASSISTED HOUSING PROGRAMS. IN ORDER TO ENFORCE THE CONSTITUTIONAL COMMAND OF EQUALITY.

1. Article II, section 1, of the Constitution vests the executive power in the President. Section 2 of the same Article confers a number of specific powers and Section 3 lays various duties on the President. Among the latter is the duty to "take care that the laws be faithfully executed."

The U. S. Supreme Court has held that the President's duty to take care that the laws be faithfully executed is not limited to the enforcement of Acts of Congress or of treaties of the United States according to their express terms, but includes "the rights, duties and obligations growing out of the Constitution itself, our international relations, and all the protection implied by the nature of the government under the Constitution." Cunningham v. Neagle, 135 U.S. 55, 71 (1889).

Even without this pronouncement, it would be clear that faithful execution of the laws necessarily includes due observance of constitutional requirements, and that, therefore, the President under the "take care" clause has the duty to see to it that the administration of Federal laws is carried on in accordance with the Federal Constitution.

2. The Fourteenth Amendment bars any state or state agency from denying a person the equal protection of the laws. Brown v. Topeka, 347 U.S. 483. The same prohibition, addressed to the Federal Government and Federal agencies, is implicit in the "due process" clause of the Fifth Amendment. Bolling v. Sharpe, 347 U.S. 497; Hurd v. Hodges, 334 U.S. 24. Under these provisions, any Federal or state action which discriminates against any person because of race, color or creed is violative of the Constitution.

It follows that Federal and state officials who carry out functions pursuant to the National Housing Act are, under the Federal Constitution, prohibited from discriminating because of race, color or creed. In all instances where an official of a state or local government has the power to allocate housing facilities constructed, improved or rehabilitated with the help of Federal grants or assistance under Federal laws, he is under the duty to do so without discrimination. In a long line of decisions, the courts have held that local authorities operating public housing projects are barred by the "equal protection" or "due process" clause from denying applications for housing facilities because of the applicant's race, nor may they set up racially segregated housing. Banks v. Housing Authority of City and County of San Francisco, 120 Cal. App. 2d 1, cert. denied 347 U.S. 974; Detroit Housing Commission v. Lewis, 226 F. 2d 180; Jones v. City of Hamtramck, 121 F. Supp. 123; Vann v. Toledo Metropolitan Housing Authority, 113 F. Supp. 210; and see other decisions listed in Greenberg, Race Relations and American Law, New York 1959, p. 290, footnote 71.

3. Only a part of the housing facilities created with public assistance under the various Federal housing statutes is controlled and administered directly by a

public authority. In some, the Government participates in private housing through public assistance in the clearance and write down of land cost under urban renewal or through insuring mortgage loans given to developers and builders by banks and other financial institutions. Such housing is sold and rented by private developers or builders. The question arises whether the constitutional prohibition of racial or religious discrimination is applicable to such non-governmental sales and rentals.

The Fourteenth Amendment does not operate against purely private conduct, The Civil Rights Cases, 109 U.S. 3, but affects only such action "as may fairly be said to be that of the States." Shelley v. Kraemer, 334 U.S. 1. The concept of "state action" and the corresponding concept of "Federal action" have undergone considerable expansion in recent years. Courts have subjected to the scrutiny of the Fifth and Fourteenth Amendments conduct by individuals who are not public officials, Federal, state or local, but whom the power or resources of the government have enabled to exercise functions which otherwise would have been beyond their reach. As the Supreme Court has said, "But power is never without responsibility. And when authority derives in part from Government's thumb on the scales, the exercise of that power by private persons becomes closely akin, in some respects, to its exercise by Government itself." American Communications Ass. v. Douds, 339 U.S. 382 at 401.

In Kerr v. Enoch Pratt Free Public Library, 149 F. 2d 212, cert. denied, 326 U.S. 721, the Fourth Circuit Court of Appeals held that a library in Baltimore could not exclude a Negro from using its facilities. The library was administered by a private board of trustees; nonetheless, the court held that the fact that the City of Baltimore contributed funds towards the library's upkeep imposed on the group the duty to comply with the Fourteenth Amendment's prohibition of racial discrimination.

In Steele v. Louisville & Nashville R.R., 323 U.S. 192, the Supreme Court held that a labor union which had been recognized as the bargaining agent of a group of employees by the Railway Labor Act, was under the duty not to discriminate against Negro employees. The Court read such a prohibition into the Railway Labor Act (323 U.S. at 202):

> We think that the Railway Labor Act imposes upon the statutory representative of a craft at least as exacting a duty to protect equally the interests of the members of the craft as the Constitution imposes upon a legislature to give equal protection to the interests of those for whom it legislates. Congress has seen fit to clothe the bargaining representative with powers comparable to those possessed by a legislative body both to create and restrict the rights of those whom it represents ... but it has also imposed on the representative a corresponding duty.

This reasoning was applied in Tunstall v. Brotherhood of Locomotive Firemen and Enginemen, 323 U.S. 210; Brotherhood of Railway Trainmen v. Howard, 343 U.S. 768.

The cases dealing with primary elections provide another example of courts holding private groups bound by the constitutional ban against racial discrimination. The Supreme Court has ruled that a political party, conducting primary elections under state statutory authority, could not exclude members of the Negro race from participation. Smith v. Allwright, 321 U.S. 649; Nixon v. Herndon, 273 U.S. 536; Nixon v. Condon, 286 U.S. 73.

See also Marsh v. Alabama, 326 U.S. 501, where the Supreme Court held that a private company owning and controlling a company town was bound by the constitutional guarantees of the First Amendment, just as the public authorities would be in areas they control.

4. These principles apply with full force here where we are dealing with the distribution of benefits created by governmental action. The ultimate beneficiaries of the Federal housing program are the families who occupy the housing it creates.

The FHA builder, the redeveloper, the mortgage company, are conduits through which the benefits of Government action flow to the consumer. The Government has an obligation to assure that these benefits are available without distinction based on race -- that no part of the machinery for distribution operates in a discriminatory fashion. If that obligation cannot be performed without laying restraints on the private parties that are part of the distribution procedure, those restraints must be imposed.

Clearly, when the Government itself sells or rents housing, it may not discriminate or segregate. When it makes housing available through others, the same principle operates. Thus, to the extent that an FHA builder determines who shall obtain the benefits of FHA housing (low down payment, low interest, fully amortized long term mortgage, supervised construction, etc.), they are "repositories of official power . . . governmental instruments . . . . . What they do in that relation, they must do in submission to the mandates of equality and liberty that bind officials everywhere." Nixon v. Condon, supra, 286 U.S. at 88.

That mandate is directed to those who distribute government benefits by the Constitution itself. It operates directly and without regard to whether the statutes under which the operation is conducted specifically command, permit or forbid discrimination. "though the law itself be fair on its face and impartial in appearance, yet, if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution." Yick Wo v. Hopkins, 118 U.S. 356, 373-374 (1886).

The cases also make it clear that it makes no difference that the discrimination originates with a private party rather than a governmental agency. Thus, the

Supreme Court said in the *Shelley* case (334 U.S. at 20): "Nor is the Amendment ineffective simply because the particular pattern of discrimination, which the State has enforced, was defined initially by the terms of a private agreement." In *Smith v. Allwright*, *supra* (321 U.S. at 663), the Court held that a private organization, a state Democratic Party, was "an agency of the state *in so far as it determines* the participants in a primary election" (italics supplied). So here, the FHA builder is an agency of the Federal Government "in so far as it determines" the recipients of Government benefits.

5. It has always been assumed that the Government could not specifically provide that the FHA or the urban renewal program was to be limited to whites, or Negroes, only. Yet experience shows that, by leaving private housing interests free to discriminate, FHA and redevelopment housing has been almost entirely confined to white families, with the small amount of housing open to Negroes being operated on a segregated, and hence likewise unconstitutional, basis. Indeed, it can be shown that this is inevitable if the Government does not act affirmatively to prevent discrimination. If each builder is free to make his housing available only to the majority or the minority market, he will almost always choose the former. That is just what has happened.

The Government therefore has an obligation to take steps to halt this perversion of its processes. The President and the housing agencies have clear power to impose the requirement of non-discrimination on all those who distribute the fruit of Government benefits.

It is not unreasonable to impose the obligation of non-discrimination on the builder. In effect, that is part of the price he pays for the benefits he obtains by becoming a Government agency. There is no doubt that he does benefit. For example, in the case of FHA sales housing he obtains advantages not so much from the ultimate mortgage insurance but from the preliminary FHA commitment. He receives extensive assistance in planning his housing. More important, the commitment permits him to advertise that his housing is eligible for FHA insurance. This valuable, almost essential, sales argument enables him to sell more homes and make more profit.

Participation in a Government program has been recognized in the past as grounds for treating the participants differently from other private individuals. That was true, for example, in the Kerr case, supra, which held that the private trustees of a privately-founded, state-supported library were prohibited from engaging in racial discrimination. The court said that the original donor of the library "could have formed a private corporation . . . with power both to own the property and to manage the business of the Library independent of the state." Instead, the donor chose "to seek the aid of the state" and hence his representatives, the trustees, are subject to constitutional limitations (149 F. 2d at 216-217).

The builder who accepts aid under the Federal housing program and undertakes to distribute its benefits becomes subject to the Constitution and it makes no difference that he retains technical title. "Ownership does not mean absolute dominion." Marsh v. Alabama, supra, 326 U.S. at 506.

6. Although the ultimate source of the President's duty to ban discrimination in the Federal housing program is the "due process" clause of the Fifth Amendment, it is also a statutory duty based on the NHA. It is true that this Act does not contain an express prohibition of racial or religious discrimination in allocating housing facilities made available through public assistance and public credit. But the absence of an express ban cannot be interpreted as authorizing builders and developers to indulge in such discrimination. Such an interpretation would render the NHA patently void, as no statute -- Federal or state -- may direct or authorize distinctions and classifications based on race. Dorsey v. State Athletic Commission, 359 U.S. 533, aff'g 168 F. Supp. 149 (rehearing denied, 360 U.S. 940).

In this connection, the case of Steele v. Louisville & Nashville R.R., supra, is instructive. The Railway Labor Act involved in that case was silent on whether the labor unions, authorized by the Act as bargaining agents, could discriminate against Negro members of the craft the union represented. The Supreme Court indicated that an interpretation of this silence as permitting discrimination would render the Act unconstitutional as violating the guarantee of equal protection. (See also Justice Murphy's concurring opinion.)

Acting on the principle that statutes, if possible, must be given an interpretation which is consistent with constitutional requirements, Ashwander v. TVA, 297 U.S. 288, 346-348 (concurring opinion by Justice Brandeis, Crowell v. Benson, 285 U.S. 22 at p. 62; see also Rescue Army v. Municipal Court, 331 U.S. 549 at p. 568 et seq., the Supreme Court read into the Railway Labor Act the requirement that the labor unions, acting in pursuance of the Act, must abstain from racial discrimination.

Similarly, when the NHA authorizes the granting of public funds and the giving of public credit to developers and builders to facilitate construction of housing facilities needed in the national interest, the measure must be understood to prohibit any act of racial or religious discrimination in connection with the providing of housing facilities so constructed. This prohibition is not directed only against the Federal or state officials engaged in the administration of the Act, but against any person upon whom such officials, acting under the Act, have conferred the advantages of public assistance and public credit to get their cooperation in the execution of the national housing program.

Since the Government cannot discriminate in allocating public housing, the same prohibition must apply to the allocation of housing made by private persons on whom the Government has conferred benefits to enable them to provide housing facilities. "What the State may not do directly it may not do indirectly."

Bailey v. Alabama, 219 U.S. 219. The same principle, of course, governs Federal action.

II. THE PRESIDENT AND THE FEDERAL HOUSING AUTHORITIES HAVE POWER TO PROHIBIT RACIAL DISCRIMINATION IN FEDERALLY-ASSISTED HOUSING IN ORDER TO ACHIEVE THE PURPOSES OF THE FEDERAL HOUSING LAWS.

Under Point No. 1 above, we have urged that the Constitution, of itself, bars racial discrimination and segregation in publicly assisted housing and that, therefore, the Federal Government has an obligation to see that such discrimination is effectively prevented. We urge here that, even if there were no binding constitutional requirement, the President and the Federal housing agencies have power to prohibit discrimination in order to achieve the purposes of the national housing legislation.

1. The National Housing Act of 1949 states that its purpose is, in part, "the realization as soon as feasible of the goal of a decent home and a suitable environment for every American family." 42 U.S.C. Sec. 1441. The 1954 Act expresses the national purpose to provide "adequate housing for all people." 12 U.S.C. Sec. 1750aa. The Commission on Civil Rights has found, that these stated purposes are not being achieved as the Acts are presently administered. Report of the United States Commission on Civil Rights, 1959, pp. 534-535. It concluded that, to achieve that end, "equality of opportunity to good housing must be secured for colored Americans." Id. at 535. Accordingly, it recommended (Id. at 538):

> That the Administrator of the Housing and Home Finance Agency give high priority to the problem of gearing the policies and the operations of his constituent housing agencies to the attainment of equal opportunity in housing.

It further recommended issuance of a Presidential executive order to insure effective application of this policy. Id. at 537-8.

2. The various housing agencies have ample power to implement the purposes of the statutes they administer. For example, the statute under which the FHA commissioner approves mortgage insurance for private dwellings provides that the insured mortgages shall "contain such terms and provisons with respect to insurance, repairs . . . and other matters as the Commissioner may in his discretion prescribe." 12 U.S.C. Sec. 1709 (b) (7). The Commissioner is further given general power "to make sure rules and regulations as may be necessary to carry out the provisions of this subchapter." 12 U.S.C. Sec. 1715b.

These and similar clauses (see, for example, 12 U.S.C. Secs. 1703(a), 1706c (b) (7)), give the Commissioner and other Federal housing officials power to impose requirements that are designed to achieve effective administration of the housing program. They have regularly been used that way.

Thus, the regulations issued under the various FHA programs have never been limited strictly to matters directly affecting the security of the individual mortgage. For example, they prescribe in minute detail questions of architecture, site and neighborhood character, construction standards and landscaping.

3. Anti-discrimination regulations would advance the general purposes of the housing laws while, at the same time, protecting the financial security of the Government operations. To begin with, prohibition of discrimination enlarges the market for the housing in question. It adds to the pool of potential buyers a substantial number of families now excluded. It frees the seller or renter from arbitrary restrictions that are becoming increasingly burdensome.

Second, an anti-discrimination order would be aimed at achieving the statutory goal of "adequate housing for all people." As we have noted, Federally assisted housing today is not available to non-white families to any significant extent, certainly not in proportion to their need. It is, unfortunately, only too true that government housing has rightly come to be known as "jim crow housing." Non-whites are either excluded or segregated. To the extent that that is so, the Housing Act is manifestly not providing "adequate housing for all people."

4. An anti-discrimination order such as that proposed would also advance the public policy of the United States against racial discrimination. That policy, which is "to be ascertained by reference to the laws and legal precedents", Muschany v. U.S., 324 U.S. 49, 66, is directed against racial discrimination in all aspects. It finds expression not only in the Fifth and Fourteenth Amendments, but also in the Civil Rights Statutes enacted in 1866, 14 Stat. 27; 1867, 14 Stat. 546; 1870, 16 Stat. 140; 1871, 17 Stat. 13; 1875, 18 Stat. 335; 1957, 71 Stat. 634; and 1960, 74 Stat. 86. Of the many Supreme Court decisions enforcing this public policy, it may be sufficient to mention Bolling v. Sharpe, supra; Hurd v. Hodge, supra; District of Columbia v. Thompson, 346 U.S. 100. In addition, over the last decades many Executive Orders incorporating this public policy have been issued. See e.g. Ex. Order No. 9808 (1946) against discrimination in the armed forces; Ex. Order No. 9980 (1948) and 10590 (1955) against discrimination in government employment; Ex. Orders No. 10308 (1951), 10479 (1953), 10557 (1954), and 10925 (1961) against discrimination in employment by government contractors.

It should be noted that the last-mentioned Executive Orders are not directed against discrimination by Federal or state officials, but against discrimination by private persons who are in a contractual relationship to a Federal agency. The rationale of these orders is that a person who reaps the benefits of a Government contract is and should be under the same duty to abstain from racial discrimination in employment as is laid upon persons on the Federal or state payroll.

That the public policy of the United States against racial discrimination includes discrimination in the field of housing appears from the Civil Rights Law of

1866, providing: All citizens of the United States have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property. 11 42 U.S.C. Sec. 1982. And see Hurd v. Hodge, supra, Shelley v. Kraemer, supra, Buchanan v. Warley, 245 U.S. 60.

5. No objection can be raised to such regulations on the ground that they apply to private parties rather than Government agencies. Most regulations of the various Federal housing agencies apply to those private parties that deal with the Government. The same is true of the various Executive Orders, referred to above, barring discrimination in employment by Government contractors and even by subcontractors. Such orders have been in effect since 1940. The fact that they have not been challenged in more than twenty years is strong evidence of their validity. United States v. Midwest Oil Co.,236 U.S. 459, 469, 472.

A Federal authority which is empowered by a statute to make a grant or offer assistance has the incidental power to fix the terms and conditions for the exercise of its power. Oklahoma v. U.S. Civil Service Commission, 330 U.S. 127, 144, and authorities there cited. The Oklahoma case dealt with a benefit conferred by a statute upon a state. The same principle applies a fortiori in the case of benefits granted private persons and corporations.

No private person is under any duty to avail himself of the benefits offered under the various Federal housing laws for the purpose of making housing available to the people. However, if such a person seeks those benefits he must agree to a term of the agreement setting forth his contractual obligation not to discriminate in selling or renting housing available as a result of such benefits. Hence, the obligation is not one imposed on private persons by the housing authorities, but one accepted voluntarily and enforceable under common law rules like any other contractual obligation.

POINT III. THE PROPOSED ORDER IS WELL WITHIN THE EXECUTIVE POWERS OF THE PRESIDENT.

We believe we have shown above that the Federal Government has the power and obligation to administer the various Federal housing laws in a manner that prevents discrimination in the distribution of housing made available through Federal action. The proposed Order would appropriately exercise that power and fulfill that obligation. It would generally prohibit discrimination in the administration of all statutes providing for Federal assistance to housing, including discrimination by Federal agencies, state and local governmental bodies and private parties and corporations that receive assistance from the Federal Government and would require the various agencies administering the housing statutes to adopt regulations prohibiting discrimination in the sale and rental of any housing built under those statutes. Non-discrimination clauses would be required in all agreements dealing with such housing. The head of each operating agency is empowered to obtain compliance with the Order and to refer cases of non-compliance to the Attorney General.

A President's Committee on Discrimination in Housing would be established to examine into procedures taken by the various operating agencies to carry out the Order. The Committee would be directed to report regularly to the President and to recommend such action as it deemed necessary or desirable.

We believe we have shown above the authority for the general prohibition of discrimination contained in the proposed Order.

The requirement that the various agencies adopt appropriate regulations to carry out the Executive Order is a proper exercise of the powers of the President. In directing his subordinates in the Executive Branch to take this action, he would be exercising his constitutional function to "take care that the laws be faithfully executed."

The requirement of anti-discrimination clauses in agreements dealing with Federal housing is a device by which builders and developers would be put on notice that they are subject to the obligation not to discriminate in selling or renting housing assisted by the Federal Government. Under it, all agreements between the operating agencies on one hand, and state and local governmental bodies and private persons and corporations receiving Federal assistance on the other hand, would contain a clause prohibiting racial or religious discrimination and providing for appropriate enforcement procedure. Likewise, all agreements between state and local governmental bodies and private persons and corporations receiving Federal assistance would contain such a clause. The authority of the operating agencies to require the inclusion of such an anti-discrimination clause in all contracts and agreements providing public assistance to private persons and corporations derives from the various statutory provisions authorizing the various Federal agencies to prescribe terms and conditions for the granting of public assistance under the law.

The various requirements for appropriate procedural regulations and for reports to the President relate to matters to be carried out within the framework of the Federal Executive Branch. No duties are laid by these requirements upon other persons. Again, the function of the President as the Chief Executive necessarily includes the power to impose on his subordinates the duty to check on compliance with the law and to report violations to higher authority.

The provision directing each agency head to seek to remedy any violation of the anti-discrimination ban "by informal methods of conference, conciliation and persuasion" is merely a direction to the appropriate government official to exhort persons with whom he is in contact in connection with the exercise of his governmental duties, to obey the law. Nothing more is involved in this part of the proposed Order than to require the agency head to try to bring about voluntary compliance. Certainly, the Chief Executive has the power so to instruct his subordinate.

The further provision directing the agency head to refer to the Attorney General for appropriate action cases in which a person appears to have violated the obligation not to discriminate in a matter arising under the housing statutes, and where conference, conciliation and persuasion have been tried without success, is likewise appropriate. The Attorney General's principal function is to prosecute violations of the law and to seek to enforce compliance with contracts to which the Federal Government is a party. His activities in this respect cannot deprive any person of any constitutional, statutory or other rights. In any proceeding he may initiate, the Courts will ultimately decide whether the law or contract provision involved is valid and whether it has been violated.

All the Executive Order does in the paragraph mentioning the Attorney General is to apply in the field of administration of the housing statutes the general rule that the Attorney General is the chief law-enforcing officer of the United States. The President as the Chief Executive instructs his subordinate official to submit matters involving law enforcement to the Federal official whose duty it is to seek such enforcement. Again, no reasonable doubt can exist as to the President's right to so instruct his agency heads.

Finally, the President's Committee on Discrimination in Housing that would be established would have advisory powers only. There can be no doubt as to the power of the President to establish such an agency.

Conclusion

The proposed Executive Order barring discrimination in housing receiving assistance from the Federal Government is well within the constitutional powers of the President. It would implement existing law in accordance with constitutional principles, with the mandates of the National Housing Act and with the public policy of the United States. Similar Executive Orders have been issued in the past by the President acting in the exercise of his responsibilities under the Constitution. The successful administration of those Orders and the general acceptance they have received is convincing evidence that they are well within the traditions of our constitutional system.

* * *

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Pres
Exec
Order

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

NEEDED -
"A STROKE OF THE PEN"

The drive for a Presidential Order to end discrimination in Federal housing operations has reached its peak.

On September 22, NCDH submitted a proposed Executive Order and supporting brief to President Kennedy.

On October 6, the U. S. Commission on Civil Rights recommended similar action in an exhaustive and hard-hitting report to the President.

President Kennedy stated during the election campaign that bias in Federal housing activities could be ended with "a stroke of the pen." The time is now for that "stroke" on a broad, comprehensive Executive Order.

Some revealing facts follow:

DISCRIMINATION CONTINUES TO BE THE RULE IN MOST OF THE HOUSING BUILT WITH THE ASSISTANCE OF THE FEDERAL GOVERNMENT.

Less than 2 per cent of the new homes insured by FHA and VA have been available to nonwhite families. Builders continue to receive Federal aid for the construction of new "all-white" subdivisions.

Federal urban renewal is resulting in new segregated housing, often replacing presently integrated districts. In addition, 70 per cent of the displaced families are nonwhite.

More than 80 per cent of federally-sponsored public housing is racially segregated, and new segregated projects continue to receive Federal approval.

Mortgage lending institutions profit from Federal benefits, chartering and insurance, yet deny loans on the basis of race and religion.

THE HOUSING MARKET AND THE FACE OF AMERICA HAVE BEEN TRANSFORMED IN THE PAST 25 YEARS BY THE PROGRAMS OF THE FEDERAL GOVERNMENT. THE FEDERAL GOVERNMENT HAS BECOME THE SINGLE MOST IMPORTANT FACTOR IN THE NATION'S HOUSING MARKET.

Housing with FHA- and VA-insured mortgages has accounted for the major portion of all non-farm housing constructed in the United States since World War II.

The Public Housing Administration has provided more than 600,000 low-rent units in approximately 1400 communities.

Federal grants totaling almost $2 billion have been expended by the Urban Renewal Administration to aid 870 projects in 475 communities.

Federally-aided and supervised banks and lending institutions provide the major portion of all home mortgages.

THE FEDERAL GOVERNMENT HAS TAKEN NO MEANINGFUL ACTION TO BAR DISCRIMINATION IN FEDERALLY-AIDED HOUSING.

This "hands off" policy contrasts sharply with the detailed controls the Federal Government exercises over physical attributes of the housing it aids.

In recent years, the Federal Government has pleaded and exhorted local public agencies and private builders to "do the right thing" and build open occupancy housing.

But, the Government of the United States continues to subsidize and support segregated housing while deploring its existence.

PRESIDENT KENNEDY PROMISED TO TAKE ACTION. HE HAS SAID:

"The Administration could now make a real political contribution to civil rights progress by issuing the Executive Order against discrimination in Federal housing programs which the Civil Rights Commission proposed eleven months ago. I renew my call on the President to issue that order. If he does not do it, a new Democratic Administration will." (Press statement, Aug. 9, 1960.)

"One stroke of the pen would have worked wonders for millions of Negroes who want their children to grow up in decency." (Oct. 12, 1960.)

(Both the Democratic and Republican Party Platforms of 1960 are committed on this issue.)

WHAT THE PRESIDENT SHOULD DO

Immediately issue an Executive Order based on the principle that all benefits of the Federal Government, direct or indirect, must be equally available to all citizens, without distinction as to race, creed, or ethnic origin.

*This Executive Order must cover all housing affected in any manner whatsoever by Federal activities, including public housing, urban renewal, mortgage insurance or guarantees, lending institutions which are aided, supervised, or controlled by the Federal Government, and any other Federal operations which affect housing.

*The Order should make the same standards of nondiscrimination applicable to the maximum portion of the housing industry that the President's power permits.

*It should place the primary responsibility for implementation upon each Federal agency affected by the Order.

*It should establish a President's Committee on Discrimination in Housing, composed of outstanding citizens, empowered to evaluate compliance, make recommendations for more effective enforcement and report to the President.

DISCRIMINATION IN OTHER AREAS OF GOVERNMENT ACTIVITY HAS BEEN BANNED BY EXECUTIVE ACTION.

Executive and administrative action designed to insure equal access to Federal benefits covers many fields: employment by the Federal Government and in connection with Government contracts; service in the armed forces; accommodations in national parks, accommodations in veterans hospitals; facilities in bus stations, railroad stations, and in airports.

In no instance has such action resulted in tension, loss of business or withdrawal from participation in Federal programs.

Housing remains the last major area in which the Government itself is party and partner to practices of racial discrimination.

AN EXECUTIVE ORDER COVERING FEDERALLY-AIDED HOUSING IS PRACTICAL AND FEASIBLE.

Open occupancy in housing works.

Open occupancy has succeeded, whether brought about voluntarily or by legal mandate.

Open occupancy in housing is inevitable. It is part and parcel of the inexorable movement toward full equality in every area of American life.

No instance is known where the interracial character of a development has caused it to be a business failure.

Experience in the states and cities with anti-bias housing laws proves that the real estate industry has not been adversely affected. Property values have not dropped; building construction has not declined; mortgage money is not more difficult to obtain.

Revolutionary change does not take place when open occupancy is required. Neighborhoods have not been inundated; intergroup tensions have not increased; there has been no acceleration of flight of white families traceable to the anti-bias laws.

THE IMPERATIVES

The time is long past due for the Government of the United States to assume responsibility for the manner in which its own housing programs are carried out. The record of Government involvement in the extension and perpetuation of segregated housing negates our nation's most basic principles of freedom and equality, and violates clear constitutional guarantees.

An Executive Order barring discrimination in Federal housing programs will establish the standard not only for the Government's own vast housing operations, but for the nation's entire housing market.

It will be said that the issuance of this Order will kill Federal housing programs, particularly in the South. Similar forecasts of disastrous effects have preceded each effort by Government to bring about equal opportunity. Never have such consequences come about.

With respect to the South, the respected Southern Regional Council has said: "If housing starts in the South are reduced, there is every reason to believe they will not be for long; the benefits of participation in federal programs have a powerful attraction."

In any event, under no circumstances can possible reaction in one region of the country be allowed to determine whether the Constitution, and laws of the United States, shall be followed.

It is imperative that the Federal Government itself follow the highest moral and ethical conduct.

The Federal Government, through its Chief Executive, should firmly exclude discrimination from all aspects of its own housing programs.

WHAT YOU CAN DO

*Write or wire the President, urging the immediate issuance of a BROAD Executive Order encompassing the requirements outlined above. Do this TODAY. (Send a copy of your communication to us.) Get neighbors and friends to do the same.

*Get favorable editorial comment. (Examples of two editorials attached.)

*Use whatever contacts you have with TV, radio, and press, to get coverage of the issue.

*Have your organization officially take action, with communications to the President and the press.

*Use whatever contacts you have with public officials and political and business leaders to have them communicate with the President.

* * * * *

October 1961

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

October 17, 1961

SPECIAL NOTE TO KEY PEOPLE

CALL FOR IMMEDIATE ACTION

Issuance of a Presidential Order to bar discrimination in all Federal housing activities is very close. BUT - it is not yet done, and opposition pressures for no action, delay, or token action are formidable.

Attached is a basic fact sheet and reprints of editorials from The New York Times and The New York Post.

This is an issue on which mail to the White House is crucial. Please read the fact sheet and particularly the action suggestions contained on page 4.

Action Priorities:

1) Immediate and continuing letters to the President by organizations and key individuals.

2) Favorable editorial comment.

Keep us posted on what you do.

Pres
Exec
Order

THE NEW YORK TIMES, WEDNESDAY, OCTOBER 11, 1961.

Ending Housing Bias

A far-reaching blow against racial bias in housing will be struck if President Kennedy acts to implement the Civil Rights Commission's recommendation in this field. He could do this by issuing an executive order prohibiting racial discrimination in Federally aided housing and by Federally supervised mortgage lenders. It is estimated that such an order would affect about 90 per cent of privately financed home sales, as well as all existing public housing, urban renewal projects and housing for the elderly.

The harsh truth is that for many years Federal activity in the housing field has often resulted in actually increasing the area of discrimination against Negroes and other minorities. That blot ought to be removed from our Government's and our nation's record. We urge the President to act decisively in this field now.

NEW YORK POST, TUESDAY, OCTOBER 10, 1961

'One Stroke of the Pen'

In another trail-blazing report, the Civil Rights Commission has urged President Kennedy to issue a major executive order banning racial discrimination in federally aided housing. The commission has also petitioned the President to make non-discrimination a requirement in all home financing by lending institutions regulated, supervised or aided by the federal government.

The sweeping nature of the commission's recommendations can be appreciated by noting simply that their full execution would affect roughly 90 per cent of privately financed home sales and all public housing and urban renewal projects.

In 1959 the commission made similar although somewhat more modest recommendations to the Eisenhower Administration. Nothing ever happened. "The need still exists," the commission has noted crisply, adding:

> Denial of equal housing opportunity means essentially the deliberate exclusion of many minority groups from a large part of the housing market and to a large extent confinement in deteriorating ghettos . . . federal programs, federal benefits, federal resources have been widely, if indirectly, used in a discriminatory manner—and the federal government has done virtually nothing to prevent it.

During the campaign Mr. Kennedy contended that the Eisenhower Administration could have ended discrimination in federally aided housing with "one stroke of the pen."

He strongly suggested that the executive pen could be even mightier than the legislative word. Now it is his pen which can write history. His Administration has under study an executive order to prohibit housing discrimination but its scope and timing have not been resolved. The commission's recommendations should strengthen the advocates of bold draftsmanship.

Reprinted by

National Committee Against Discrimination in Housing

426 West 58th Street, New York 19, New York **JUdson 6-3460**

ORDER TO BAN BIAS IN HOUSING READY

11/27/61

Kennedy Gets Compromise on Federal Aid and Loans —Some Banks Excepted

By **PETER BRAESTRUP**
Special to The New York Times.

WASHINGTON, Nov. 26—A compromise Executive Order to bar discrimination in Federally aided housing has been submitted to President Kennedy.

Informed officials said today that the order was worked out two weeks ago by an Administration group. Spokesmen for civil rights organizations recently expressed concern because the President had not signed it.

White House discussions have covered the touchy political problems involved. These are chiefly the conflicting pressures from segregation-minded Southern Congressmen and the Administration's sizable Negro constituencies in the cities of the North.

Provisions on Loans

Essentially, the draft order takes a broad middle course between proposals advanced recently by civil rights groups. It would bar discrimination in public housing, housing for the elderly, urban renewal and homes financed by Federally insured loans.

It would also cover loans financed by Federally supervised mortgage lending institutions, with the major exception of conventional (non-Government) loans handled by commercial banks regulated by the Federal Deposit Insurance Corporation.

In its suggestions submitted Sept. 27, the bipartisan National Commission Against Discrimination in Housing, a private group, left open the question of

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ORDER TO BAN BIAS IN HOUSING READY

Continued From Page 1, Col. 5

coverage of all Federally supervised lending institutions.

On Oct. 6, the Civil Rights Commission, supported by the National Association for the Advancement of Colored People, proposed to the President an order embracing all Federally supervised mortgage lending institutions, including the commercial banks.

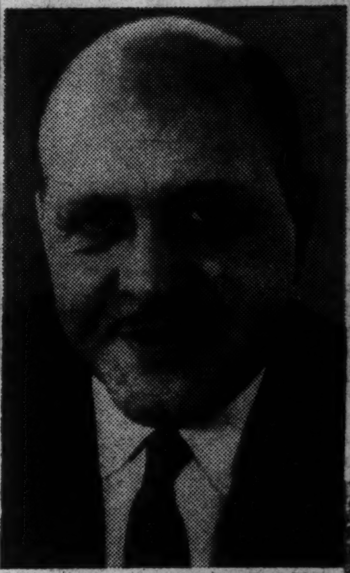
The Administration compromise was worked out after a month-long series of meetings. Among the participants were:

Harris Wofford, special White House assistant on civil rights matters; Assistant Attorney General Burke Marshall; Dr. Robert C. Weaver, head of the Housing and Home Finance Agency; Neil J. Hardy, director of the Federal Housing Administration, and representatives of the Civil Rights Commission.

As some Administration officials saw it, the best time to issue the order would be well before Congress returns Jan. 10. Such timing, officials said, will provide "moderate" Southern legislators an opportunity to go on record against the order in their home states without jeopardizing key legislation.

However, White House aides charged with lobbying Administration bills through Congress next year believe that such an order would undoubtedly provoke Southern retaliation. One suggested alternative is to push ahead with the upgrading of Dr. Weaver's agency into a Cabinet-level Department of Housing and Urban Affairs.

Dr. Weaver thus would be the first Negro to hold a Cabinet post. However, he was said to be more than willing to forgo this honor to get a housing order. Officials of his agency expressed no hope of getting both.



The New York Times

CABINET POST URGED: Dr. Robert C. Weaver, the head of Federal Housing and Home Finance Agency.

The compromise Executive Order, officials said, broad as it is, would be exceeded in scope and impact by anti-discrimination laws already enacted by individual states and cities. Moreover, the impact of existing laws in seventeen states has been relatively minor, officials said.

These officials noted that the proposed executive draft order would not affect the right of individual homeowners—as opposed to Federally aided developers—to sell their homes to whomever they chose.

The prospect of an Executive Order banning housing discrimination has evoked relatively little formal industry opposition and some support heretofore lacking. Only one major group, the National Association of Real Estate Boards, has taken a firm stand against the order.

Other groups, heretofore reluctant, have spoken up on the other side. Last month the National Association of Housing and Redevelopment Officials and the National Housing Conference urged "equality" in housing. The National Association of Home Builders has remained officially uncommitted.

December 18, 1961

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York

TO: CORE Group Leaders

FROM: James Farmer, National Director

RE: Housing Discrimination I

The 1961 National Convention passed the following resolution urging action to eliminate housing discrimination:

"Whereas, housing is the most widespread area of overt racial discrimination in the United States, and whereas, the situation is growing steadily worse, CORE resolves to launch a nationwide campaign to secure unlimited opportunities for all Americans to obtain decent housing through: (1) education of the general public to the extent and gravity of the problem; (2) pressure for legal and legislative action to insure fair housing practices; (3) support of and cooperation with government agencies and officials---local, state, and national---who are working towards solutions of the problem; and (4) direct action in every community to open available housing to every member of the community."

The President has on his desk an Executive Order which will make unlawful discrimination in public housing, housing for the elderly, urban renewal, and homes financed by Federally insured loans. The Order awaits the President's signature.

While we know that laws are only the first steps in transforming old practices into new realities, we believe the enactment of this Order to be a major step forward in the long process of ending housing discrimination. In keeping with the mandate of our Housing Resolution, we are urging all local groups to take action to prompt the President to sign this Order.

Sepcifically, we ask all CORE groups to:

1. Write or wire the President, urging the immediate issuance of a Broad Executive Order. Get your neighbors and friends to do the same.

2. Try to obtain favorable editorial comment.

3. Use whatever contacts you have with TV, radio, and press, to get coverage of the issue.

4. Use whatever contacts you have with public officials and political and business leaders to have them communicate with the President.

June 6, 1962

TO: Jim Farmer
FROM: Marvin Rich
RE: Housing Executive Order - Direct Action

For CORE groups in the South and the North housing becomes a key element in our program. In the North housing segregation leads to de facto school segregation. Increasingly, the South uses housing segregation to eliminate the possibility of wide spread school integration. The ability to live where one pleases is an essential element of freedom in our society.

President Kennedy has promised to issue an executive order ending segregation in federally assisted housing. Such an order would not end housing discrimination. This would still require direct action by CORE groups and others as well as by millions of individuals. It would be an essential first step. It is our responsibility to help make it possible for President Kennedy do that which he has promised to do.

To this end I would suggest that we institute a program of aggressive nonviolent direct action. This would include:

preperation of material -NCAD -

1) An attempt to see the president personally and to urge him to issue the executive order.

four

2) Direct action at the White House. This would begin with picketing of the White House but would also include more drastic steps such as a sit-in in one of the public rooms.

3) Direct action by CORE groups around the country when the president visits in their community.

4) Direct action including sit-ins at Democratic Party Headquarters in various communities.

5) Picketing of Democratic Party fund-raising functions.

This entire program is predicated upon the idea that it is our responsibility to secure changes in civil rights laws as well as to put them into practice.

JUL 16 1962

Regional Office CORE
2085 Sutter St.
San Francisco 15, Calif.
July 13, 1962

Memo to: Chairmen of local CORE groups in Western Region

From: Genevieve Hughes, Western Regional Secretary

Re: Executive Order on Housing

The National Committee Against Discrimination in Housing which coordinates housing activities of groups seeking integration in housing urges continued pressure on the President and Congressional leaders with the objective of obtaining the much-delayed executive order after Congress adjourns but before the November elections - in September or October.

Although we have heard this story before let us not give up now. As long as there is any chance of getting the Executive Order let's keep plugging.

Suggested efforts:

1. Send telegrams from local chapters at the flat rate of 75¢ for a 15 word message which Western Union has set up for messages to the President or Congrssional leaders to: The President, your Congressmen, especially the latter. Congress has not been under pressure, the President has. The idea is your Congressman should urge the President to sign the order or prepare or support a bill which would take the place of the order. It is probably too late to actually get a Congressman to do the latter at this session. If you wait until Congress adjourns then instead of writing you Congressman you should send a delegation in to see him.

2. Ask local organizations to do likewise, among them Negro churches, liberal white churches, civic and social organizations, local political clubs, the NAACP, The Urban League, private welfare and social agencies such as YWCA's and YMCA's. Every local chapter should have a list of such organizations. If you do not have one now this is the time to begin. A letter in most cases will suffice. If you have a local clearing house for civil rights activities or housing committees check to be sure you are not duplicating their work. The latter groups, of course, are well acquainted with the drive to obtain the Executive Order.

3. Have members send telegrams in their own names.

4. Hold demonstrations at the local Post Office, office of the Housing and Home Finance Agency, or Federal Housing Administration.

In order to keep up on developments with respect to the housing order and related matters I strongly suggest that each local chapter subscribe to Trends in Housing the NCADH's publications which costs only $2. The address is:

National Committee Against Discrimination
in Housing
426 West 58St.
N.Y. 19, N.Y.

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

Housing

Fed

September 24, 1962

TO: NCDH Board of Directors and Friends

FROM: Algernon D. Black, Chairman of the Board
Charles Abrams, President
Frances Levenson, Director

RE: CURRENT EXECUTIVE ORDER SITUATION

Any predictions regarding the timing and coverage of the Executive Order must be qualified by an understanding that, at any time, political factors may change what appears to have been decided. However, as of now we view the situation with cautious optimism. There is evidence that present thinking in the White House is to issue the Order sometime after Congress adjourns (around September 29) and before the November 6th election.

While the question of coverage is still open, there are reasons to hope that existing as well as future federally-aided housing will be affected, also policies of the major federally-aided financial institutions. A "watchdog" citizens' committee to supervise the implementation of the new policy is also to be hoped for.

In light of these factors, the NCDH Executive Committee has agreed upon the following action program for the next month:

1) Continuation of the letter-writing campaign to President Kennedy. Letters should come from organizations, from key leaders, and from the general public.

2) Postponement of the publication of an appeal to the President, as described in the last memo (July 18). Excellent names as potential signers have come in from around the country, and in about a month a decision will be made as to the need to proceed further.

Action Needed Now

Letters, letters to President Kennedy! All letters should emphasize:

1) The absolute necessity for the Executive Order to be issued soon.

2) That a clear and unequivocal policy of nondiscrimination in all housing programs aided in any way by the Federal Government be established, applying to existing housing with which the Federal Government retains a supervisory or aid relationship, as well as future developments and financial institutions supervised by the Federal Government.

3) That a high-level citizens' committee be established to supervise the implementation of the new policy.

: : :

November 13, 1962

Exec Housing Order

NOV 14 1962

Mr. Don Wendell
East. Reg'n Field Sec.
C.O.R.E. 38 Park Row
New York 38, New York

Daar Sir:

With the passing of the elections, I find that the long awaited Exectutive Order is still unsigned. I'm writing to suggest that C.O.R.E. and other civil liberties groups sponsor a campaign of sending pens (big pens, little pens any kind of pens) to their local newspaper and to the White House.

Yours in our struggle

Wardell J. Lindsay
Prince Georges County
C.O.R.E.

April 1, 1963

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
Cortlandt 7-6270

ATTENTION: Housing Committee Chairmen

Late in January, James Farmer, James T. McCain and Cordon Carey met with Robert Weaver, Administrator of the Housing and Home Finance Agency to discuss implementation of the President's Executive Order on Housing.

The Executive Order is limited in its application (see the analysis by Joseph B. Robison which we sent you in December) and it will not revolutionize the patterns of housing available to non-whites. Still, it is important from several standpoints. It does put the federal government on the side of equal housing opportunity and it also supplies CORE with another tool to use in our continuing battle against residential segregation. However, rather than decrease the need for CORE's direct action approach, the order actually makes CORE's housing program more viable and calls for increased CORE-type activity.

As a result of the meeting with Mr. Weaver, CORE urges its local chapters to:

1) Establish communications with your local office of the Veterans Administration (VA) and the Federal Housing Adminstration (FHA). We are informed that they should be able to furnish us with information on particular housing developments covered by the Order.

2) Urge non-whites to seek homes in those developments which are covered.

3) Report any cases of discrimination to the federal authorities promptly.

4) Send duplicate copies of complaints to the Program Department.

Filing Complaints

Complaints involving discrimination in violation of the President's executive order may be filed with any of the following:

a) The President's Committee on Equal Opportunity in Housing,
White House, Washington, D. C.

b) Robert Weaver, Administrator
Housing and Home Finance Agency, Washington 25, D. C.

c) the particular federal agency involved.

Among the agencies covered by the new order are: VA, FHA, Urban Renewal Administration, Pulbic Housing Administration, Housing and Home Finance Agency, and the Community Facilities Administration. It is not essential that the complaint be filed with the proper agency; any complaint may be filed in accordance with instructions above.

The Complaint Itself

You should try to investigate carefully and file those cases which are clearly cases of racial discrimination. The complaint is simply a diary of the facts, As much factual information as possible should be included. Whenever possible there should be witnesses. It is not necessary that the complaint be in the form of affidavit(s), but affidavits are helpful. The important thing to stress in regard to the complaint procedure is that it is simple: a record of the pertinent facts including names, dates, and addresses is all that is required.

We will have to see how effective the enforcement of the Order will be. But enforcement will depend in part on whether we file complaints and push the federal agencies administering housing covered by the Order. When a complaint has been filed it will be sent to the proper agency for investigation. The results of this investigation will then be turned over to the President's Committee on Equal Opportunity in Housing. Should the investigation indicate a violation of the Executive Order, the agency has several means of ending the discrimination. A public hearing can be held, but probably the most effective weapon is the ability to refuse to grant further funds or guarantee additional mortgages until the discriminatory practices are ended.

For your information you will find enclosed a reprint of an article by Charles Abrams and a reprint from the Wall Street Journal.

THE WALL STREET JOURNAL, Thursday, March 7, 1963

Housing Integration

Negroes Try 'Dwell-Ins,' Persuasion to Broaden Kennedy's Ban on Bias

CORE Ruse Puts Families in 'White' Apartments; Some Banks Face Boycott Threat

Window Shopping at Tracts

By RUSSELL WATSON
Staff Reporter of THE WALL STREET JOURNAL

EDGEWATER, N.J.—Mrs. Charles David keeps the television volume low in her apartment in this New York suburb. When her three young sons laugh loudly at a cartoon, she hushes them gently. "We don't want to annoy the neighbors and cause more trouble," she says.

The Davids are Negroes and all their neighbors in the apartment house are white. They moved into their fourth-floor walk-up in December without a lease, helped by a plan of deception worked out by the Congress of Racial Equality (CORE), a militant integrationist group. Since then, while the building's owners have been trying to evict them, the Davids have been staging what CORE calls a "dwell-in."

Dwelling-in, inspired by CORE's successful lunch counter sit-ins, is one of the new tactics integration groups are trying on the housing front. They are stepping up persuasion and pressure on landlords, mortgage lenders, builders and government. Their aim is to broaden the impact of President Kennedy's November order banning discrimination in new housing financed with Federal assistance.

Exploiting a Principle

The ban does not directly affect existing housing, such as the apartment house where the Davids are dwelling-in. But James Farmer, CORE's national director, says: "If the order forbids something in one kind of housing, it's morally just as wrong in another kind. It has stated a principle that we will try to exploit."

CORE says that dwell-ins similar to the one in Edgewater recently have been successful in Los Angeles and Brooklyn and "more are coming."

According to CORE, when the Davids offered the building superintendent a $200 deposit on the apartment they now occupy they were told it was rented. A few minutes later two white CORE members, following a prearranged plan, succeeded in placing a $10 deposit on the same apartment. CORE members then took possession of the apartment and moved the Davids in.

A New Jersey Superior Court judge ruled last week that the Davids should be evicted. But they will be permitted to remain in the apartment pending an appeal to the Superior Court Appellate division, which their lawyers say will take about three months.

The Davids also have appealed to the civil rights division of the New Jersey Department of Education to order Vesta Co., which owns the building, to give them a lease. The division can do this if it finds sufficient evidence of discrimination by Vesta against the Davids.

Vesta officials contend, however, that the Davids' deposit was rejected only because their credit had to be checked first. "We feel there has been no discrimination in this case," says Henry C. Singer, Jr., an officer of Vesta. "We're fighting it because our rights have been taken by force through CORE's tactics. We believe their ultimate goals are fine, but we don't think the end justifies the means."

The United Mortgage Bankers of America (UMBA), an organization of about 40 Negro bankers, plans door-to-door campaigns in New York and Washington to urge lenders to put more money into all types of mortgages for Negroes. They'll visit banks, savings and loan associations and insurance companies. If lenders don't yield to persuasion, UMBA says it probably will call on CORE or similar groups to use boycotts, picketing and sit-ins against them.

"As businessmen this would be the last thing we would want to see happen," says Dempsey J. Travis, UMBA president. "But at this point we have to recognize that the Negro is often short-changed by some life insurance companies and banks."

The National Committee Against Discrimination in Housing sponsors meetings and panel discussions designed to encourage builders to operate without discrimination. Margaret Fisher, an official of the committee which is a federation of 37 religious, labor and civic groups working in the field, says: "We don't regard builders as ogres."

CORE chapters are organizing mass visits by Negroes to housing developments. This campaign is called "operation window-shop." As the name implies, many of the visitors aren't necessarily interested in buying a home; they're simply trying to get builders accustomed to the idea of dealing with Negroes. The Los Angeles CORE chapter says it draws on volunteers from about 30 local Negro groups, such as social clubs, for these visits.

Although integration groups don't consider themselves limited by the scope of the Presidential order, they are determined that its provisions will be enforced. "If we think there's been a violation, the first step will be to file a complaint with the local FHA or VA office and let them make a determination," says Frances Levenson, director of the National Committee Against Discrimination in Housing.

It will be about six months before a significant number of new houses covered by the order come on the market. Meanwhile integration groups will urge Federal agencies to apply the provision of the order which instructs them to use their "good offices" to encourage abandonment of discrimination in existing Federally financed housing.

Many of these groups also plan to step up lobbying for tough new state anti-discrimination laws. In Illinois, the Chicago chapter of the National Association for the Advancement of Colored People and the Chicago Urban League are backing a proposal to outlaw discrimination in both sale and rental of residences. Only home sales by resident owners and rental developments with fewer than three units would be excluded from the law.

In California the Hawkins Fair Housing Act already bans discrimination in publicly assisted housing. Negro groups are pushing to expand the law to cover all types of housing and to create a commission to handle enforcement.

Jack E. Wood, Jr., housing secretary of the NAACP, says he believes new anti-discrimination laws also have a "good chance" of passing this year in New York, Ohio, Rhode Island, Massachusetts, Connecticut, Michigan, Maryland and the state of Washington. He says the NAACP is pushing for local housing legislation in a number of cities in the North and West.

Efforts to integrate housing are limited mainly to these areas, explains CORE Director Farmer, because "there are so many things in the South that take precedence over housing." Even outside the South, Mr. Farmer foresees no sudden, drastic change in housing patterns as a result of integration campaigns.

"Most people are not crusaders, especially in housing," says Mr. Farmer. "When they're denied housing, most people prefer to forget it and look someplace else."

CHARLES ABRAMS

THE HOUSING ORDER & ITS LIMITS

On November 20, 1962—as the entire nation listened to hear the outcome of two events, either of which might have touched off a world war—President Kennedy read a prepared statement announcing that he had signed an Executive Order banning discrimination in federally aided housing. Thus more than two years after attacking his Republican predecessor for failing to end housing discrimination "with the stroke of a pen," Mr. Kennedy finally made good on his own promise to do so. Yet when the provisions of the Order appeared in the press and the flurries of praise and protest had settled down, two questions still remained to be answered. First, what were the forces that had caused Mr. Kennedy to wait so long before taking an action which he had conceded to be "sound, public constitutional policy" from the outset? And second, what would the Order actually accomplish?

The reasons for the delay in the signing are tied up with a difficult ethical and political issue which arose in 1935 when the federal government first put its power and credit behind the mortgage and home building industries. Until then home building had been an entirely private undertaking of a real estate fraternity which looked upon discrimination as a necessary element of sound business and which therefore spawned racial covenants throughout the country and threatened to expel any realtor who sold a house to an unwelcome buyer. Such practices could be countenanced so long as the real estate transaction remained private, but when after 1935 the government began to insure mortgages, to finance savings and loan associations, and to dole out federal credit to builders, the question came up as to whether these government-assisted enterprises should be required to abide by the same ethics of color-blindness and nondiscrimination which properly apply to government itself.

Government housing officials, however, perhaps because they were recruited from the real estate fraternity itself,* refused to pay any heed to this question. Not only did they allow builders and lenders to discriminate, but, from 1935 to 1950, they insisted upon discriminatory practices as a condition of government aid. The Federal Housing Administration's official

Charles Abrams here offers, in effect, a fifth article in a wide-spaced series on discrimination in housing, the earlier pieces having appeared in our issues of May 1947, February 1949, November 1949, and November 1951. Mr. Abrams has written several books on housing, and has held many notable positions in the field nationally and locally. He is now President of the National Committee Against Discrimination in Housing, and a visiting professor at MIT. His forthcoming book, *The Struggle for Shelter,* will be issued under the auspices of Harvard and MIT.

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* As the late Herbert U. Nelson, the Executive Vice President of the National Association of Real Estate Boards told a Senate Committee in 1950: "We put several hundred of our people, whom we found and persuaded to go into government service, into positions where they could give their services."

manuals cautioned against "infiltration of inharmonious racial and national groups," "a lower class of inhabitants," or the "presence of incompatible racial elements" in the new neighborhoods. "The social class of the parents of children at the schools" was declared to have a vital bearing on whether a neighborhood was "stable." A neighborhood was to be considered less desirable if inhabited by "a lower level of society." (FHA added, however, that this could be remedied by having the children "attend another school with pupils of their same social class.") Stables and pigpens were put by FHA into the same category as a section occupied by the "wrong" race. Zoning was advocated as a device for exclusion and the use was urged of a racial covenant (prepared by FHA itself) with a space for the prohibited races and religions left blank, to be filled in by the builder as occasion required.*

The Home Loan Bank System—the federal agency which regulates savings and loan associations—urged similar practices, while a confidential report by the National Housing Agency (predecessor of the present Housing and Home Finance Agency) contained a foreword describing as a "first approach" the exclusion of "the clannish gregarious foreign-born groups, of religious groups, of social groups, and, most important of all, of the great contained and semi-contained groups of Negroes and Jews."

For fifteen years, then—a period in which some 15,000,000 homes were built—federal housing agencies pursued a concerted, relentless, and officially sanctioned drive to keep people living only near their own kind and to get them to oppose intrusions by anybody who was different. Federally approved racial covenants soon covered the greater part of suburbia; neighborhoods were divided into those of the elite and the unwanted; and intolerance gained such rapid headway that men in high national office now saw nothing wrong in signing restrictive covenants, one of the most popular of which barred not only Negroes, but Jews, Armenians, Persians, and Syrians.

It was not until 1946—by which time the Negro who had been moving northward had become the main target of exclusionary devices, though discrimination continued against other groups as well—that the leading national civic, racial, and religious organizations became fully aware of the implications of the situation. As a result of this new awareness, thirty-seven such organizations eventually joined together in the National Committee Against Discrimination in Housing, and pressure began to mount for local and state laws banning discrimination in publicly aided undertakings. In 1950, the first important state law barring discrimination in subsidized operations was won in New York, adding to the progress that had been made when the Supreme Court banned enforcement of the racial covenant in 1948 and President Truman subsequently forbade its use in FHA undertakings. FHA was reluctant, but it had no choice other than to comply.

Yet the elimination of the written racial covenant from FHA manuals after 1950 by no means entailed the elimination of racial and religious discrimination from the field of housing. Not only did the federal housing agencies fail to ban discriminatory practices by making their absence a condition of federal aid, but they ruled that so long as no state law existed forbidding such practices, a builder was free to do as he pleased. Where housing was concerned, states' rights became the new federal rule even while the same federal government was moving against states' rights in school segregation.

With the advent of urban renewal after 1949, moreover, racial discrimination with federal blessing took on an additional form in the wholesale evictions of Negroes from footholds they had established in the cities. Negroes constituted more than 70 per cent of those displaced from their homes to make room for more expensive housing developments (all financed in part by federal aid); and a high proportion of the remaining 30 per cent were Puerto Ricans, Orientals, and other minorities. Here too, the federal housing agencies ruled that both displacement and refusal to rent space in the new federally aided projects to minorities were matters of local option.

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* The sections of the official FHA manual in which these provisions appeared were Sections 937, 310, 315, 307, 229, 330 and 255 of the 1935 manual; 228, 252, 266, 210d, 284 and 229 of the 1936 manual; 233, 935, 937 and 951 of the 1938 manual; and 207 and 217 of the 1940 manual.

While the federal government continued to sanction housing discrimination, however, many city and state governments began proving responsive to the pressure that was being put on them to pass laws against discrimination in federally aided housing. By November 1, 1962, seventeen states, the Virgin Islands, and fifty-five cities had enacted anti-discrimination laws of some sort or passed resolutions against discrimination in the housing field. Eleven states went even further by outlawing bias in private housing *not* receiving government aid, as well as in publicly subsidized housing and urban renewal. These laws affect more than 65 million people. Contrary to the predictions of certain real estate interests, such laws have neither caused any general decline in property values nor curtailed investment in housing. They have brought no mass influx of Negroes into previously restricted areas, but they have assured protection to those Negroes who wish to move and can afford to do so.

Despite these demonstrations in the states and localities, President Eisenhower could not be moved to alter federal policy. "I happen to be one of those people," said Mr. Eisenhower repeatedly, "who has very little faith in the ability of statutory law to change the human heart, or to eliminate prejudice." He nevertheless appointed a Commission on Civil Rights to study the whole question of discrimination, and in its 1959 report, his Commission asked that the government bar discriminatory housing practices in federally aided undertakings. Mr. Eisenhower was still unmoved, and thereby became the target of Mr. Kennedy's barbs during the 1960 campaign.

HAD MR. KENNEDY signed the Order when he was sworn in, it would hardly have caused a ripple, for the signing was expected and had already been discounted politically. But during the course of his two-year delay, complications set in. First he felt that he had to get his housing bill through the Congress, and the Housing Subcommittees were headed by Southerners who might balk in retaliation for the signing. Thereafter, he continued to put off the signing for fear that the election of some friendly Southern Senators and Congressmen might be jeopardized. When pressed for a comment by newspapermen, he said that he was awaiting a popular "consensus." When the stock market sagged, he thought the signing might jeopardize building starts. Meanwhile, his delay fortified the opposition of realty groups and Southerners, while opposition also began to manifest itself in the segregated white neighborhoods built with federal aid in the North. The Executive Order which had hardly been a bone of contention in 1960 turned into a major political issue by 1962.

The Order Mr. Kennedy finally signed was a compromise which sought to satisfy liberal sentiment on the one hand, and the realty groups, worried home-owners, and the South on the other. It followed almost to the letter the narrow recommendations of the two Southern members of the President's Commission on Civil Rights rather than those of the majority. The result is that the issue remains only partly resolved.

The compromise Order embraces only mortgages hereafter insured by the Federal Housing Administration or the Veterans Administration, properties owned by the government or receiving direct government loans, future federally subsidized urban renewal projects, and future public housing. It has no application to mortgages still outstanding. Nor will it have much impact on public housing, which is predominantly inhabited by Negroes anyway. Property owned by the government had been barred by court decisions from discrimination long before the Order, while a California court had already held discrimination illegal even on FHA-insured loans. As to future urban renewal projects, little was added to the protections of minority groups, since the actual discrimination against them in this area takes place in the evictions, not the rehousing. Even here the Order provides little help, for it fails to bar discrimination in the private housing market in which most families displaced by federally aided urban renewal projects are to be relocated.

In consequence of all this, less than 25 per cent of all new housing construction will be embraced by the Order. Since about half of these were already covered by more stringent state and local laws banning discrimination, the Order will at best affect only 13 per cent of new housing undertakings.

The most serious omission, however, is the exclusion of savings and loan associations from the Order's provisions. These associations are members of the government-created Home Loan Bank System composed of eleven regional Federal Home Loan Banks which make available to their member savings and loan associations an unlimited reservoir of credit at low interest rates. The Home Loan Bank Board regulates these associations, looks into the affairs of the member associations, sets up rules they must observe, approves the "character of [their] management," and can bar membership to any association if its policies are inconsistent with the law or the Board's own regulations. It also has the power to establish "such other requirements as it deems necessary or desirable."

Another federal agency, the Federal Savings and Loan Insurance Corporation, not only oversees the associations and the character of their management, but puts the federal guarantee behind all savings accounts up to $10,000. This insurance has been responsible for the spectacular growth of the associations from a mere $138 million in assets in 1934 to about $80 billion in assets today and it has made them the most important mortgage lenders on homes. As the United States Commission on Civil Rights has said, while the associations are privately operated, "they owe their very existence and a large part of their success to the Federal Government. They are creations of the Federal Government, chartered for express public purposes."

ON JUNE 8, 1961, the President's Commission on Civil Rights, after finding that discrimination was "widespread among the associations," asked Chairman Joseph P. McMurray about the Home Loan Bank Board's policy and he told them "it opposes discrimination, by financial institutions over which it has supervisory authority, against borrowers solely because of race, color, or creed." Subsequently, however, the Board's staff blunted this policy by stating that the savings and loan associations must consider only economic factors in making loans and there was now some uncertainty as to whether race could be considered an "economic factor." The staff, moreover, doubted that the Board had the legal authority to bar discrimination by its associations.

Had the President's Order embraced these savings and loan associations, the doubt would have been dispelled. As it now stands, however, by being excluded from the Order, the principal mortgage lenders in the country feel themselves free to discriminate. In fact, some home builders who had been using FHA loans are already switching their mortgage applications from FHA to these associations so as to avoid the Order's prohibitions.

The Executive Order will, in short, touch only a small fraction of the housing market. If any real gains are to be made, its coverage must be widened or more individual state laws laboriously sought. The President's Order is no more than a small first federal step toward breaking the bottleneck in housing discrimination.

Nevertheless, its importance cannot be discounted. First steps in civil rights legislation have often led to second steps when the will to move ahead has been present. The Order affects some parks and public facilities connected with urban renewal and will also have some value in demonstrating that builders who adopt a no-discrimination policy need not have their investments jeopardized. Moreover, since the Order authorizes "educational programs" and the use of the government's "good offices," some progress may conceivably be made by voluntary cooperation.

But the most important gain represented by the Order is that an old principle which the federal government had been violating —the principle that government may not practice discrimination or abet in the practice of discrimination—has now been partially reclaimed. The long delay in signing the Order and the sordid history of federal discrimination in housing point a warning for all future programs requiring expansions of public power. When government and private enterprise combine into a joint undertaking with common interests and common drives, there is always the danger that the high ethics of constitutional principle will be leveled down to the lower standards of the market place. While the private entrepreneur is no better and no worse than other mortals, business is not concerned, as a democratic government must be, with such things as the equal treatment of minorities. A democratic government must therefore beware of adopting standards alien to its own nature when it enters into partnership with private business.

The President's delay in signing the Order only exemplified the deep roots racial discrimination had won in America. Much still remains to be done if these roots are ever to be destroyed.

Exec
Housing

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlandt 7-6270

Att: Marvin Rich

SEEK MILLION SIGNATURES URGING KENNEDY'S "STROKE-OF-PEN"

New York City, November 20: Within the next 40 days CORE will be conducting a nation-wide petition campaign aimed at getting a million signatures urging President Kennedy to actually make his long-promised "stroke of the pen" against housing discrimination.

By "stroke of the pen," Kennedy meant the signing of an executive order denying federally guaranteed loans and federally insured deposits to builders, bankers and mortgage companies which discriminate. During his 1960 campaign, he chided President Eisenhower for not having taken such action and promised to do so, himself, if elected. But, to date, he has failed to fulfill this promise.

To accelerate the campaign, CORE urges all interested in the campaign to order their petition blanks as soon as possible from the CORE national office, 38 Park Row, New York 38, New York. The petition campaign is also designed to secure the strongest possible order covering housing already built as well as new housing. CORE hopes also to have it include all federally financed or supported housing.

CORE is calling upon churches, unions and student groups all over the country for support. Petition booths will be set up on street corners, super markets and at public meetings.

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CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlandt 7 6270

TO: CORE CHAPTERS
FROM: PROGRAM DEPARTMENT

President Kennedy's campaign pledge to issue an Executive Order banning segregation in federally assisted housing remains unfulfilled. Such an order is long overdue and becomes increasingly urgent with the South now using housing segregation to prevent further school desegregation. Reports indicate that the latest draft of the order for the President to sign is not retroactive and therefore would not affect federally assisted housing already completed or now under construction. Not only has the President failed to act, but the latest order prepared at the direction of the White House is of no value for existing federally assisted housing.

Los Angeles and St. Louis CORE have picketed the President when he appeared in their communities. Three Los Angeles CORE members, Woodrow Coleman, Herbert Manor and Bruce Powsner, were arrested on their demonstration.

An Executive Order which will make unlawful discrimination in public housing, housing for the elderly, urban renewal, and homes financed by federally insured loans will not end housing discrimination. Direct action is and will still be needed by CORE chapters, other groups and millions of individuals. Nevertheless, it is imperative that the President take this essential step to begin to combat the one area where segregation has increased in the last two decades.

Specifically, we ask CORE groups to demand the immediate issuing of an Executive Order against discrimination in federal housing programs which covers all federally assisted housing by:

1. Picketing and demonstrating when the President visits your community

2. Send telegrams to the President urging signing of the order

   a) From local chapters
   b) Local churches, civic and social organizations, local political clubs, other civil rights organizations and private welfare and social agencies

3. Urge CORE members to send telegrams in their own names. Western Union has a special flat rate of 75¢ for a 15 word message to the President

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

STATEMENT REGARDING IMPLEMENTATION OF THE EXECUTIVE ORDER BARRING DISCRIMINATION IN FEDERALLY AIDED HOUSING

issued by

Algernon D. Black, chairman of the board, National Committee Against Discrimination in Housing;
James Farmer, national director, Congress of Racial Equality (CORE)
Roy Wilkins, executive secretary, National Association for the Advancement of Colored People (NAACP); and
Whitney Young, Jr., executive director, National Urban League

More than five months have now elapsed since President John F. Kennedy, on November 20, 1962, issued Executive Order No. 11063, entitled "Equal Opportunity in Housing." The signers of this statement shared with millions of Americans a sense of gratification at this first step toward fulfillment of one of the nation's basic moral commitments.

We indicated when it was issued that the Executive Order is far narrower in scope than is required if it is to accomplish its stated goal. Nonetheless, if energetically and imaginatively implemented, we feel it can aid considerably in modifying the widespread patterns of residential segregation for which past Government policies bear so much of the responsibility.

On the record to date, however, we are forced to conclude that neither the broad spirit nor the limited letter of the Order is being made a reality. Among the more critical deficiencies in implementation of the housing mandate are the following:

1. The Order charges the President's Committee on Equal Opportunity in Housing with a broad range of responsibilities. It is directed to coordinate and review the activities of the affected Federal agencies; to carry on a broad public educational program; and to recommend general policies and implementation procedures.

Yet, after almost half a year, the committee has not been formally organized. Its chairman-director has been appointed, but the public members have not. Its executive committee, which will be its operating arm, has not been set up. It has developed no staff. It has no budget.

2. Neither the Federal housing agencies nor the President's Committee has undertaken any vital public or internal information and educational programs. The individual American citizen does not know his rights under this directive; the builders, the lenders, and the brokers are not sure what is required of them.

Even with respect to future construction to which the order applies, the rights of the individual have not been made clear. What are his rights to review of a decision which he considers unsatisfactory? Can he appeal to the President's Committee: If so, what procedures must he follow?

In many areas, it is impossible to learn exactly what housing is covered by the order, despite the fact that procedures to make this information available to the public were worked out years ago in New York on aFederal-State cooperative basis.

3. Under the so-called "good offices" section, the Federal agencies are directed "to use their good offices and to take other appropriate action permitted by law, including the institution of appropriate litigation, if required, to promote the abandonment of discriminatory practices" in existing federally-aided housing.

At this point, the "good offices" provision appears to be almost a dead letter. There is no indication that serious exploration of ways in which it might be used effectively is being undertaken. It is disturbing that the first complaint to be filed under the Executive order was dismissed by FHA, without real review by the President's Committee on Equal Opportunity in Housing. This was a case of symbolic significance, involving one of the country's largest builders of housing.

4. During recent years, departments and agencies throughout the Federal establishment have recognized the vital importance of dynamic intergroup relations programs and have given priority to the creation or expansion of services to per-

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form this function. The Federal housing agencies have long had an intergroup relations service -- yet, at its most opportune time in history to make a far-reaching and lasting impact, this service is being under-utilized and is not being used to its full potential.

Twelve years ago, the national organizations with which we are associated played leading roles among the group of religious, civil rights, labor, and civic agencies which initiated the movement for a Presidential order banning discrimination in federally-aided housing. An order has now been issued. It should be put into effect.

Anything which suggests that the Government's interest is less than vigorous will reduce the potential effect of its action.

We respectfully call upon President Kennedy to appoint the public members to the President's Committee on Equal Opportunity in Housing without further delay.

We call upon the President's Committee to make immediate staff appointments; to establish an executive committee and put it to work; to review all activities of the Federal agencies affected by the order; and to establish an appeal procedure for cases filed with the individual agencies.

We call upon the federal agencies involved in housing to embark now upon serious, vigorous, imaginative programs of implementation, encompassing information to the public and the housing industry, as well as education of their own staffs, both in Washington and in the field.

We further call upon the Federal housing agencies to fully involve their intergroup relations service and to use it effectively at the policy-making level.

We call upon the Attorney General's office to move forward on a considered program of litigation under the order.

We call upon the President's Committee to initiate at once a broad national information program, in close cooperation with "civic, educational, religious, industry, labor, and other nongovernmental groups" -- to quote from the order -- so that the general public and the housing industry may be made aware of their rights and their obligations under the terms of this mandate.

The time is long overdue for the Executive Order on Equal Opportunity in Housing to come alive.

A PRESS RELEASE from:

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
426 West 58th Street New York 19, New York
JUdson 6-3460

Washington contact: Evelyn Broidy
Mayflower Hotel
DIstrict 7-3000

FOR IMMEDIATE RELEASE

Implementation of President Kennedy's five-month-old Executive order barring discrimination in federally-aided housing came in for sharp criticism today (April 26) by four national figures in the civil rights field.

A charge that "neither the order's broad spirit nor its limited letter is being made a reality" was leveled in a joint statement issued by Algernon D. Black, chairman of the board of the National Committee Against Discrimination in Housing; James Farmer, director of the Congress of Racial Equality (CORE); Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People; and Whitney Young, director of the National Urban League.

The statement was released at a press conference called during the nationwide meeting on Equal Opportunity in Housing, held by the committee at the Mayflower Hotel in Washington on April 25 and 26.

The four men listed the following charges which they termed "critical deficiencies:"

*The President's Committee on Equal Opportunity in Housing (responsible for overseeing implementation of the order) has not been formally organized; its chairman-director, Governor David L. Lawrence, has been appointed, but its public members have not been; its executive committee has not been set up; it has no staff nor budget.

*Neither the President's committee nor the Federal housing agencies has undertaken a comprehensive public information program, nor have the housing agencies properly oriented their staffs. It is impossible to find out what specific housing is covered by the order in most regions of the country.

"The individual American citizen does not know his rights under this directive; the builders, the lenders, and the brokers are not sure what is required of

MORE

them," the four critics asserted.

*The "good offices" provision, under which the President directed the housing agencies to undertake to eliminate discrimination in existing federally-aided housing, is considered a "dead letter" thus far by the civil rights leaders.

"It is disturbing that the first complaint filed under the Order was dismissed by FHA, without real review by the President's Committee on Equal Opportunity in Housing," they declare.

*The intergroup relations service of the Federal housing agencies is being underutilized and not being used to its full potential at a time when it has its greatest opportunity to make an impact on restricted housing practices, they charge.

Farmer, Wilkins, Young, and Black call for the following immediate action:

1. That the President appoint the public members to his committee.
2. That the President's committee make staff appointments; set up its executive committee "and put it to work;" review the activities of the Federal agencies affected by the order; and establish an appeal procedure.
3. That the Federal agencies "beef-up" their entire operation; embark on dynamic information programs for the general public and the housing industry; use the intergroup relations service effectively and involve it at the policy level; and educate their own staffs both in Washington and in the field.
4. That the Attorney General move forward on a considered program of litigation.
5. That the President's committee immediately initiate a nationwide educational program, working in cooperation with representative nongovernmental groups, as indicated by the terms of the order.

The text of the complete statement issued by Messrs. Black, Farmer, Wilkins and Young is attached.

# # #

December 18, 1961

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York

TO: CORE Group Leaders

FROM: James Farmer, National Director

RE: Housing Discrimination I

The 1961 National Convention passed the following resolution urging action to eliminate housing discrimination:

"Whereas, housing is the most widespread area of overt racial discrimination in the United States, and whereas, the situation is growing steadily worse, CORE resolves to launch a nationwide campaign to secure unlimited opportunities for all Americans to obtain decent housing through: (1) education of the general public to the extent and gravity of the problem; (2) pressure for legal and legislative action to insure fair housing practices; (3) support of and cooperation with government agencies and officials---local, state, and national---who are working towards solutions of the problem; and (4) direct action in every community to open available housing to every member of the community."

The President has on his desk an Executive Order which will make unlawful discrimination in public housing, housing for the elderly, urban renewal, and homes financed by Federally insured loans. The Order awaits the President's signature.

While we know that laws are only the first steps in transforming old practices into new realities, we believe the enactment of this Order to be a major step forward in the long process of ending housing discrimination. In keeping with the mandate of our Housing Resolution, we are urging all local groups to take action to prompt the President to sign this Order.

Sepcifically, we ask all CORE groups to:

1. Write or wire the President, urging the immediate issuance of a Broad Executive Order. Get your neighbors and friends to do the same.

2. Try to obtain favorable editorial comment.

3. Use whatever contacts you have with TV, radio, and press, to get coverage of the issue.

4. Use whatever contacts you have with public officials and political and business leaders to have them communicate with the President.

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Integrated Housing: A Matter of Timing

J. ANTHONY LUKAS

On August 8, 1960, a buoyant John F. Kennedy, fresh from his triumph in Los Angeles, chided President Eisenhower for not using "Presidental leadership" to advance civil rights.

"Let me give one example of an important immediate contribution that could and should be made by the stroke of a Presidential pen," he said.

"Eleven months ago the Civil Rights Commission unanimously proposed that the President issue an Executive order on equal opportunity in housing.

"The President has not acted during all this time. He could and should act now. . . . I have supported this proposal since it was made last September. The Democratic platform endorses it. A new Democratic administration will carry it out."

A year and a half later, as he framed his legislative program, President Kennedy let word leak out that the Executive order would be postponed. Reports then said the President's advisers convinced him that the order, which would prohibit discrimination in Federally aided housing, would cost him crucial votes in Congress. Administration officials insisted, however, that the order was sidetracked only until such high-priority legislation as the tariff program could be pushed through on the main line. "The order will come," one said. "It's only a matter of timing."

These assurances were met with impatience by civil-rights groups, whose leaders had expected the order during December.

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, sent a telegram to the White House noting that the lack of Presidential action had produced "some resentment" across the country. He said there was "real fear that unless the order is issued at this time it may not be issued." Joseph L. Rauh, Jr., national vice-chairman of Americans for Democratic Action, called the Attorney General's year-end report on civil-rights action "largely a cover-up" for failure to issue the order.

The same disappointment was evident in the New York offices of the National Committee Against Discrimination in Housing, which speaks on this issue for thirty-three organizations, including the National Urban League, the N.A.A.C.P., the United Auto Workers, and the American Jewish Committee. The National Committee has been the leading crusader in this field since its inception in the late 1940's during a legal battle against the Metropolitan Life Insurance Company's plans for an all-white housing development in Manhattan. It lost that fight but soon gained passage of strong legislation in New York City and State prohibiting discrimination in both government-aided and private housing.

In the past decade, sixteen other states and forty-nine cities have passed similar laws or resolutions. Most cover public housing and urban renewal. Some add housing constructed under the mortgage-insurance programs of the Federal Housing Administration and the Veterans Administration. Laws in nine of these states and two cities also cover private housing.

But the committee has long recognized the limitations of state and local action.

First, it is aware that all seventeen of the states, and all but two of the cities, are north or west of the Confederacy. There is no prospect for such legislation in the South.

Second, it knows these laws have little impact on the operations of Federal agencies. The Urban Renewal Administration, the Federal Housing Administration, and the Veterans Administration have agreed not to do business with builders found to have violated state laws and who refuse to take appropriate action. But in practice, proceedings before state enforcement agencies and the courts take so long that the builder has usually finished the project with Federal aid before a final decision is reached.

The National Committee therefore began pressing as early as 1953 for Federal Executive action to end discrimination in housing aided by Federal agencies. Repeated appeals were addressed to President Eisenhower without avail.

Subsidized Segregation

President Kennedy's election encouraged advocates of Federal action. His campaign pledge was reinforced by his appointment of Robert C. Weaver, a Negro, as administrator of the Housing and Home Finance Agency, which supervises all Federal housing programs. Mr. Weaver had been a leader of the National Committee Against Discrimination in Housing since the start and was its president at the time of his appointment.

If Mr. Weaver's appointment scared the South, it bought the administration time. The National Committee, convinced that an order was on the way, decided not to make its usual presentation at hearings on the 1961 housing bill. The only pressure during the administration's first few months came from two leaders of the Leadership Conference on Civil Rights, a coordinating group in the field. Last February, Chairman Roy Wilkins and Secretary Arnold Aronson gave the President a memorandum (later

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endorsed by thirty-five of the conference's member organizations) calling for an Executive order banning discrimination in all Federal programs and institutions.

Few expected such an order to be issued. Most groups concentrated on the campaign for a housing order, which culminated in the National Committee's formal appeal to Mr. Kennedy on September 22. The committee used strong terms in its indictment of public policy: "There is massive evidence that the Federal government is actually promoting and strengthening nationwide patterns of residential segregation . . . [It] has become both the architect and enforcer of segregated communities."

To support this charge the National Committee cited these facts:

"Over eighty per cent of Federally-sponsored public housing is operated on a segregated basis. New segregated public housing projects continue to receive Federal approval.

"The Federal government approves urban renewal projects, despite exclusion of minority families from the new housing and wholesale displacement of minority families from areas of long continued occupancy. Urban renewal projects are, in some places, accentuating existing residential segregation and in others creating new patterns of racial separation where none had existed before . . ."

The Federal Housing Administration and the Veterans Administration "continue to underwrite racially exclusive suburbs. New all-white towns which could not have been built without FHA and VA financing assistance surround all our major cities. Less than two per cent of the new homes insured by FHA have been available to nonwhite families."

It noted: "By Presidential Order, the developer of an urban renewal project, in his role as *builder* of government-assisted housing, must sign a contract which includes a non-discriminatory hiring provision. This same developer, in his role as *seller* of government-assisted housing, is free to follow a pattern of rigid racial discrimination."

The committee therefore urged the President to issue an order in the housing field similar to the one he issued on employment, and to set up a committee similar to the President's Committee on Equal Employment Opportunity to enforce it. Violations would be referred to the Attorney General for "appropriate action."

The Power of the Purse

This appeal was underlined two weeks later, when the U.S. Civil Rights Commission issued its long-awaited report on discrimination in housing. The commission concluded that the Federal government is in part responsible for this discrimination because "it supports and indeed to a great extent it created the machinery through which housing discrimination operates." But the commission noted that while some progress has been made in the Federal housing agencies themselves—FHA, for example, has moved from a policy of openly recommending racially restrictive covenants as late as 1946 to one encouraging open occupancy today—little progress could be reported among the Federal banking institutions supervising the private financial community.

The institutions these agencies supervise hold $100 billion in non-farm residential mortgage loans, which is sixty-three per cent of the outstanding mortgage debt. (Roughly thirty per cent more is insured by FHA and VA, making a total of about ninety per cent affected in some way by government activity.)

The commission noted that "the financial community in which these agencies play so large and vital a role is a major factor in the denial of equal housing opportunities to minority groups." A witness before the commission's Ohio Advisory Committee put it more bluntly when he said, "Banks dictate where the Negroes can live."

The U.S. Civil Rights Commission therefore urged the issuance of an Executive order extending beyond the Federal housing programs themselves to include the Federally supervised commercial banks and savings and loan associations. In October the matter was referred to an interdepartmental group that included Mr. Weaver; Assistant Attorney General Burke Marshall; Harris Wofford, special assistant to the President on civil rights; and Neil J. Hardy, director of FHA. After a month, the group submitted its recommendation to the White House. It called for an order broader than the National Committee Against Discrimination in Housing's original proposal but not so strong as the Federal commission's. It would have included public housing, urban renewal, FHA and VA, and the Federal savings and loan associations, but not the national banks, the Federal Reserve banks, and banks whose deposits are insured by the Federal Deposit Insurance Corporation.

The Present That Never Came

No word came from the White House. But a delegation from the National Committee saw reason for optimism in a meeting with Attorney General Robert Kennedy on November 8. They found him "friendly, attentive, and sympathetic," and gathered that only the scope of the order was then in question. Charles Abrams, Weaver's successor as president of the committee, told colleagues as he left the Attorney General's office, "We're going to get either a Thanksgiving or a Christmas present."

As Thanksgiving passed without an order, it became evident that opposition was building up. Some of this opposition came from the building and real-estate industry as reflected in resolutions passed at the fall conventions of the National Association of Real Estate Boards and the National Association of Home Builders. But there is little evidence of an active industry campaign against an order. Support for discrimination is not considered good public relations. Many builders have taken the President at his campaign word and accepted the order as inevitable. Many also question predictions that the order would mean the end of all Federally aided construction in the South.

THESE BUILDERS concede that several factors would affect the impact on the region. Southern cities are already building increasing numbers of all-Negro public housing projects, and this practice probably would become more prevalent under the order. For the time being, Southern communities could probably continue to use renewal programs to eliminate racially mixed neighborhoods and thereby undermine school desegregation. Observers look for more Southern cities to copy Atlanta, Austin, Winston-Salem, and Greensboro, which have built attractive sections solely for Negro occupancy. As for the FHA and VA, relatively few Southern Negroes can yet afford new housing under these programs. Even where they can afford it, social pressures would limit attempts to enter all-white neighborhoods.

The major impact would therefore probably be felt first in the North and West, particularly in the vast new suburban developments built with FHA and VA commitments. (Even the order's advocates do not feel that it could cover existing single-family homes with FHA or VA insured mortgages, because the Federal agencies' relationship with the homeowner is too remote to permit effective control.) Civil-rights groups have long argued that housing segregation in the North—typically an inner-city Negro ghetto surrounded by a white suburbia—has effectively hampered integration in other fields. It is in these Northern communities that the N.A.A.C.P. and the Congress of Racial Equality would probably concentrate tests of the order's effectiveness.

Most observers agree that the order would set off a temporary slump in building under the Federally aided programs. To the extent that commercial banks are exempted, there would be a shift from the Federal programs into these conventional forms of financing.

Advocates of the order don't believe this slump would be prolonged or serious. James Scheuer, a leading apartment builder and pioneer of open-occupancy development in Washington, D.C., says: "A builder is in business to make shelter and that's what he's going to do. People aren't going to stop needing shelter because of an Executive order. The boys may sit back and wait for a while, but they'll start building again." Much will depend on how promptly and strictly the order is enforced. Even National Committee leaders, however, concede that there would probably be a "go slow" policy in the South at first. A study conducted in Mr. Weaver's agency last fall concluded that the economic dislocations would be minimal. Thus the decision to postpone the order was apparently based not on its economic effects but on what it would do to the President's legislative program.

A Word to the Wise

Of those who had the President's ear on this subject, there were two to whom he listened with particular care, not because they told him something he didn't know but because they recalled something of which he was painfully aware—the slim margin of support for his programs in Congress and his heavy reliance on Southern leaders there. Senator John Sparkman and Representative Albert Rains are both from Alabama. Both are chairmen of the Housing subcommittees in their respective houses. Both are typical "Southern liberals": internationalist on foreign policy, progressive on most domestic issues, but responsive to the segregationist attitudes of their constituents. Both profess to believe that the Executive order would sabotage the Federal housing program for which they have worked long and hard. Both concede that they have also worked long and hard to see that no such order is ever issued.

Last October 6, Senator Sparkman telegraphed the President: "As one who has had practical experience in legislating, you know that we could never have put through Congress this year's great housing measure if such an order had been in effect." Recently he expanded on this point: "Take public housing. Every little Southern city has a public housing project, a lot of them for Negroes. But if that order came out, why would a Southern Senator vote for the 100,000 units in last year's bill when he knew no city in his state or in the South would build a single new unit?"

Rains, who faces a tough state-wide primary in May, is even more blunt. "I've reminded the President that I pushed his 1961 housing bill through the House for him. He gave me the pen he signed the bill with. I've got a lot of those pens. But I also told the President that I couldn't have got that bill through if the order had been out. I would have missed by fifty votes—including my own. The President's a practical man. He's been up here. He knows there aren't enough votes from New York and Massachusetts to pass a housing bill—or any bill, for that matter."

These arguments were pressed at the White House in the second week of December. On the eleventh, Sparkman dropped by for "a little bull session with the President." The next day Rains talked with the White House by telephone. Two weeks later word leaked out that the order had been postponed.

'The Showdown Must Come'

Sources in the White House were quoted then as saying the President had decided to push first for creation of a Cabinet-level Department of Housing and Urban Affairs headed by Robert Weaver. Last month he announced he would do this by Executive order, having failed to get a bill to create such a department past the House Rules Committee.

White House officials now deny that the two decisions were linked. But these stories caused resentment among Negroes, who felt the department was thrown them as a sop. The New York *Amsterdam News* summed it up this way: "If Robert Weaver is made a member of the President's Cabinet and discrimination continues in Federal housing, Negroes will have won nothing but a dark, dubious 'prestige' victory."

Louis Martin, the Negro deputy chairman of the Democratic National Committee, says this resentment is still limited largely to the professionals in the civil-rights field and to leaders of Negro opinion. "Don't worry," he said; "we'll get the order out before the rank and file begins to get restless. Of course, I wanted it out last fall for the campaigns in New Jersey and San Antonio. We just couldn't get it then, but it'll be out before next November. Meanwhile, we've got to explain as best we can."

THE PRESIDENT did his first public explaining at a press conference on January 15. Asked why he had not yet fulfilled his campaign pledge, he said: "Well, I think that—I stated that I would issue that order when I considered it to be in the public interest, and when I considered it to make an important contribution to advancing the rights of our citizens . . . And I am fully conscious of the wording of the statement to which you refer, and plan to meet my responsibilities in regard to this matter."

But the President insisted that his administration was "proceeding ahead in a way which will maintain a consensus, and which will advance this cause." He cited progress during the past year through Executive action on voting rights, Federal employment, and interstate travel.

His explanation failed to satisfy most champions of the order. Arnold Aronson of the Leadership Conference on Civil Rights summed up the feeling of many: "I think the President has done a lot this first year to change the whole tone of the Federal government on civil rights and some forward steps have been taken. But the delay of this order indicates the administration has been fooling itself when it talks about the advantages of Executive action. It is now clear that Executive action is subject to the same kind of pressures as legislation. Ultimately, if we're going to get that order, there's going to have to be a showdown with the Southerners in Congress. The timing is up to the President. But the showdown must come."

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Analysis of Executive Order on Discrimination in the Federal Housing Program

by

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On November 20, 1962, President Kennedy issued an executive order (No. 11063), barring discrimination in the sale or rental of housing receiving federal assistance. The order has met with a mixed reception. Generally, the civil rights forces have agreed in describing it as only a first step, since many areas that are regarded as within the reach of the executive power were left untouched. Nevertheless, the order as it stands can substantially reduce the extent of segregation and discrimination in federally assisted housing.

This report first describes the order and then discusses what it will do as well as what it will not do. It also covers the basic regulations issued by the Federal Housing Administration on November 30. Similar regulations have been issued by the Veterans Administration.

The Terms of the Order

The purposes of the order are given in a series of "whereas" clauses. They include: achieving the goal set forth in the 1949 Housing Act of "a decent home and a suitable living environment for every American"; assuring that benefits made possible by the federal housing program are made available to all Americans, without regard to race, color, creed or national origin; and preventing the segregated patterns of housing that produce other forms of segregation that deprive Americans of equal opportunity.

Section 101(a) contains the basic prohibition of discrimination: all federal agencies involved in housing programs are directed to prevent discrimination in the sale or rental of "residential property and related facilities," including vacant land. However, this provision applies only to four classes of property: (1) property that is operated by the Federal Government; (2) property that is "provided" by loans or contributions which the Federal Government agrees to make after the date of the executive order; (3) property that is provided by loans guaranteed or insured by the Federal Government or otherwise secured by the credit of the Federal Government after that date; and (4) property that is obtained from a state or local government agency receiving aid from the Federal Government under a contract made after that date.

It will be noted that, with one exception, this provision does not apply to any present housing or even to housing built in the future if the contract or other arrangement for federal support was made before November 20. The one exception, housing owned and operated by the Federal Government, is a very small part of the total market.

Section 101(b) deals with lending institutions. It directs all federal agencies to prevent discrimination in lending practices with respect to loans hereafter insured by the Federal Government.

Section 102 covers existing housing. The Housing and Home Finance Agency and all other executive agencies are directed to "use their good offices and to take other appropriate action permitted by law, including the institution of appropriate litigation, if required" to end discrimination in property which has already been provided with the kind of federal financial assistance described in Section 101(a).

Sections 201 to 203 deal with implementation of the order by the various federal agencies. Primary responsibility for obtaining compliance with the order is placed on the various agencies for whatever part of the federal housing program they administer. Within 30 days after the date of the order, each agency is to adopt rules and regulation and is to "make such exemptions and exceptions" as may be consistent with law and necessary or appropriate to carrying out the order.

The agencies, however, are to work closely with the President's Committee on Equal Opportunity in Housing, described below. Within 30 days of the order, the agencies are to submit to the Committee reports outlining their programs. They must give the Committee whatever information and assistance it requests. They are also to cooperate with the Committee to make their various programs as consistent as possible.

Sections 301 to 304 deal with enforcement. Under Section 301, the Committee and any of the housing agencies may hold public or private hearings. Under Section 302, if any agency concludes that any person, company or governme agency has violated any rule or regulation adopted under the order or any nondiscrimination provision in any contract, it shall try to correct the violation by conciliation. Thereafter, it may take appropriate action to correct the violation, including (a) cancellation of the contract for federal aid, (b) barri the violator from further aid until compliance is assured, and (c) refusing to approve a lending institution or a lender as a beneficiary under any program. Section 303 directs the agencies, in appropriate cases, to refer violations to the Attorney General "for such civil or criminal action as he may deem appropriate." Under Section 304, any agency may invoke the sanctions described abov against any operator that has violated the regulations of another agency.

Section 401 establishes the President't Committee on Equal Opportunity in Housing. It is composed of the Secretaries of Treasury, Defense and Agricultur the Attorney General, the Housing and Home Finance Administrator, the VA Administrator, the Chairman of the Federal Home Loan Bank Board, a member of the staff of the President's Executive Office and "such other members as the Presider shall from time to time appoint from the public." The representative of the President's office is to serve as the Chairman and Executive Director of the Committee.

Under Section 402, each of the agencies subject to the order is to furnish assistance to and pay the expenses of the Committee.

Section 501 gives the Committee the usual powers to adopt rules, to recommend programs and to report to the President.

Section 502 directs the Committee to coordinate the activities of the various agencies, in order to achieve the over-all objective of equal opportunity in federal housing. It is to examine the rules of the various agencies and to make whatever recommendations it finds desirable. It shall also encourage educational programs by civic groups.

Under Section 503, the Committee is to have an executive committee consisting of the Chairman and two other members designated by him from among the public members. The executive committee is to be primarily responsible for carrying out the functions of the Committee between Committee meetings.

Section 601 makes clear the application of the order to the District of Columbia, Puerto Rico and the territories.

Section 602 directs that the order "shall become effective immediately."

We turn now to a discussion of how the order may be expected to operate.

The Cut-Off Date

As to all but federally owned and operated housing, the order creates a cut-off date for the application of the binding provisions of Section 101(a). That provision does not apply to housing covered by contracts already executed on November 20. However, the various agencies have power, under the "exemption" clause, to exclude some housing that was in the "pipe line" on the date of the order.

The new FHA regulations exempt all housing covered by applications for mortgage gurantees that were on file by November 20. This accords with FHA's consistent practice of making rule changes inapplicable to pending applications. Under the public housing program and others discussed below, exemptions will probably be given to those applications that had been processed to the point of awaiting final action by the national office. The exemptions will be drawn in such a way as to prevent a last minute rush to get in under the deadline. (In fact, it was this consideration that dictated making the order effective immediately.)

For convenience in the following paragraphs, the term, "future housing," is used to describe any housing not exempted by the cut-off date regulations.

Federally-Operated Housing

The order bans discrimination in all housing owned or operated by the Federal Government. This means primarily (1) a substantial amount of housing accommodations for personnel at defense bases (in which discrimination has already been effectively banned) and (2) about 34,000 units of housing recaptured by the FHA and other government agencies. Discrimination in the disposition of this housing has been banned in theory but enforcement of this requirement has been spotty.

Public Housing

One of the most serious gaps in the order is the ambiguous way in which it treats existing public housing that was built with federal aid but is not now owned or operated by the Federal Government. This is the bulk of public housing. It is owned and operated by local housing atuhorities established by state and local governments. Its construction was made possible by federal money in the first place and all of it receives continuing support. This takes the form of annual payments by the Federal Government to the local housing authorities. The payments are used to pay their bonded indebtedness. It is these yearly contributions that maintain the low-rent nature of these developments. The program at present includes 472,916 units in more than 1200 towns and cities.

According to the Public Housing Administration which administers this program, over 80 percent of the existing housing is racially segregated. This segregation is clearly unconstitutional under a number of lower court rulings which the Supreme Court has refused to disturb.

The general prohibitions of Section 101(a) of the order do not apply to the public housing already in existence or contracted for. However, it is likely that the provision in Section 102, providing for the institution of appropriate litigation with respect to existing housing, was intended to apply to this area. The Department of Justice has started a number of court actions to halt segregation in public facilities (such as parks, hospitals and schools) receiving contributions from the Federal Government. This would plainly suggest similar lawsuits to halt segregation in federally-supported public housing.

All future public housing supported by the Federal Government will, of course, be covered by the terms of Section 101(a).

Urban Renewal

The Federal Government has had a program since 1949 for assistance to local governments for the improvement of urban areas. In large part, this so-called "Title I" program has resulted in the building of rental and cooperative accommodations owned and operated by private builders. This housing has not been subject to any federal anti-discrimination requirement and much of it is operated on a discriminatory basis.

A more serious problem, however, has been the fact that redevelopment programs have been used by local authorities to reduce the amount of Negro and integrated housing. Programs have tended to be concentrated in Negro and integrated areas. The new housing has often not been open to non-whites. Frequently, the relocation of the displaced families has conformed to existing patterns of segregation, with local authorities maintaining separate lists of accommodations available for the displaced white and non-white families. It has been widely commented that slum clearance is too often "Negro clearance."

Under the broader provisions of the 1961 Housing Act, urban renewal has become the keystone of federal housing activities. It is particularly important, therefore, that non-discriminatory measures be enforced in this part of the federal housing program.

The order clearly applies to discrimination in future redevelopment and renewal housing. However, as in the case of public housing, only the "good offices" provisions of Section 102 apply to existing housing.

As to future housing, the regulations can provide that companies constructing housing in the redevelopment area agree to comply with the executive order. The agreement may be embodied in a covenant in the deed by which the property is transferred.

A serious weakness of the order is that it contains no provision clearly applying to the problem of "Negro clearance," the selection of sites to perpetuat segregation or discriminatory relocation practices. It will probably not be invoked to deal with these problems unless the public interest groups exert sufficient pressure to obtain action. There is no reason to believe that these problems cannot be covered by appropriate regulations.

Urban renewal programs are not limited to residential uses. They may include schools, parks and other facilities, as well as commercial uses. The order applies to "housing and related facilities." The Urban Renewal Administration, under this provision, will have power to prohibit discrimination in parks, schools and other facilities developed in connection with housing projects.

FHA and VA

The best know feature of the FHA and VA (Veterans Administration) programs is the guaranteeing of repayment of mortgages on individual homes. These programs have made it possible for families to buy homes with small down payments (and in some cases no down payment) where conventional financing required payments of 50 percent or more of the purchase price. They have also made possible lower interest rates.

The new order, of course, will not apply to the sale or rental of any of the millions of homes now subject to FHA or VA guaranteed mortgages. Individuals buying homes with FHA or VA financing after November 20, 1962 will not be subject to the order when they resell or rent, even though, technically, such sales and rentals are within the terms of Section 101(a). The new FHA regulations provide that the ban on discrimination shall not apply to "transactions involving any one or two-family dwelling which has been occupied by the seller."

It should be noted that the National Committee Against Discrimination in Housing, which speaks for most of the civil rights organizations on this subject, never asked for an order covering such sales. The small amount of government control over the individual home owner and the difficulty of proving discrimination in individual resales would make it difficult to enforce such a provision.

The important impact of the order will be on the builders who sell housing eligible for FHA and VA guarantees. These include the developers of whole new suburbs which have in the past been restricted to whites. Application of the order to this type of enterprise is particularly important since this has been the most notorious abuse in the federal housing program. Less than two percent of the new homes insured by FHA have been available to non-whites and much of this scant supply has been in segregated projects.

The new FHA regulations make the order applicable to builders from the earliest point at which they receive FHA assistance. They require that builders agree to comply with the non-discrimination regulations from the time that they are informed by FHA that their project is eligible for FHA guaranteed loans.

FHA also has a substantial program affecting rental housing. For example, there are more than 400,000 units of such housing now in existence as a result of the now expired Section 608 program. FHA maintains a continuing control over this kind of housing. A representative of FHA sits on the board of the corporation owning each facility and FHA has reserved power to take over the corporation if any of its regulations are violated. In addition, there is rental housing in the Section 207 program and cooperative housing under Section 213. In both of these programs, FHA retains a continuing relationship with the property during the life of the guaranteed mortgage.

Only future FHA rental housing will be subject to the binding terms of Section 101(a) of the order. Existing housing will be covered by the "good offices" provision of Section 102.

Other Programs

There are a number of other programs that will be affected by the order. These include the program of housing for migratory farm workers, the program of loans and contributions to universities for dormitories and faculty housing and the program of loans and grants to non-profit organizations for housing for the elderly (which is already subject to a non-discrimination requirement).

All such housing arranged for in the future will come under the provisions of Section 101(a). Housing already built or committed will be covered only by Section 102.

Lending Institutions

The order bars discrimination by lending institutions only as to loans insured or guaranteed by the Federal Government, that is, loans in the FHA and VA programs. Under the order, a bank that discriminatorily refuses to issue a mortgage on a FHA or VA home could be denied approval as a lender for such housing. This would mean that it would not get the benefit of FHA and VA guarantees.

Before the order was issued, a much broader coverage of lending institutions had been urged. In particular, the United States Civil Rights Commission had recommended that the President prohibit discrimination in lending by all institutions supervised by the Federal Government. This would have included all federal and virtually all state savings and loan associations, all national banks and those state-chartered banks that are in the Federal Reserve System and all banks under the Federal Deposit Insurance Corporation.

The order does not touch discrimination in either the lending activities of those institutions or the sale or rental of housing covered by their loans. The result is that the order applies, according to the best estimate, to only about 25 percent of the total amount of new housing.

It should be noted that, on June 1, 1961, the Federal Home Loan Bank Board adopted a resolution stating that it opposes discrimination by financial institutions over whivh it has supervisory authority. (These institutions hold 97 percent ($69.5 billion) of all savings and loan assets. They are responsible for more than 30 percent of all home financing. Most important, they issued 50 percent of the non-FHA and -VA mortgages under

$20,000 in 1960.) However, this order has not been implemented in any way. Civil rights groups will now move to obtain action under the FHLBB resolution.

Procedural Aspects

A number of references have been made above to the rules and regulations that may be adopted by the various agencies to carry out the order. Those regulations will determine the effectiveness of the order in a number of respects.

The agencies are given power to carve out exemptions from the scope of the order. This is an unusual and potentially dangerous provision. As already noted, the FHA has excluded the resale of single homes. However, it could also exempt other forms of housing and it is given no standard on which to base such exemptions.

Presumably, it will be the responsibility of the new President's Committee to supervise this process. Although the Committee is not given power to veto any agency regulations, it can be assumed that it will be able to prevent any serious impairment of the order.

It is not impossible that agency rules and regulations will also extend the prohibition of discrimination beyond the terms of the order. It has been the position of the civil rights organizations that the agencies have power themselves to prohibit discrimination without waiting for a Presidential order. That power presumably continues now that the order has been issued.

The order does not specifically direct that anti-discrimination clauses be placed in the application and contract forms used by the various agencies. (The executive order against discrimination in employment by government agencies and government contractors spells out the requirement of an anti-discrimination clause in government contracts in great detail.)

However, the order does refer at a number of places to such clauses and the new FHA regulations provide for them at a number of points. It may be assumed that they will also be provided for in the regulations of other agencies.

Inclusion of such clauses in all agreements subject to the order is extremely important. The very fact that the order has been couched in generalities makes it essential that the obligations of those who deal with the government be spelled out in detail in the agreement under which they receive government aid.

The sanctions set forth in Section 302 (cancellation of contracts and ineligibility for future contracts and other benefits) are appropriate and effective. The provision for litigation to end discrimination in existing housing has already been commented on. It would be appropriate for the Public Housing Administration to adopt regulations barring segregation by local housing authorities operating existing public housing projects receiving federal grants. Such regulations could require the authorities to report on their practices with respect to race and to present plans for ending existing segregation. They could also provide for the institution of lawsuits if segregation exists and is not halted.

The order does not detail the procedure for enforcement, other than to give primary responsibility to the various agencies and to empower them to hold public or private hearings. The new FHA regulations provide for a complaint procedure under which complaints will be investigated and passed on by the local field office director, with an appeal to the FHA Commissioner. The other agencies can be expected to adopt similar regulations. However, it is not expected that the agencies will confine their enforcement efforts to the disposition of individual complaints.

The provision under Section 303, that violators be reported to the Attorney General for "civil or criminal action," has been widely quoted by critics of the order as threatening wholesale jail sentences. However, this provision probably applies only to fraudulent statements by applicants regarding discriminatory practices and similar misconduct.

Probable Impact of the Order

Estimates vary as to the amount of housing covered by the new order. It is probably about 25 percent of the total of the new housing that will come on the market in the future. It should also be noted that a large part of this housing is already covered by fair housing laws now in effect in eleven states -- Alaska, California, Colorado, Connecticut, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Oregon and Pennsylvania. Those states include 36.4 percent of the population of this country. There are also a number of states and local laws covering various kinds of publicly assisted housing.

Based on experience with executive orders in other areas and with the many state anti-discrimination laws, it can be confidently predicted that the new order will neither ruin the housing industry nor reform it overnight. Predictions like that of Senator A. Willis Robertson, of Virginia, that the order will curtail housing construction "by anywhere from 25 to 50%" are certainly ill-founded. Repeated studies show that there has been no curtailment of construction in the states and cities that have adopted fair housing laws. On the other hand, the beneficial impact of the order will be felt only gradually, judging by the experience under fair housing laws. Much will depend on the vigor of enforcement and also on the scope of demand for good housing from minority groups.

It has been widely predicted that the order will cause a shift by builders away from the various programs of federal assistance. The theory is that, to avoid the anti-discrimination requirement, builders will use conventional financing rather than FHA-guaranteed loans and that they will stay out of urban renewal programs. Here again, the experience with state statutes indicates that that is not a serious threat. Prior to adoption of the present broad fair housing laws, a number of states adopted laws prohibiting discrimination only in FHA and other publicly assisted housing. These laws did not result in a drop in FHA construction compared with other states not having such laws. The reason appears to be that the benefits obtained by builders under the various federal programs are great enough to overcome any reluctance they may have to try to operate under a non-discrimination requirement.

To the extent that there is a shift in the building industry away from federal programs, it will emphasize the need for a broader federal order dealing with housing financed through federally supervised lending institutions. It must be noted, however, that no federal order can reach the entire housing market. Hence, issuance of the order will not end the need for state and local fair housing laws. Many builders and others active in the housing industry have expressed the opinion that, if there is to be an anti-discrimination requirement at all, it should be as broad as possible. Otherwise, it creates a new form of discrimination among builders.

In the eleven states having fair housing laws, the new order will apply to varying amounts of housing not already covered by the state statute. As to housing covered by both statute and order, the order will provide an additional (and perhaps more potent) enforcement procedure. It is expected that efforts will be made to arrive at working agreements between the Federal Government and the various state enforcement agencies dealing with the areas in which they both have jurisdiction.

The only place where a substantial curtailment of federal housing programs may occur as a result of the order is in the Deep South. It is entirely possible that the order will halt public housing programs in the South for a time. However, the South has always had more than its proportionate share of public housing programs. Moreover, it is quite likely that the South will continue to use public housing to take care of persons displaced by urban renewal programs. Such public housing may be technically designated as non-discriminatory but will in fact be used only by Negro families. Urban renewal programs may also be cut down to some extent in the South. FHA developments will probably not be substantially affected because social pressure and other sanctions can be counted on to block the establishment of integrated private housing developments. However, as the order becomes effective in the North, it will gradually be invoked more and more in the South.

While the order is not all that civil rights groups have sought (and will continue to seek), it will certainly achieve positive gains. Discrimination and segregation in federal housing have been formally declared to be illegal and steps have been initiated to end this long-standing abuse. The order establishes a new ethic for federal housing that should have a profound effect on the housing industry and ultimately on the structure of America.

November 30, 1962

THE PRESIDENT'S
EXECUTIVE ORDER
ON EQUAL OPPORTUNITY IN HOUSING

HOUSING AND HOME FINANCE AGENCY

WASHINGTON 25, D.C.

HOUSING AND HOME FINANCE AGENCY
Office of the Administrator
Washington 25, D. C.

SECTION-BY-SECTION ANALYSIS OF EXECUTIVE ORDER ON EQUAL OPPORTUNITY IN HOUSING

The preamble of the proposed Order points out that discrimination, because of race, color, creed, or national origin in Federally-aided housing is unfair and unjust and inconsistent with the public policy of the United States as manifested in its Constitution and laws, and thwarts the goal expressed by Congress in the Housing Act of 1949 -- to provide a decent home and suitable living environment for all American families. It asserts that discrimination in housing results not only in substandard housing conditions for many Americans, but also furthers discrimination in other fields. The preamble states that it is the obligation of the Executive Branch of the Government to administer all laws providing Federal financial assistance for housing and related facilities so that benefits under these laws will be available to all Americans without discrimination.

PART I - PREVENTION OF DISCRIMINATION

Section 101. Directs all departments and agencies in the executive branch of the Federal Government, in so far as their functions relate to the provision, rehabilitation, or operation of housing and related facilities, to take all action necessary and appropriate to prevent discrimination because of race, color, creed, or national origin, in the sale, leasing, rental or other disposition of residential property and related facilities, which are:

(1) owned by the Federal Government; or

(2) provided with future loans, advances, grants, or contributions from the Federal Government; or

(3) provided by loans hereafter insured or guaranteed by the Federal Government; or

(4) provided by the development of urban renewal project land obtained from a public agency receiving Federal assistance under future urban renewal loan or grant contracts.

This Section also prohibits discrimination in lending practices with respect to Federally insured or guaranteed loans on residential property and related facilities.

Section 102. Directs the Housing and Home Finance Agency and all other affected departments and agencies to use their good offices and to take other appropriate action, including litigation where necessary, to promote the abandonment of discriminatory practices with respect to residential property and related facilities previously provided with certain Federal assistance.

PART II - IMPLEMENTATION BY DEPARTMENTS AND AGENCIES

Section 201. Directs the affected departments and agencies to submit a report to the President's Committee on Equal Opportunity in Housing within thirty days, outlining current programs affected by the Order.

Section 202. Charges the affected departments and agencies with primary responsibility for compliance and directs them to cooperate with the Committee and furnish it with information and assistance as requested.

Section 203. Directs the affected departments and agencies to issue such rules and regulations, adopt such procedures and policies, and make such exemptions and exceptions, within thirty days from the date of the Order, as may be consistent with law and necessary or appropriate to carry out the purposes of the Order.

This Section also directs the affected departments and agencies to consult with the Committee to achieve consistency and uniformity.

PART III - ENFORCEMENT

Section 301. Authorizes the Committee, any of its subcommittees, and any officer or employee designated by the affected departments and agencies to hold public or private hearings for compliance, enforcement or educational purposes.

Section 302. Directs the affected departments and agencies to use informal means, including conference, conciliation and persuasion to cure violations by any person, firm, State or local public agency. In addition, this Section authorizes each department and agency to take such action as may be appropriate under its governing laws, including the following:

(1) cancel Federal aid contracts in whole or in part; or

(2) withhold further aid under any program affected by the Order; or

(3) refuse to approve, or withdraw approval from, lending institutions or any other lender as beneficiary under any program affected by the Order.

Section 303. Directs executive departments and agencies, in appropriate cases, to refer violations to the Attorney General for civil or criminal action. This Section also authorizes the Attorney General to furnish legal advice concerning the Order to the Committee and any department or agency on request.

Section 304. Authorizes the heads of affected departments and agencies to debar private persons and firms which have violated the rules, regulations, or procedures of other departments and agencies affected by this Order.

PART IV - ESTABLISHMENT OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN HOUSING

Section 401. Establishes the President's Committee on Equal Opportunity in Housing, which shall be composed of the Secretary of the Treasury, the Secretary of Defense; the Attorney General; the Secretary of Agriculture; the Housing and Home Finance Administrator; the Administrator of Veterans Affairs; the Chairman of the Federal Home Loan Bank Board; a member of the staff of the Executive Office of the President to be assigned to the Committee by direction of the President; and such members from the public as the President shall from time to time appoint. This Section further provides that the member assigned by the President from the staff of the Executive Office shall serve as Chairman and Executive Director of the Committee. Each department or agency head may designate an alternate to represent him in his absence.

Section 402. Directs each department or agency subject to the Order to furnish assistance to and defray the necessary expenses of the Committee to the extent authorized by law.

PART V - POWERS AND DUTIES OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN HOUSING

Section 501. Directs the Committee to recommend general policies and procedures to implement the Order, make reports to the President as required, but at least annually, and to adopt rules for its own deliberations. It also authorizes the Committee to provide for the establishment of subcommittees whose members shall be appointed by the Chairman.

Section 502. Directs the Committee to promote the coordination of the activities of departments and agencies under the Order, taking into consideration both the over-all objectives of Federal legislation relating to housing and the right of every individual to participate without discrimination in the benefits of programs providing Federal aid to housing.

This Section also authorizes the Committee to confer with representatives of Federal departments and agencies, State or local public agencies and interested private groups. It further authorizes the Committee to examine the rules, regulations, procedures, policies, and practices of any departments or agencies subject to the Order, and make appropriate recommendations to effectuate the purposes of the Order.

In addition, it directs the Committee to encourage educational programs by civic, educational, religious, industrial, labor, and other non-governmental groups to eliminate the causes of discrimination in housing and related facilities provided with Federal assistance.

Section 503. Provides for an executive committee consisting of the Committee's Chairman and two other members designated by him from among the public members, and directs that the Committee's Chairman shall serve also as Chairman of the Executive Committee. This Section charges the Executive Committee with primary responsibility for carrying out the functions of the full Committee between meetings of the full Committee and authorizes the Executive Committee to act for the full Committee to the extent authorized by it.

PART VI - MISCELLANEOUS

Section 601. Defines "departments and agencies" to include wholly-owned or mixed-ownership Government corporations, and defines "State" to include the District of Columbia, the Commonwealth of Puerto Rico, and the territories of the United States.

Section 602. Provides that the Order shall become effective immediately.

November 21, 1962

EXECUTIVE ORDER

EQUAL OPPORTUNITY IN HOUSING

WHEREAS the granting of Federal assistance for the provision, rehabilitation, or operation of housing and related facilities from which Americans are excluded because of their race, color, creed, or national origin is unfair, unjust, and inconsistent with the public policy of the United States as manifested in its Constitution and laws; and

WHEREAS the Congress in the Housing Act of 1949 has declared that the general welfare and security of the Nation and the health and living standards of its people require the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family; and

WHEREAS discriminatory policies and practices based upon race, color, creed, or national origin now operate to deny many Americans the benefits of housing financed through Federal assistance and as a consequence prevent such assistance from providing them with an alternative to substandard, unsafe, unsanitary, and overcrowded housing; and

WHEREAS such discriminatory policies and practices result in segregated patterns of housing and necessarily produce other forms of discrimination and segregation which deprive many Americans of equal opportunity in the exercise of their unalienable rights to life, liberty, and the pursuit of happiness; and

WHEREAS the executive branch of the Government, in faithfully executing the laws of the United States which authorize Federal financial assistance, directly or indirectly, for the provision, rehabilitation, and operation of housing and related facilities, is charged with an obligation and duty to assure that those laws are fairly administered and that benefits thereunder are made available to all Americans without regard to their race, color, creed, or national origin:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and laws of the United States, it is ordered as follows:

PART I - PREVENTION OF DISCRIMINATION

Section 101. I hereby direct all departments and agencies in the executive branch of the Federal Government, insofar as their functions relate to the provision, rehabilitation, or operation of housing and related facilities, to take all action necessary and appropriate to prevent discrimination because of race, color, creed, or national origin -

(a) in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use or occupancy thereof, if such property and related facilities are -

(i) owned or operated by the Federal Government, or

(ii) provided in whole or in part with the aid of loans, advances, grants, or contributions hereafter agreed to be made by the Federal Government, or

(iii) provided in whole or in part by loans hereafter insured, guaranteed, or otherwise secured by the credit of the Federal Government, or

(iv) provided by the development or the redevelopment of real property purchased, leased, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under a loan or grant contract hereafter entered into; and

(b) in the lending practices with respect to residential property and related facilities (including land to be developed for residential use) of lending institutions, insofar as such practices relate to loans hereafter insured or guaranteed by the Federal Government.

Section 102. I hereby direct the Housing and Home Finance Agency and all other executive departments and agencies to use their good offices and to take other appropriate action permitted by law, including the institution of appropriate litigation, if required, to promote the abandonment of discriminatory practices with respect to residential property and related facilities heretofore provided with Federal financial assistance of the types referred to in Section 101 (a) (ii), (iii), and (iv).

PART II - IMPLEMENTATION BY DEPARTMENTS AND AGENCIES

Section 201. Each executive department and agency subject to this order is directed to submit to the President's Committee on Equal Opportunity in Housing established pursuant to Part IV of this order (hereinafter sometimes referred to as the Committee), within thirty days from the date of this order, a report outlining all current programs administered by it which are affected by this order.

Section 202. Each such department and agency shall be primarily responsible for obtaining compliance with the purposes of this order as the order applies to programs administered by it; and is directed to cooperate with the Committee, to furnish it, in accordance with law, such information and assistance as it may request in the performance of its functions, and to report to it at such intervals as the Committee may require.

Section 203. Each such department and agency shall, within thirty days from the date of this order, issue such rules and regulations, adopt such procedures and policies, and make such exemptions and exceptions as may be consistent with law and necessary or appropriate to effectuate the purposes of this order. Each such department and agency shall consult with the Committee in order to achieve such consistency and uniformity as may be feasible.

PART III - ENFORCEMENT

Section 301. The Committee, any subcommittee thereof, and any officer or employee designated by any executive department or agency subject to this order may hold such hearings, public or private, as the Committee, department, or agency may deem advisable for compliance, enforcement, or educational purposes.

Section 302. If any executive department or agency subject to this order concludes that any person or firm (including but not limited to any individual, partnership, association, trust, or corporation) or any State or local public agency has violated any rule, regulation, or procedure issued or adopted pursuant to this order, or any nondiscrimination provision included in any agreement or contract pursuant to any such rule, regulation, or procedure, it shall endeavor to end and remedy such violation by informal means, including conference, conciliation, and persuasion unless similar efforts made by another Federal department or agency have been unsuccessful. In conformity with rules, regulations, procedures, or policies issued or adopted by it pursuant to Section 203 hereof, a department or agency may take such action as may be appropriate under its governing laws, including, but not limited to, the following:

It may -

(a) cancel or terminate in whole or in part any agreement or contract with such person, firm, or State or local public agency providing for a loan, grant, contribution, or other Federal aid, or for the payment of a commission or fee;

(b) refrain from extending any further aid under any program administered by it and affected by this order until it is satisfied that the affected person, firm, or State or local public agency will comply with the rules, regulations, and procedures issued or adopted pursuant to this order, and any nondiscrimination provisions included in any agreement or contract;

(c) refuse to approve a lending institution or any other lender as a beneficiary under any program administered by it which is affected by this order or revoke such approval if previously given.

Section 303. In appropriate cases executive departments and agencies shall refer to the Attorney General violations of any rules, regulations, or procedures issued or adopted pursuant to this order, or violations of any nondiscrimination provisions included in any agreement or contract, for such civil or criminal action as he may deem appropriate. The Attorney General is authorized to furnish legal advice concerning this order to the Committee and to any department or agency requesting such advice.

Section 304. Any executive department or agency affected by this order may also invoke the sanctions provided in Section 302 where any person or firm, including a lender, has violated the rules, regulations, or procedures issued or adopted pursuant to this order, or the nondiscrimination provisions included in any agreement or contract, with respect to any program affected by this order administered by any other executive department or agency.

PART IV - ESTABLISHMENT OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN HOUSING

Section 401. There is hereby established the President's Committee on Equal Opportunity in Housing which shall be composed of the Secretary of the Treasury; the Secretary of Defense; the Attorney General; the Secretary of Agriculture; the Housing and Home Finance Administrator; the Administrator of Veterans Affairs; the Chairman of the Federal Home Loan Bank Board; a member of the staff of the Executive Office of the President to be assigned to the

Committee by direction of the President, and such other members as the President shall from time to time appoint from the public. The member assigned by the President from the staff of the Executive Office shall serve as the Chairman and Executive Director of the Committee. Each department or agency head may designate an alternate to represent him in his absence.

Section 402. Each department or agency subject to this order shall, to the extent authorized by law (including § 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691)), furnish assistance to and defray the necessary expenses of the Committee.

PART V - POWERS AND DUTIES OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN HOUSING

Section 501. The Committee shall meet upon the call of the Chairman and at such other times as may be provided by its rules. It shall: (a) adopt rules to govern its deliberations and activities; (b) recommend general policies and procedures to implement this order; (c) consider reports as to progress under this order; (d) consider any matters which may be presented to it by any of its members; and (e) make such reports to the President as he may require or the Committee shall deem appropriate. A report to the President shall be made at least once annually and shall include references to the actions taken and results achieved by departments and agencies subject to this order. The Committee may provide for the establishment of subcommittees whose members shall be appointed by the Chairman.

Section 502. (a) The Committee shall take such steps as it deems necessary and appropriate to promote the coordination of the activities of departments and agencies under this order. In so doing, the Committee shall consider the overall objectives of Federal legislation relating to housing and the right of every individual to participate without discrimination because of race, color, creed, or national origin in the ultimate benefits of the Federal programs subject to this order.

(b) The Committee may confer with representatives of any department or agency, State or local public agency, civic, industry, or labor group, or any other group directly or indirectly affected by this order; examine the relevant rules, regulations, procedures, policies, and practices of any department or agency subject to this order and make such recommendations as may be necessary or desirable to achieve the purposes of this order.

(c) The Committee shall encourage educational programs by civic, educational, religious, industry, labor, and other nongovernmental groups to eliminate the basic causes of discrimination in housing and related facilities provided with Federal assistance.

Section 503. The Committee shall have an executive committee consisting of the Committee's Chairman and two other members designated by him from among the public members. The Chairman of the Committee shall also serve as Chairman of the Executive Committee. Between meetings of the Committee, the Executive Committee shall be primarily responsible for carrying out the functions of the Committee and may act for the Committee to the extent authorized by it.

PART VI - MISCELLANEOUS

Section 601. As used in this order, the term "departments and agencies" includes any wholly-owned or mixed-ownership Government corporation, and the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories of the United States.

Section 602. This order shall become effective immediately.

/s/ John F. Kennedy

THE WHITE HOUSE

November 20, 1962

EXCERPT FROM PRESIDENT KENNEDY'S PRESS CONFERENCE, NOVEMBER 20, 1962

Question: Mr. President, with regard to your housing order, could you explain, first, why you have taken so long to sign the order; second, does it become effective tomorrow morning for loans and guarantees and everything else that is not complete ....

Answer: Yes, that is correct.

Question: ...and third, what assessment have you made of the possible economic impact?

Answer: Well, I said that I would issue it at the time when I thought it was in the public interest, and now is the time. Secondly, it would become effective immediately. Thirdly, I don't think that its immediate effect--there may be some adverse reaction--but I think that we will be able to proceed in the development of our housing industry which is important to our economy. I know one builder the other day in part of New York said that he would be very much against the housing order because it would hurt his development, and he was reminded that there was a more stringent law in effect in New York at the time, so that I think that some of the fears have been exaggerated. In any case, it's sound public, constitutional policy and we've done it.

IMMEDIATE RELEASE NOVEMBER 20, 1962

Office of the White House Press Secretary

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THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I would also like to announce that I have today signed an executive order directing Federal departments and agencies to take every proper and legal action to prevent discrimination in the sale or lease of housing facilities owned or operated by the Federal Government; housing constructed or sold as a result of loans or grants to be made by the Federal Government or by loans to be insured or guaranteed by the Federal Government; and housing to be available through the development or redevelopment of property under Federal slum clearance or urban renewal programs.

With regard to existing housing facilities constructed or purchased as a result of direct loans or grants from the Federal Government, or under Federal guarantees, or as a result of the urban renewal program, I have directed the Housing Agency and other appropriate agencies to use their good offices to promote and encourage the abandonment of discriminatory practices that may now exist.

In order to assist the departments and agencies in implementing this policy and to coordinate their efforts, I have established the President's Committee on Equal Opportunity in Housing.

It is neither proper nor equitable that Americans should be denied the benefits of housing owned by the Federal Government or financed through the Federal assistance on the basis of their race, color, creed or national origin. Our national policy is equal opportunity for all and the Federal Government will continue to take such legal and proper steps as it may to achieve the realization of that goal.

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FACTS ABOUT THE HOUSING OF THE NONWHITE POPULATION

A Digest of Bureau of the Census Data

Population: The Nation's nonwhite population has increased at a rate only slightly faster than the white population. In 1920 nonwhites made up 10 percent of the total; in 1960, 11 percent.

Place of Residence: More than two-fifths of all nonwhites live outside the South; in urban areas the proportion is 55 percent. In contrast with whites, who increasingly tend to live outside central cities, more than half of all nonwhites and 70 percent of urban nonwhites live in central cities. Less than 10 percent of nonwhites live in suburban fringes.

Home Ownership: Less than two-fifths of nonwhites are homeowners, compared with nearly two-thirds of whites.

Overcrowding: The rate of doubling of nonwhites, about 5 percent, is more than twice that of whites. Six percent of urban nonwhite homeowners, 14 percent of renters, are badly overcrowded. Comparable figures for white families are 1 and 3 percent respectively.

Condition of Housing: About half the nonwhite renters and two-fifths the nonwhite homeowners live in substandard dwellings. Only one-fifth the white renters and one-tenth the white homeowners have substandard quarters.

Age of Houses: Only one in ten nonwhite homeowners lives in a house built since 1955; about two-thirds are in units standing in 1940. Less than half of white homeowners live in prewar housing.

Value of Houses: The median value of $6,700 for homes owned by nonwhites is only 55 percent of the nearly $12,230 figure for white-owned houses.

Rents Paid: The gross rent of nonwhite renters, $58 is roughly 80 percent of the $75 paid by white renters.

November 20, 1962

THE NONWHITE POPULATION
A Summary of Salient Statistics

I. Population Trend

	TOTAL		WHITE		NONWHITE	
Year	Millions	% Chg. Since 1920	Millions	% Chg. Since 1920	Millions	% Chg. Since 1920
48 States						
1920	105.7	-	94.8	-	10.9	-
1930	122.8	+16%	110.3	+17%	12.5	+15%
1940	131.7	+25	118.2	+25	13.5	+24
1950	150.7	+43	134.9	+42	15.8	+45
1960	178.5	+69	158.5	+68	20.0	+84
50 States						
1960	179.3	-	158.8	-	20.5	-

II. Regional Distribution of Nonwhites
(Percent distribution)

	1950			1960		
	Total	Urban	Rural	Total	Urban	Rural
	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
North	27.3	40.9	5.4	33.1	43.1	6.6
South	64.0	49.3	87.6	56.1	45.1	85.1
West	8.7	9.8	6.9	10.8	11.8	8.3

III. Where Nonwhites Live

	1950		1960	
	Millions of Persons			
	White	Nonwhite	White	Nonwhite
Total	135.1	16.2	158.8	20.5
Urban	86.9	10.0	110.4	14.8
Central cities	42.0	6.3	47.6	10.3
Urban fringe	19.9	1.0	36.1	1.7
Other urban	24.9	2.7	26.7	2.8
Rural	48.3	6.2	48.4	5.7
	Percent distribution			
Total	100.0%	100.0%	100.0%	100.0%
Urban	64.3	61.7	69.5	72.4
Central cities	31.1	39.2	30.0	50.5
Urban fringe	14.7	6.1	22.8	8.4
Other urban	18.5	16.4	16.8	13.5
Rural	35.7	38.3	30.5	27.6

III. Where Nonwhites Live (Continued)

	Percent Increase, 1950 to 1960 White	Nonwhite
Total	17.5%	26.7%
Urban	27.1	48.7
Central Cities	13.3	63.3
Urban fringe	81.8	75.0
Other urban	6.9	3.9
Rural	0.2	-8.8

IV. Major Concentrations of Nonwhite Population

Localities with largest Number of Nonwhites in 1960

	Area	Millions	%
1	New York	1,141	15%
2	Chicago	878	24
3	Philadelphia	535	27
4	Detroit	487	29
5	Washington	419	55
6	Los Angeles	417	17
7	Baltimore	328	35
8	Cleveland	253	29
9	New Orleans	235	37
10	Houston	218	23
11	St. Louis	216	29
12	Honolulu	214	73

Localities with highest percentage of Nonwhites in 1960

Area	Millions	%
Honolulu	214	73%
Washington	419	55
Richmond	92	42
Jacksonville	83	41
Birmingham	135	40
Gary	69	39
Atlanta	187	38
Nashville	65	38
New Orleans	235	37
Memphis	185	37
Winston-Salem	41	37
Savannah	53	36

V. Regional Net Migration During 1950's

	Thousands of Persons Total	White	Nonwhite
United States	+2,660	+2,685	+ 25
Northeast	+ 336	- 206	+ 541
North Central	- 121	- 679	+ 558
South	-1,404	+ 52	-1,457
West	+3,850	+3,518	+ 332

VI. States with Largest Nonwhite Net Megration - 1950-1960

	Number of Persons
California	354,000
New York	282,000
Illinois	189,000
Ohio	133,000
Michigan	127,000
New Jersey	112,000
Florida	101,000
Pennsylvania	77,000

VII. Increase in Metropolitan Area Population

	Percent Increase 1950-1960		
	Total	White	Nonwhite
U.S. Total			
In SMSAs	26.4%	24.1%	47.1%
Central Cities	10.8	4.7	50.6
Outside c.c.	48.5	49.3	35.5
Northeast			
In SMSAs	13.0	10.5	51.8
Central cities	- 3.1	- 8.5	52.2
Outside c.c.	34.7	34.2	50.3
North Central			
In SMSAs	23.5	20.3	59.2
Central Cities	4.3	- 3.0	62.4
Outside c.c.	56.4	56.9	39.8
South			
In SMSAs	36.2	37.2	32.2
Central Cities	28.5	25.7	37.2
Outside c.c.	47.9	52.8	19.3
West			
In SMSAs	48.5	46.6	72.3
Central Cities	31.4	26.9	72.6
Outside c.c.	66.4	66.1	71.6

VIII. Occupations

	Percent distribution in 1960					
	White			Nonwhite		
	Total	Urban	Rural	Total	Urban	Rural
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Household & Service	8.9	9.3	7.9	30.5	32.7	22.6
Operatives	18.3	17.6	20.2	19.2	20.3	15.3
Laborers	4.0	3.6	5.1	12.1	11.7	13.5
Farmers & Farm Laborers	5.9	0.7	19.7	8.4	1.3	33.8
Craftsmen	14.3	14.4	14.1	6.4	6.9	4.6
Clerical	15.3	17.7	8.9	6.4	7.8	1.3
Professional & Technical	11.9	13.3	8.1	5.3	5.9	3.3
Other	21.4	23.4	16.0	11.7	13.4	5.6

IX. Family Income - Median

	1950			1960			Nonwhite as % of White in 1960
	Total	White	Nonwhite	Total	White	Nonwhite	
United States	$3,073	$3,216	$1,426	$5,660	$5,893	$3,711	63%
Northeast	3,365	NA	NA	6,191	6,318	4,371	69
North Central	3,277	NA	NA	5,892	5,994	4,320	72
South	2,248	2,638	1,168	4,465	5,009	2,322	46
West	3,430	NA	NA	6,348	6,444	4,937	77

X. Tenure

	1950		1960	
	Percent of occupied units			
	White	Nonwhite	White	Nonwhite
Owners	57%	35%	64%	38%
Renters	43	65	36	62

XI. Housing Quality

	1950		1960	
	Percent of occupied units			
	White	Nonwhite	White	Nonwhite
All dwellings				
Standard	68%	28%	87%	56%
Substandard	32	72	13	44
Owner occupied				
Standard	71	33	90	63
Substandard	29	67	10	37
Renter occupied				
Standard	65	25	81	52
Substandard	35	75	19	48

XII. Extent Of Overcrowding

1960

	Percent of dwelling units with:			
	1.01-1.50 persons per room		1.51 or more persons per room	
	White	Nonwhite	White	Nonwhite
Owner Occupied				
Urban	5.6%	11.2%	1.1%	5.8%
Rural	7.7	14.6	2.7	17.3
Inside SMSA	5.9	11.5	1.2	5.8
Outside SMSA	6.9	13.1	2.3	14.0
Renter Occupied				
Urban	7.9	15.2	3.2	13.8
Rural	12.9	17.4	7.0	31.0
Inside SMSA	8.1	15.2	3.3	13.4
Outside SMSA	11.1	16.6	5.6	26.7

XIII. Extent of Doubling

1960

	Thousands of Families					
	White			Nonwhite		
	Total	Urban	Rural	Total	Urban	Rural
Married couples with own households	36,356	25,279	11,077	3,090	2,303	787
Married couples doubled up	708	474	234	155	113	43
Total	37,064	25,753	11,311	3,245	2,416	830
	Percent					
Married couples doubled up	2.1%	1.9%	2.1%	4.8%	4.7%	5.2%

XIV. Characteristics of Urban Housing

	1960 Percent Distribution			
	White		Nonwhite	
	Owner	Renter	Owner	Renter
a. Type of structure				
1 Family	90%	36%	88%	41%
2 Family	6	16	7	14
3 or more family	3	48	5	45
Trailer	1	*	*	*

* Less than 1 percent

	White Owner	White Renter	Nonwhite Owner	Nonwhite Renter
b. Year built				
1955 - 1960	19	NA	9	5
1950 - 1954	18	NA	10	8
1940 - 1949	16	NA	16	12
1939 or earlier	47	NA	65	75
c. Number of rooms (median)	5.5	3.8	5.3	3.6

XV. Financial Characteristics of Housing

	1960	
	White	Nonwhite
	(medians)	
Value, owner occupied housing		
Total	$12,230	$6,700
Urban	13,088	7,800
Rural	8,695	5,000
Gross rent, renter occupied housing		
Total	$75	$58
Urban	76	61
Rural	66	27

Prepared by
Statistical Reports Staff
Office of Program Policy
HHFA - OA
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Housing and Home Finance Agency
Office of the Administrator
Washington 25, D. C.

Background Statement

STATE STATUTES AND LOCAL ORDINANCES AND RESOLUTIONS PROHIBITING DISCRIMINATION IN HOUSING AND URBAN RENEWAL OPERATIONS

Closely related in purpose and effect to the President's Executive Order on Equal Opportunity in Housing are the State statutes and municipal ordinances and resolutions that have been adopted in recent years to prevent discrimination in various types of housing. Nineteen States and the Virgin Islands and 49 municipalities had taken such action by November 1, 1962.

In the past five years 14 States and the Virgin Islands have either initiated or extended anti-discrimination legislation in the housing field, and nine of these jurisdictions have extended or enacted legislation relating to urban renewal or publicly assisted housing. Of the 49 cities with such ordinances or resolutions, 28 have enacted or extended such laws in the five-year period.

Also, during these five years, State legislation has been enacted for the first time to prohibit discrimination in private housing that does not receive any form of public assistance. Ten States, the Virgin Islands, and three cities have enacted such laws.

State and local actions in this field through 1961 are summarized by a booklet recently issued by the Housing and Home Finance Agency, entitled, "State Statutes and Local Ordinances and Resolutions Prohibiting Discrimination in Housing and Urban Renewal Operations." Since publication of the booklet, the State of Alaska, with a statute prohibiting discrimination in "all forms of publicly assisted housing, and any housing accommodations offered for sale, rent or lease," has been added to the list.

In a foreword to the booklet, Housing Administrator Robert C. Weaver says:

"Our concern is with the freedom of choice in housing--with seeing that all citizens have that freedom, regardless of their race, their religion, their color, or their national origin.

"The nondiscrimination statutes, ordinances, and resolutions relating to housing and urban renewal are intended to guarantee that freedom of choice.

"The extent to which they succeed will depend only in part upon the diligence of their enforcement, however. It will also depend upon the desire and action of Americans to achieve the freedom they offer."

The laws are summarized in three groupings: Those applicable to publicly owned and administered housing; those related to urban renewal areas and to housing assisted by public loan insurance or guarantees; and privately owned housing not assisted through public programs.

In public housing, 17 States and the Virgin Islands, and 38 municipal governments have banned racial discrimination. The first such law was enacted by New York in 1939.

Legislative action to prohibit racial discrimination in urban renewal projects or publicly assisted housing developments has been taken by 14 States and the Virgin Islands and by 34 municipalities. The first State action in this field was by Pennsylvania in 1945.

The most recent field of anti-discrimination legislation has been that affecting privately owned housing not assisted through public programs. New York City, in 1957, was the first of the three cities that had taken such action. Colorado, in 1959, was the first State, with 10 States and the Virgin Islands having enacted such laws by November 1, 1962.

Attached are tables listing the States and localities, with the type of legislative action taken. Municipal actions may be taken either through ordinances or resolutions, and for that reason are given in two separate listings.

TABLE I

States which Prohibit Discrimination in Housing and Urban Renewal

State	Type of Housing Covered by Statute		
	Public housing	Publicly assisted housing or urban renewal	Private housing without Government aid
Alaska	X	X	X
California	X	X	*
Colorado	X	X	X
Connecticut	X	X	X
Idaho	X		
Indiana	X	**	
Massachusetts	X	X	X
Michigan	X		
Minnesota	X	X	X
Montana		X	
New Hampshire	X	X	X
New Jersey	X	X	X
New York	X	X	X
Oregon	X	X	X
Pennsylvania	X	X	X
Rhode Island	X		
Washington	X	***	
Wisconsin	X	X	
Virgin Islands	X	X	X

NOTES TO TABLE I:

*While the California statute does not specifically mention private housing without government aid, the California Supreme Court has ruled that operations of real estate brokers and salesmen fall within California's civil rights act. In addition, State statutes prohibit restrictive covenants in conveyances and void all such existing covenants.

**The Indiana statute applies only to private-type urban development projects and merely prohibits the exclusion of any citizen from a zoned area because of race, creed, or national origin.

***The State of Washington did enact a law prohibiting discrimination in publicly assisted housing but it was held unconstitutional by the State Supreme Court. One of the principal grounds relied on by the Court was that the statute provided for an unreasonable classification as between those having a loan guaranteed by a Federal or State agency and those not having such a guarantee.

In addition to the above States, the State of Illinois has legislation bearing on the subject. Its Civil Rights Act prohibits an official from denying full and equal enjoyment of any property under his care to anyone because of race, religion, color, or national ancestry. It is assumed this applies to public housing which is administered by local public officials. Secondly, the State's Blighted Areas Redevelopment Act prohibits racial discrimination in the sale of land by the Land Clearance Commission, and the Urban Community Conservation Act also contains an anti-discrimination clause; the two together are thought to apply to the second category in the above table, namely, publicly assisted housing or urban renewal.

TABLE II

Cities with Local Ordinances which Prohibit Discrimination in Housing

City	Type of Housing Covered		
	Public housing	Publicly assisted housing or urban renewal	Private housing without Government aid
Cincinnati, Ohio		X	
Cleveland, Ohio	X	X	
Dayton, Ohio		X	
Denver, Colorado		X	
Des Moines, Iowa		X	
Hamilton, Ohio		X	
Los Angeles, Cal.		X	
New York, N. Y.		X	X
Philadelphia, Pa.	X		
Pittsburgh, Pa.			X
Providence, R. I.	X	X	
Toledo, Ohio	X	X	X

TABLE III

Cities, Counties, and Townships which have Adopted Resolutions Prohibiting Discrimination in Housing and Urban Renewal

State and City	Type of Housing Covered		
	Public housing	Publicly assisted housing or urban renewal	Private housing without Government aid
ALASKA			
Anchorage	X		
Fairbanks	X		
Juneau	X		
Ketchikan	X		
ARIZONA			
Phoenix	X		
CALIFORNIA			
Fresno	X		
Los Angeles County	X	X	
Oakland		X	
Richmond	X		
Sacramento		X	
San Francisco	X	X	
San Francisco County	X		
CONNECTICUT			
Hartford	X	X	
DELAWARE			
Wilmington	X		
DISTRICT OF COLUMBIA			
Washington	X		
HAWAII			
Hilo	X		
Honolulu	X		
ILLINOIS			
Chicago	X		
Chicago: Hyde Park URA		X	
Chicago: Inst. of Tech.		X	
INDIANA			
LaPorte: Maple Terrace		X	
Michigan City: R-11 URA		X	
Mishawaka: URA project		X	
South Bend	X	X	

TABLE III (Cont'd.)

Cities, Counties, and Townships which have Adopted Resolutions Prohibiting Discrimination in Housing and Urban Renewal			
	Type of Housing Covered		
State and City	Public housing	Publicly assisted housing or urban renewal	Private housing without Government aid
MARYLAND			
Baltimore	X		
MASSACHUSETTS			
Boston	X		
MICHIGAN			
Detroit	X		
Hazel Park	X		
Inkster: URA project		X	
Mount Clemens URA proj.		X	
Mount Clemens	X		
Pontiac	X		
Saginaw	X		
Superior Township		X	
MINNESOTA			
Minneapolis		X	
St. Paul	X	X	
MISSOURI			
Kansas City	X		
St. Louis	X		
NEBRASKA			
Omaha	X		
NEW JERSEY			
Newark	X		
NORTH DAKOTA			
Fargo: URA projects		X	
OHIO			
Cincinnati		X	
Hamilton	X		
Toledo	X		
Toledo: Chase Park URA		X	
PENNSYLVANIA			
Allegheny County	X		
Chester	X		
Delaware County	X		

TABLE III (Cont'd.)

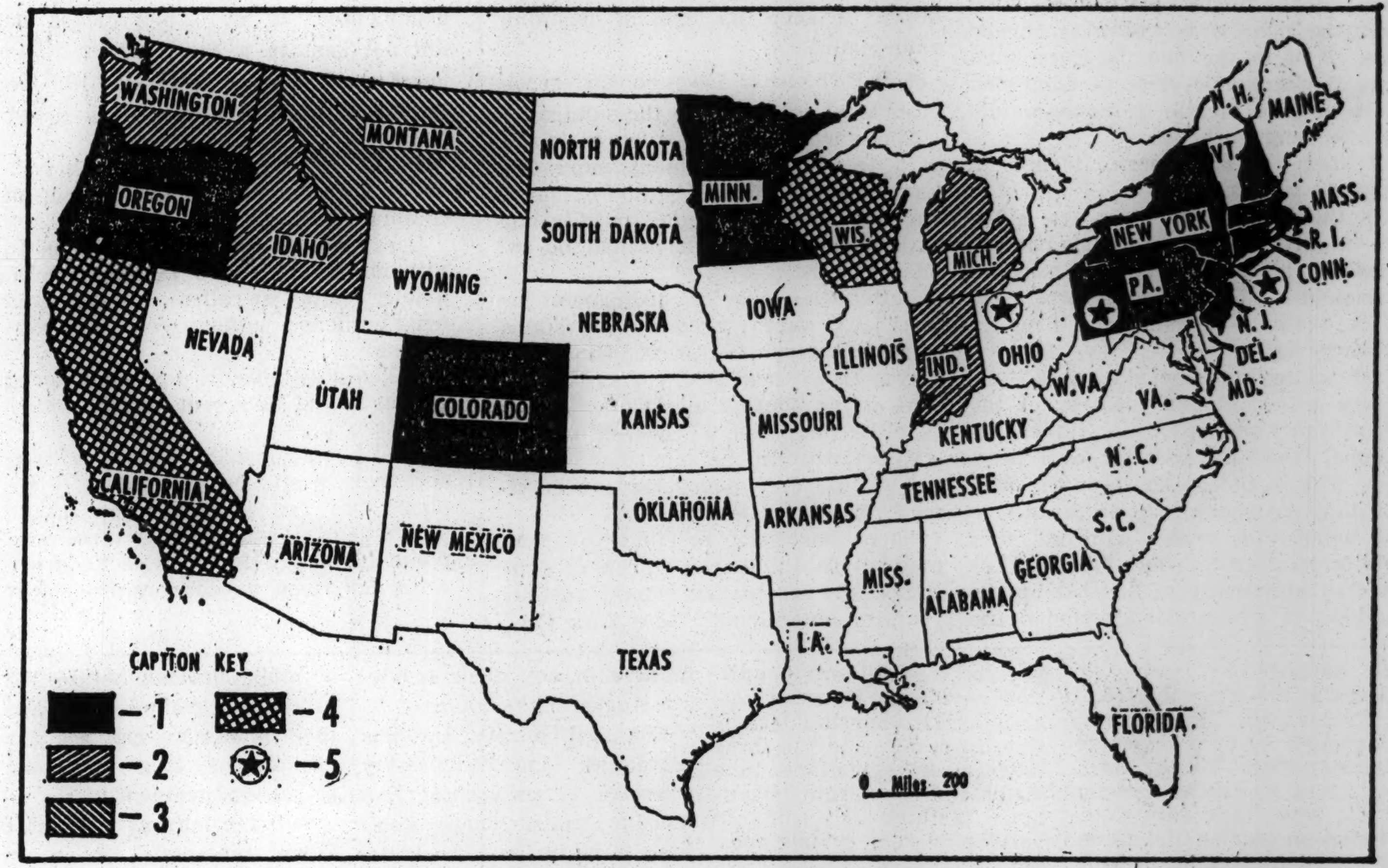
Cities, Counties, and Townships which have Adopted Resolutions Prohibiting Discrimination in Housing and Urban Renewal			
State and City	Type of Housing Covered: Public housing	Type of Housing Covered: Publicly assisted housing or urban renewal	Type of Housing Covered: Private housing without Government aid
PENNSYLVANIA (Cont'd.)			
Erie	X		
Philadelphia	X		
Pittsburgh	X		
RHODE ISLAND			
Providence	X	X	
WASHINGTON			
Pasco	X		
WISCONSIN			
Madison: UR 2-1		X	
Milwaukee: UR 1-1		X	
Superior	X		

November 20, 1962

Reprinted from the Washington Post Sunday, October 21, 1962

Fair Housing Laws Bring No Revolution

By Jean White
Staff Reporter


WASHINGTON
MONTANA
NORTH DAKOTA
MINN.
OREGON
SOUTH DAKOTA
WIS.
IDAHO
WYOMING
MICH.
NEW YORK
N.H.
MAINE
VT.
MASS.
R.I.
CONN.
PA.
N.J.
DEL.
MD.
NEVADA
NEBRASKA
IOWA
ILLINOIS
IND.
OHIO
W.VA.
VA.
UTAH
COLORADO
KANSAS
MISSOURI
KENTUCKY
N.C.
CALIFORNIA
TENNESSEE
OKLAHOMA
ARKANSAS
S.C.
ARIZONA
NEW MEXICO
MISS.
ALABAMA
GEORGIA
LA.
TEXAS
FLORIDA
CAPTION KEY
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-2
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-5
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The Washington Post

The map shows (1) states with statutes prohibiting discrimination in public housing, publicly assisted housing, publicly assisted urban renewal or private housing accommodations; (2) states with statutes covering public housing; (3) states with statutes covering publicly assisted housing or urban renewal; (4) states with statutes covering both public housing and publicly assisted housing and urban renewal; (5) cities with local ordinances prohibiting discrimination in private housing. They are New York, Pittsburgh and Toledo.

ON JULY 29, 1957, when the first fair housing law was being considered in New York City, the real estate boards of New York ran newspaper advertisements warning, in part:

"This proposed law, we genuinely believe, will do more harm to racial relationships than anything else conceivably could.

"The proposed law would cause more families to leave the city. It would depress real estate values. It would affect the basis of the city's taxation and its credit. It would undo much of the success that we have had in amicable living."

These predictions have failed to materialize. New York City did take the lead later in 1957 and passed the first antidiscrimination ordinance to enter the private (nonpublicly assisted) housing market. Strengthened last year, New York City's fair housing statutes now cover 95 per cent of the housing market in the city.

One of Three Cities

WHAT HAS HAPPENED under these laws? Here is how Stanley H. Lowell, citizen chairman of the New York City Commission on Human Relations, sums it up:

"Our experience in New York has been that none of the fears has come true—drop in property values, flight to the suburbs by whites, inundation of neighborhoods by Negroes. There has been none of this. All this legislation seeks is to give equality of opportunity in choosing a place to live."

New York City is one of three cities —Pittsburgh and Toledo are the other two—that have enacted antidiscrimination housing legislation similar to that proposed for Washington. Toledo, however, has to await a court test before its regulation goes into effect.

In the three cities, the same arguments and fears being heard here came up in discussions. Leaders in New York and Pittsburgh now can speak from experience. Here are some of their observations:

- An open-occupancy law does not work miracles; neither does it bring disasters.

In both cities, there have been no wholesale changes in living patterns. But a law does provide an opportunity to start breaking down long-entrenched practices of segregation.

• There is no "inundation" of neighborhoods by Negroes.

Quite the contrary, Negroes crowd into neighborhoods when they have no other choice and are funneled into small areas. In the open market, they have the same wide choice as anyone else. And in the end, Negroes must have the economic price of admission to move into middle or upper-middle income neighborhoods.

• There is no general decline in property values.

In Pittsburgh four years ago, a Negro family moved into a previously all-white block. Since then, several houses in the block have been sold—to white families—without any drop in property value.

"If white home-owners panic," observes a former staff member of the Pittsburgh Commission on Human Relations, "they create their own problem. This is the old cycle of the 'self-fulfilling prophecy.' If people act in the belief that values will fall, they will force them to fall. Panic selling puts an oversupply of housing on the market. If whites don't abandon the neighborhood, property values don't decline."

More often than not, it is pointed out, Negroes are permitted to enter only older neighborhoods already deteriorating and on the downgrade in property values. This is used in "evidence" to keep the myth of declining values alive.

• Fair housing laws do not accelerate a white exodus to the suburbs.

The movement to the suburbs in the past decade involves many more factors than race, and both Pittsburgh and New York have found antidiscrimination housing laws have had no influence here.

Both cities enacted ordinances before laws were passed by the states to cover surrounding areas. New York City's broad law now covers 95 per cent of the housing market, while less than 25 per cent is covered by the state's statute in the suburbs.

• An open-occupancy law can be effectively administered.

There has been no flood of complaints. In Pittsburgh, three or four complaints are filed a month. In four years of operation in New York City, the Commission on Human Relations has handled about 1400 charges of discriminatory practices in housing.

In both cities, the majority of complaints have been settled by investigators who combine fact-finding and conciliation. Discrimination can be documented: if an owner pleads he did not rent to a Negro because the apartment already was leased, he should be able to produce the dated lease.

• The effect of a fair housing ordinance goes far beyond the number of complaints filed.

Law helps to establish a climate. In Pittsburgh, 115 Negro families moved quietly into so-called homogenized neighborhoods without need for complaints.

• The possibility of a public hearing can be a big deterrent to discrimination.

Most people just don't want to hang out their prejudices in public. Pittsburgh has had to go as far as the public hearing stage in only three complaints. Toledo's law carries no provisions for fines or court enforcement and depends on public exposure as the main deterrent.

In New York City, however, anonymity extends even to discrimination. There, Madison Jones, executive director of the New York City Commission on Human Relations, feels that the public hearing has little effect and a means for court enforcement must be provided.

• The best way to administer a fair-housing law is through an appointed citizens' commission with a professional staff.

In Pittsburgh, such well-known community leaders as Mrs. Jonas E. Salk, chairman, and Branch Rickey serve on the 15-member Commission on Human Relations.

When outstanding citizens sit on a panel, they give authority and dignity to the proceedings.

• To be effective, a fair housing law must cover operations of real estate brokers and salesmen and lending institutions.

A Negro cannot buy a home if a real estate salesman refuses to show him a house or a financial institution refuses to give him a loan because he wants to move into a white neighborhood,

ACTUALLY, a substantial part of the Nation's population now lives in areas covered by fair housing legislation. In addition to the three cities with regulations, nine states and the Virgin Islands have statutes covering, in varying degress, private housing.

Eight others have regulations covering discrimination in either public housing or publicly-assisted housing, or both. In California, state civil rights laws have been interpreted to include operations of real estate brokers and salesmen.

New York City has the broadest coverage in open-occupancy legislation. It is the only regulation that applies to the sale and rental of a single-family home occupied by the owner. (The law, however, exempts an apartment or room rented in an owner-occupied house, probably on the basis of the "togetherness" involved.)

OMISSION of the owner-occupied home can leave a major part of the housing market uncovered by a nondiscrimination requirement.

Pittsburgh feels that it handles this problem by covering all real estate salesmen and brokers in any deals involving single-family homes.

The Pittsburgh anti-bias regulation limits primary coverage to owners of five housing units. These don't have to be in the same building, and vacant lots are included in the count. Thus, the owner of a rented duplex, a vacant lot or a house with two roomers is covered.

Negroes make up nearly 17 per cent of Pittsburgh's central city population of 60,000. As in the Washington metropolitan area, the percentage of Negroes falls sharply in the suburbs around Pittsburgh.

The anti-discrimination housing ordinance in Pittsburgh, Mrs. Salk points out, aims at changing discriminatory patterns through conciliation and negotiation and is not primarily punitive.

THE SAME procedure of fact-finding and negotiation is the keystone of the New York City legislation. If investigators cannot work out a settlement on the spot in early talks, then a private hearing before a subcommittee is held. Finally, there is a public hearing before the full citizens commission. Then the commission can ask the city attorney to go into court to ask enforcement.

A recalcitrant violator faces contempt-of-court charges if he refuses to cooperate.

"People never come right out and say why they aren't renting to a Negro," Executive Director Jones notes, "But you can get at the truth if you have the right to subpoena records."

In both Pittsburgh and New York, leaders emphasize that fair housing laws guarantee only freedom of choice in housing.

"The law is not designed to promote integration," emphasizes Mrs. Salk. "It is designed to assure equal opportunity in choosing housing. A Negro cannot be refused an apartment or house on the basis of color alone. The law does not say that a person has to rent or sell to a Negro. If a person wants neighbors all wearing mink coats or driving pink Cadillacs, that is another thing."

STATEMENT BY ROBERT C. WEAVER, ADMINISTRATOR
HOUSING & HOME FINANCE AGENCY, November 20, 1962

The Housing and Home Finance Agency intends to move promptly in implementing President Kennedy's order against discrimination in housing.

Immediate steps have been taken to make available to the public and members of the homebuilding industry full information on the provisions of the order and its effect on programs administered by this agency.

As each step is taken to implement the order additional information will be made available.

The order makes clear the policy of our government in an area which has suffered from fear and uncertainty as well as from prejudice. And it alerts all Americans to their responsibilities toward their neighbors.

It is my hope and belief that this order, by removing artificial market restrictions, will permit that demand to achieve its natural growth. And I am confident that it will lead to an even more prosperous and healthy construction industry.

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

Washington 25, D. C. November 21, 1962

QUESTIONS AND ANSWERS
ON
THE PRESIDENT'S EXECUTIVE ORDER ON EQUAL OPPORTUNITY IN HOUSING

PURPOSE AND EFFECT OF THE ORDER

Q. What is the overall purpose of the Executive Order?

A. To help achieve freedom of choice in housing for all Americans.

Q. By what means does the Order seek to achieve this purpose?

A. By assuring that the benefits of Federal housing programs and assistance are made available to all on a nondiscriminatory basis. To this end, it directs all departments and agencies of the Executive Branch of the Government to take appropriate action to prevent discrimination because of race, color, creed, or national origin in housing that they own or operate and in housing assisted by programs they administer. Also, it establishes the President's Committee on Equal Opportunity in Housing, with general supervisory and coordinating responsibilities, to give leadership in carrying out the purposes of the Order.

Q. What forms of housing assistance are covered by the Order?

A. The Order covers all the various kinds of Federal financial assistance, direct or indirect, for the provision, rehabilitation or operation of housing and related facilities, including land to be developed for residential use. Federal loans, advances, grants, contributions and insurance of loans or guarantee of loans are all covered by the Order.

Q. When does the Order become effective?

A. The Order takes effect immediately. All applications for Federal housing assistance received hereafter will be processed subject to the Order and implementing regulations that will be issued within 30 days.

THE PRESIDENT'S COMMITTEE

Q. How will the President's Committee be constituted?

A. The President's Committee will include the heads of the principal departments and agencies of the Federal Government that provide assistance to housing or supervise home financing institutions, plus such other members as the President shall from time to time appoint from the public, and a member of the staff of the Executive Office of the President, who shall serve as Chairman and Executive Director. The Committee may establish subcommittees, whose members shall be appointed by the Chairman. There will be an Executive Committee of the President's Committee, consisting of the Chairman and two other members designated by him from among the public members.

Q. What Federal department and agency heads are designated to serve on the President's Committee?

A. The Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of Agriculture, the Housing and Home Finance Administrator, the Administrator of Veterans Affairs, and the Chairman of the Federal Home Loan Bank Board.

Q. What will be the powers and responsibilities of the President's Committee?

A. The President's Committee will recommend general policies and procedures to implement the Order, promote the coordination of the activities of departments and agencies under the Order, and report to the President on actions taken and results achieved. It may confer with representatives of any Federal department or agency, state or local public agency, or private group directly or indirectly affected by the Order. The President's Committee may hold public or private hearings for compliance, enforcement, or educational purposes. It shall encourage educational programs by nongovernmental groups in support of the objectives of the Order.

COVERAGE OF HOUSING

Q. What housing is affected by the Order?

A. The Order applies to housing that is --

(1) Owned or operated by the Federal Government.

(2) Provided in whole or in part with the aid of Federal loans, grants, advances or contributions.

(3) Provided in whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government.

(4) Provided by the development or redevelopment of real property made available by a State or local public agency through Federal financial assistance for slum clearance or urban renewal.

Q. Does the Order apply to existing housing as well as housing yet to be provided?

A. The principal effect of the Order will be on Federally assisted new housing construction, in which discrimination on the basis of race, color, creed, or national origin will be prohibited. Existing housing may also be affected, since the Order directs the departments and agencies to use their good offices and take other appropriate action permitted by law to promote the abandonment of practices of discrimination in housing heretofore provided with Federal assistance. It is not expected, however, that the Order will be applied to owner-occupied single family dwellings. Discrimination is prohibited in all housing that is owned or operated by the Federal Government, no matter when provided.

Q. Will there be any exception to coverage?

A. Yes, each department and agency responsible for implementing the Order is authorized to make desirable exemptions and exceptions, consistent with the law and the purposes of the Order.

Q. Are builders or developers of housing subject to the Order?

A. Yes, if the housing they produce is aided by any of the Federal Government's housing assistance programs, they will be prohibited from discriminating in its sale or rental.

Q. If a person buys a dwelling that is subject to the Order, at the time of purchase, will he be prohibited thereafter from discriminating in its resale or rental?

A. This will depend upon regulations to be issued by the operating agencies responsible for the Federal assistance programs under their authority to make exceptions and exemptions. The Order is not expected to control the manner in which an individual homeowner may dispose of his residence by sale or rental.

Q. Does the Order apply to the rental of a unit in a two-family residence where the owner occupies the other unit?

A. This will depend upon regulations to be issued by the operating agencies responsible for the Federal assistance programs under their authority to make exceptions and exemptions.

Q. Is public housing covered by the Order?

A. Yes, low-rent public housing provided with the aid of Federal loans and contributions is covered.

Q. Are college dormitories and faculty housing covered?

A. Yes, if provided with Federal financial assistance.

Q. Is housing for the elderly covered?

A. The Order covers all housing for the elderly that is newly constructed or rehabilitated with the aid of loans and contributions from the Public Housing Administration, direct loans from the Community Facilities Administration, loans insured by the Federal Housing Administration, or loans or insurance of loans by the Farmers' Home Administration.

Q. Is defense housing covered?

A. Yes, the Order covers all housing owned or operated by the Defense Department or provided with financial assistance by the Defense Department, and any housing constructed for defense personnel with FHA mortgage insurance.

Q. Is housing in urban renewal areas covered?

A. Housing provided in Federally-aided urban renewal areas is subject to the Order and may be affected by it in several different ways. It may come under the Order because it is provided by the development or redevelopment of land made available as part of the Federally-assisted urban renewal project; or because it is provided with the aid of a loan or other direct financial assistance from the Federal Government, as in the case of low-rent public housing or housing for the elderly; or because it is financed with a loan insured by the FHA or otherwise secured by the credit of the Federal Government.

COVERAGE OF LENDING PRACTICES

Q. How will home financing institutions be affected by the Order?

A. Home financing institutions will be prohibited from discriminating on the basis of race, color, creed, or national origin in their lending practices with respect to housing loans which are insured, guaranteed, or otherwise secured by the credit of the Federal Government.

ENFORCEMENT OF THE ORDER

Q. How will the Executive Order be enforced?

A. Each Federal department and agency will be primarily responsible for obtaining compliance with the purposes of the Order as it applies to operations and programs which it administers. It will establish a procedure for the handling of complaints of violations, and in case it finds a violation has occurred, it shall endeavor to bring about compliance by informal means, including conference, conciliation, and persuasion. It may also resort to sanctions.

Q. What sanctions are authorized by the Order?

A. Each department or agency may take the actions that are appropriate under its own governing statutes to obtain compliance within its programs or operations. In general, the ultimate action which might be taken by a department or agency in a case of violation would be to deprive the violator of the benefits of future Federal assistance. For example: A developer or sponsor of housing might be debarred from Federal loan programs or might be denied the benefit of Federally insured or guaranteed loans. A home financing institution might be denied Federal loan insurance or guarantee. A State or local public agency might be denied further Federal aid for low-rent public housing or urban renewal. Furthermore, it is provided that one Federal department or agency may apply its own sanctions against a builder, lender, or other firm or person who has violated the orders or procedures of another department or agency.

Q. Might there be resort to the courts?

A. Yes, in appropriate cases, departments and agencies are expected to refer to the Attorney General violations of the Order for such action as he may deem appropriate.

ECONOMIC EFFECT OF THE ORDER

Q. What will be the impact of the Executive Order on the housing market and the national economy?

A. It is expected that the Executive Order will call for very significant adjustments in real estate and lending practices, but these are adjustments that should free the market to respond more accurately and more equitably to the needs of the people, and their accumulated effects should result in a sounder real estate market and a sounder economy.

QUESTIONS AND ANSWERS

ON

THE PRESIDENT'S EXECUTIVE ORDER NO. 11063

ON EQUAL OPPORTUNITY IN HOUSING

HOUSING AND HOME FINANCE AGENCY
Office of the Administrator
Washington 25, D.C.
February 1, 1963

QUESTIONS AND ANSWERS
ON
THE PRESIDENT'S EXECUTIVE ORDER NO. 11063
ON EQUAL OPPORTUNITY IN HOUSING

PURPOSE AND EFFECT

What is the overall purpose of the Executive Order?

To help achieve freedom of choice in housing for all Americans.

How can the Order achieve this purpose?

By assuring that the benefits of Federal housing programs and assistance are made available without discrimination as to race, color, creed, or national origin.

How will the Order be administered?

Departments and agencies of the executive branch of the Federal Government will take appropriate action to prevent discrimination in housing and related facilities that they own or operate, and in housing and related facilities assisted by programs that they administer. Also, the Order establishes the President's Committee on Equal Opportunity in Housing, with general supervisory and coordinating responsibilities, to give leadership in carrying out the purposes of the Order.

When did the Order become effective?

When the President signed it on November 20, 1962.

What forms of housing assistance are covered by the Order?

The Order covers all kinds of Federal financial assistance, direct or indirect, for the provision, rehabilitation, or operation of housing and related facilities, including land to be developed for residential use. Federal loans, advances, grants, contributions, and insurance or guarantees of loans are covered by the Order.

Can community or citizen groups help to implement the Order?

Yes, They can help to dispel racial misunderstandings and promote public acceptance of equal opportunity in housing for all Americans. The President's Committee will encourage educational programs outside the Government to support the objectives of the Order. The HHFA and its constituent agencies have intergroup relations specialists, and other specialists and advisers, who can assist in planning for the dissemination of information and development of informed opinion in particular communities.

COVERAGE OF HOUSING

What housing is affected by the Order?

The Order applies to housing --

(1) owned or operated by the Federal Government;
(2) provided in whole or in part with the aid of Federal loans, grants, advances, or contributions;
(3) provided in whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government; or
(4) provided by the development or redevelopment of real property made available by a State or local public agency through Federal financial assistance for slum clearance and urban renewal.

Does the Order affect existing housing?

Yes. Existing housing is affected since Section 102 of the Order specifically directs the HHFA and other departments and agencies to promote the abandonment of discriminatory practices in housing and related facilities provided with Federal assistance before November 20, 1962, by using their good offices and taking other appropriate action permitted by law. In addition, the Order prohibits discrimination in all housing that is owned or operated by the Federal Government, no matter when provided.

How does the Order affect new housing?

Section 101 of the Order directs all departments and agencies in the executive branch of the Federal Government to prevent discrimination in housing and related facilities provided with Federal assistance made available after November 20, 1962. The Order includes definite enforcement provisions for this directive.

Are there any exceptions to coverage?

Yes. Each department and agency responsible for implementing the Order is authorized to make exemptions and exceptions consistent with law and the purposes of the Order.

Is new public housing covered by the Order?

Yes. All federally assisted low-rent public housing projects for which annual contributions contracts had not been signed prior to November 21, 1962, are affected by the Order. Annual contributions contracts signed after November 20, 1962, include mandatory non-discrimination agreements. The Public Housing Administration's long-standing requirement that public housing must be provided in the local community on the basis of need, regardless of race, continues in effect.

Are new federally aided urban renewal projects covered by the Order?

Yes. The non-discrimination requirements of the Urban Renewal Administration, issued pursuant to the Order and related policies, apply both to housing and related facilities, and to all publicly owned and many other non-housing facilities, provided in urban renewal project areas aided by Federal loans and grants where the loan-and-grant contract is signed after November 20, 1962. The requirements apply to all facilities provided by communities as non-cash local grants-in-aid. This affects all new project applications, and all projects in planning stages as of the effective date of the Order.

Is new College Housing financed with Federal loans covered by the Order?

Yes. College student and faculty housing and related facilities, and housing for student nurses, internes, and resident physicians at hospitals, financed with Federal loans from the Community Facilities Administration, are covered if the loan agreement is signed after November 20, 1962.

Is new Senior Citizens Housing financed with Federal loans covered?

Yes. Housing for Senior Citizens financed with direct loans from the Community Facilities Administration is covered by the Order. Housing assisted under FHA and PHA programs for the elderly similarly is covered, as stipulated in the regulations and instructions issued by these agencies. CFA had a non-discrimination policy with reference to Senior Citizens Housing prior to November 21, 1962. Since then, CFA has incorporated in its loan agreements a covenant against discrimination.

Is defense housing covered by the Order?

Yes. The Order covers all housing owned or operated by the Defense Department, as well as any housing that is financed with the aid of FHA mortgage insurance for defense personnel.

WHO IS AFFECTED BY THE ORDER

Are builders and developers of new housing affected?

Yes. They are prohibited from discrimination in the sale or rental of housing they produce under the Federal loan insurance or guarantee programs if applications with respect to such housing are filed after the effective date of the Order.

Are home financing institutions affected?

Yes. Home financing institutions are prohibited from discriminating on the basis of race, color, creed, or national origin in their lending practices with respect to housing loans which are insured, guaranteed, or otherwise secured by the credit of the Federal Government as the result of applications filed after the effective date of the Order.

Are local housing authorities and public urban renewal agencies affected?

Yes. Under regulations issued by the Public Housing Administration and the Urban Renewal Administration such local agencies must agree to prevent discrimination in federally assisted housing and related facilities for which Federal contract authorizations are signed after the effective date of the Order.

Is an individual homeowner who sells his FHA or VA-financed house affected?

No. The Federal Housing Administration and the Veterans Administration have exempted owner-occupants of one- or two-family houses from the regulations issued by these agencies to implement the Order. Lenders, however, who do business under FHA or VA programs may not refuse a loan to a qualified buyer in such cases because of race, color, creed, or national origin.

ENFORCEMENT OF THE ORDER

How will the Order be enforced?

Each Federal department and agency is primarily responsible for obtaining compliance with the purposes of the Order in its own operations and programs. Each agency has, or will establish, procedures for the handling of violation complaints.

How will complaints of violations be handled?

Complaints will be handled under the procedures and regulations set up by each agency that are applicable to the programs it administers.

Complaints with respect to any of the affected programs should be addressed to the administering agency.

In general, the responsible agency will first inquire into the full facts of the complaint to determine its validity and whether it falls within the scope of the Order and applicable regulations. If appropriate, it will try to correct the violation through conference, conciliation, and persuasion, as directed in the Order. In addition, any of the appropriate sanctions set forth in the Order may be invoked.

What sanctions are authorized by the Order?

Each department or agency shall take actions appropriate under its own governing statutes to obtain compliance within its programs or operations. Enforcement provisions of the Order include such sanctions as contract cancellation and refusal to extend further Federal aid.

In general, the ultimate action which might be taken by a department or agency in a case of proven violation would be to deprive the violator of the benefits of future Federal assistance. For example: a developer or sponsor of housing might be debarred from Federal loan programs or might be denied the benefits of Federally insured or guaranteed loans. A home financing institution might be denied Federal loan insurance or guarantees. A State or local public agency might be denied further Federal aid for low-rent public housing or urban renewal.

The Order also stipulates that one Federal department or agency may apply its own sanctions against a builder, lender, or other firm or person who has violated the rules, regulations, procedures, or enforcement provisions of another department or agency.

What about resort to the courts?

If legal action appears warranted and necessary, departments and agencies may refer violations to the Attorney General for such action as he may deem appropriate.

THE PRESIDENT'S COMMITTEE

How is the President's Committee constituted?

The President's Committee on Equal Opportunity in Housing includes the heads of principal Federal departments and agencies providing assistance to housing or supervising home financing institutions, plus such other members as the President shall from time to time appoint from the public. Its Chairman and Executive Director is former Governor David L. Lawrence of Pennsylvania who serves as a member of the staff of the Executive Office of the President. The Chairman and two other members designated by him from among the public members will constitute an executive committee. The Committee may establish subcommittees, whose members are appointed by the Chairman.

What Federal agency heads are designated to serve on the Committee?

The Secretary of the Treasury, Secretary of Defense, Attorney General, Secretary of Agriculture, Administrator of the Housing and Home Finance Agency, Administrator of Veterans Affairs, and the Chairman of the Federal Home Loan Bank Board.

What are the powers and responsibilities of the President's Committee?

The President's Committee recommends general policies and procedures to implement Executive Order No. 11063, promotes coordination of the activities of departments and agencies under the Order, and reports to the President on actions and results. It may confer with representatives of any Federal department or agency, State or local public agency, or private group directly or indirectly affected by the Order. The President's Committee may hold public or private hearings for compliance, enforcement, or educational purposes. It encourages educational programs by non-governmental groups to support the objectives of the Order.

Fair Housing Practices

THE NEW YORK STATE COMMITTEE
ON DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

May 18, 1960

TO: Members of the Executive Board

FROM: Frances Levenson, Director

Attached is the proposed draft of an amended Sharkey-Brown-Isaacs Law.

It extends coverage to all housing except rentals in owner-occupied two-family houses and strengthens and simplifies the enforcement machinery in the Commission on Intergroup Relations.

An appointment is being arranged with Mayor Wagner to discuss the proposal. Please have your organization endorse the amendment and send it on to this office, if you have not already done so.

* * * *

We know that Frank Horne would like to hear from all his friends on the Board. He is in Long Island Hospital, 340 Henry Street, Brooklyn 1, New York - laid up for a while.

By the way - no flowers. He's allergic to them.

: : :

THE NEW YORK STATE COMMITTEE
ON DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

May 10, 1960

FINAL MEMORANDUM ON 1960 FAIR HOUSING PRACTICES CAMPAIGN

TO: New York State Board and Friends

FROM: Frances Levenson, Director

I approach this report with a deep sense of regret and frustration - we came so close to resounding victory in our 1960 campaign for a Fair Housing Practices Law in New York State. The eleventh hour passage of the Administration bill in the Assembly, 131 to 17, confirmed the fact that we had the votes. There is no question in my mind that if allowed on the floor of the Senate, the measure would have passed.

As put the next day in The New York Times: "An intransigent bloc of Republican Senators, led by Walter J. Mahoney of Buffalo, the majority leader, refused three times to let the Governor's bill to reduce racial and religious discrimination in housing out of committee for what promised to be a favorable floor vote."

A chronology of events is interesting and instructive:

December 21. The 1960 Metcalf-Baker Bill, barring discrimination in the sale or rental of all housing, with the exception of single-family and two-family homes occupied by the owner, was pre-filed in the New York State Legislature. Introduction of the measure was covered widely by the press around the state. A press conference called in New York City by the sponsoring organizations was well attended and well covered. The measure was sent to the Finance Committee in the Senate; the Ways and Means Committee in the Assembly.

January 6. Governor Nelson A. Rockefeller, in his opening message to the Legislature, stated that he would introduce his own Fair Housing Bill at a later date.

January 27. Senator George Metcalf, chairman of the Public Health Committee, held a one-day hearing on the evils of housing segregation. In addition to the the usual organizations, a builder, a banker, and a redeveloper called for passage of a Fair Housing Practices Law. The hearing received widespread press coverage.

February 16. Assemblyman Bertram Baker and Senate Democratic Leader Joseph Zaretzki gave notice they would call for committee discharge of the Metcalf-Baker Bill the following week.

February 19. An open letter was sent to the Governor, signed by 69 distinguished citizens from 26 towns and cities in every section of the state, urging passage of a strong Fair Housing Practices Law. Newspaper coverage around the state was excellent.

(over)

February 23. Governor Rockefeller introduced his own Fair Housing Practices Bill. It was estimated that the Administration bill would cover 20 per cent of the private housing outside New York City, while the Metcalf-Baker Bill would cover over 40 per cent. Recognizing that realistically the 1960 Metcalf-Baker Bill was dead after the Governor introduced his own bill, the organizations sponsoring the Metcalf-Baker Bill immediately pledged support for the Rockefeller measure as a "minimum essential" if progress is to be made in banishing racial discrimination from the state's housing market.

February 23. Democratic discharge motion was postponed, pending study of the Governor's bill.

March 1. The Democratic discharge petition was moved up. Assemblyman Baker stated if assurance would be given that the Governor's bill would be reported out, he would withdraw his discharge petition on his own bill. Assembly Speaker Carlino was unable to give such assurance. The discharge petition was defeated in both the Assembly and Senate on a strictly party vote.

March 18. Assembly Speaker Joseph F. Carlino, at a public meeting in Great Neck, pledged to use every effort to see to it that Governor Rockefeller's Fair Housing Bill was passed.

March 19. The New York Times reversed its former opposition to the New York City law and declared in an editorial: "The (NYC) law has had no discernible ill effect... and has instead been beneficial. The legislation at Albany - even the broader version (Metcalf-Baker) - still lacks the all-inclusiveness that spells complete consistency with the humane principles advocated by its sponsors... the Legislature can, in today's world, justify no step shorter than the advance against discrimination the Governor proposes."

March 22. Governor Rockefeller met with an NYCDH delegation and expressed confidence that the Fair Housing Practices Bill would be passed. He stated that the organizations had done their job and that now it was up to him.

March 31.

11:00 a.m. - Caucus meeting of all Republican Senators, chaired by Senate Majority Leader Walter J. Mahoney, narrowly voted by secret ballot not to permit the Fair Housing Bill to come to the floor for a vote.

12:00 noon - Governor sent a special message to the Legislature calling for passage of his Fair Housing Bill, "with all the emphasis at my command."

2:00 p.m. - A second meeting of the Republican Senate caucus considered a compromise bill worked out by the Governor's staff and voted overwhelmingly not to permit the measure to come to a vote.

11:30 p.m. - By action of Speaker Carlino, the Governor's Fair Housing Bill was reported to the Assembly and passed by a vote of 131-17.

12:00 p.m. - Assembly bill sent to the Senate. Speaker Walter J. Mahoney announced its referral to the Finance Committee. When asked if it would be reported out for a vote, he replied, "No, sir."

1:00 a.m. - Senate adjourned without any Fair Housing Bill being presented to it.

Neither the Assembly Ways and Means Committee nor the Senate Finance Committee ever formally discussed or considered the Metcalf-Baker Bill or the Administration bill. No hearings were held by either committee. Democrats in the Senate, who lack only six members for a majority, were almost unanimously for the legislation. There were a sufficient number of Republicans who likewise favored the bill for it to have passed had it reached the Senate floor.

It is clear that if Mahoney had given the word, the bill could have been reported to the floor in the Senate. While it is true that there was a vote by the Republican caucus against letting the bill out, it is nevertheless perfectly plain that the vote in the Finance Committee and in the Senate as a whole would have been for the bill. The body to which the question was presented by Mahoney was the one most likely to turn it down.

In retrospect, certain facts and impressions emerge. Governor Rockefeller's strategy seemed to be to work out his programs and problems one by one, leaving the Fair Housing Practices Bill to the very last. He evidently believed that his prestige and support at the last moment would be sufficient to bring the bill out on the floor and have it passed. He seems not to have anticipated the intensity of the last-minute struggle with Senate Majority Leader Walter Mahoney, nor that the Fair Housing Bill would become entangled in the fight over additional judgeships for New York City. One might speculate whether Walter Mahoney would have let the bill on the floor if the Governor were not so adamantly opposed to his position on the judgeships.

What was needed was "more" - all along the line: more work and sooner by the Governor, particularly with regard to individual Senators; more pressure and letters to the whole Senate, to Mahoney, and to members of the Finance Committee; more indication of mass support; more indication of upstate support.

On the positive side, backing for the bill was greater than in previous years. Newspaper coverage was the best ever. Editorial support was excellent. TV and radio coverage was good.

Delegations from organizations and communities across the state went to Albany and lobbied. The Westchester groups did an outstanding job. But it was not enough. The major problem was to keep the issue alive while nothing was happening.

While it is always dangerous to single out persons to be thanked, I would hazard that danger by expressing particular appreciation to Senator George R. Metcalf, Assemblyman Bertram L. Baker, Attorney General Louis J. Lefkowitz, Assembly Speaker Joseph F. Carlino, and - most particularly - George H. Hallett, without whose constant work and counsel we could not have operated.

WHAT NEXT?

NYCDH wired the Governor to call a special session, but this does not seem remotely possible. Victory in 1961 looks reasonably possible, but it is not certain. We cannot wait until the Legislature convenes in January to begin work. We must start now. The following are suggestions:

1) Send questionnaires to all candidates for election to all offices - local, state and national - asking for their position on a Fair Housing Practices Law to bar discrimination in private housing. Get them all on record. Release the results to the press.

(over)

2) Check the record of all incumbent Assemblymen and be guided accordingly.

3) Keep your local group together and on the alert. Check to see who in your community can act as coordinator of the campaign.

4) Most important, the 1960 campaign was run, literally, on a shoestring. We must build a war chest. We will need money for travel and organization in all activities. What can you do to help?

5) Consider the possibility of a community meeting during the election campaign.

For our records, it would be most helpful if you would fill out and return the enclosed questionnaire.

* * * * *

The 17 Assemblymen who voted against the Fair Housing Practices Bill:

Name	Party	County	Address
William E. Adams	R	Erie	201 Puritan Rd., Tonawanda
John R. Brook	R	New York	7 East 75th St., New York 21
Don H. Brown	R	Onondaga	21 Downer St., Baldwinsville
Donald A. Campbell	R	Montgomery	89 Locust Ave., Amsterdam
Edward F. Crawford	R	Oswego	38 E. Bridge St., Oswego
Harry J. Donnelly	R	Kings	593 Fourth St., Brooklyn 15
Louis H. Folmer	R	Cortland	86 S. Main St., Homer
Paul B. Hanks, Jr.	R	Monroe	317 So. Main St., Brockport
Richard C. Lounsberry	R	Tioga	329 Main St., Owego
A. Bruce Manley	R	Chautauqua	40 Curtis Pl., Fredonia
Robert W. Pomeroy	R	Dutchess	Wassaic
Irving L. Price	R	Suffolk	230 Fourth St., Greenport
Robert M. Quigley	R	Ontario	125 East Main St., Phelps
Mrs. Mildred F. Taylor	R	Wayne	35 Phelps St., Lyons
Harry J. Tifft	R	Chemung	205 John St., Horseheads
Wilson C. Van Duzer	R	Orange	10 King St., Middletown
Alonzo L. Waters	R	Orleans	410 West Center St., Medina

* * *

P. S. - FYI - The constitutionality of New York City's Sharkey-Brown-Isaacs Law has been sustained in court. In commenting on the decision, Mayor Wagner called for recommendations for strengthening the statute, particularly in light of the State Legislature's failure to pass a statewide Fair Housing Practices Law.

The NYCDH Board unanimously voted to press for the amendment of the city law to cover all housing, with the exception of rentals in a two-family house occupied by the owner and to strengthen the enforcement procedures. It is hoped that these suggested changes will be enacted promptly and that the New York City statute will become the example for fair housing legislation in New York State and other states across the nation.

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THE WALL STREET JOURNAL, Thursday, March 7, 1963

Housing Integration

Negroes Try 'Dwell-Ins,' Persuasion to Broaden Kennedy's Ban on Bias

CORE Ruse Puts Families in 'White' Apartments; Some Banks Face Boycott Threat

Window Shopping at Tracts

By RUSSELL WATSON
Staff Reporter of THE WALL STREET JOURNAL

EDGEWATER, N.J.—Mrs. Charles David keeps the television volume low in her apartment in this New York suburb. When her three young sons laugh loudly at a cartoon, she hushes them gently. "We don't want to annoy the neighbors and cause more trouble," she says.

The Davids are Negroes and all their neighbors in the apartment house are white. They moved into their fourth-floor walk-up in December without a lease, helped by a plan of deception worked out by the Congress of Racial Equality (CORE), a militant integrationist group. Since then, while the building's owners have been trying to evict them, the Davids have been staging what CORE calls a "dwell-in."

Dwelling-in, inspired by CORE's successful lunch counter sit-ins, is one of the new tactics integration groups are trying on the housing front. They are stepping up persuasion and pressure on landlords, mortgage lenders, builders and government. Their aim is to broaden the impact of President Kennedy's November order banning discrimination in new housing financed with Federal assistance.

Exploiting a Principle

The ban does not directly affect existing housing, such as the apartment house where the Davids are dwelling-in. But James Farmer, CORE's national director, says: "If the order forbids something in one kind of housing, it's morally just as wrong in another kind. It has stated a principle that we will try to exploit."

CORE says that dwell-ins similar to the one in Edgewater recently have been successful in Los Angeles and Brooklyn and "more are coming."

According to CORE, when the Davids offered the building superintendent a $200 deposit on the apartment they now occupy they were told it was rented. A few minutes later two white CORE members, following a prearranged plan, succeeded in placing a $10 deposit on the same apartment. CORE members then took possession of the apartment and moved the Davids in.

A New Jersey Superior Court judge ruled last week that the Davids should be evicted. But they will be permitted to remain in the apartment pending an appeal to the Superior Court Appellate division, which their lawyers say will take about three months.

The Davids also have appealed to the civil rights division of the New Jersey Department of Education to order Vesta Co., which owns the building, to give them a lease. The division can do this if it finds sufficient evidence of discrimination by Vesta against the Davids.

Vesta officials contend, however, that the Davids' deposit was rejected only because their credit had to be checked first. "We feel there has been no discrimination in this case," says Henry C. Singer, Jr., an officer of Vesta. "We're fighting it because our rights have been taken by force through CORE's tactics. We believe their ultimate goals are fine, but we don't think the end justifies the means."

The United Mortgage Bankers of America (UMBA), an organization of about 40 Negro bankers, plans door-to-door campaigns in New York and Washington to urge lenders to put more money into all types of mortgages for Negroes. They'll visit banks, savings and loan associations and insurance companies. If lenders don't yield to persuasion, UMBA says it probably will call on CORE or similar groups to use boycotts, picketing and sit-ins against them.

"As businessmen this would be the last thing we would want to see happen," says Dempsey J. Travis, UMBA president. "But at this point we have to recognize that the Negro is often short-changed by some life insurance companies and banks."

The National Committee Against Discrimination in Housing sponsors meetings and panel discussions designed to encourage builders to operate without discrimination. Margaret Fisher, an official of the committee which is a federation of 37 religious, labor and civic groups working in the field, says: "We don't regard builders as ogres."

CORE chapters are organizing mass visits by Negroes to housing developments. This campaign is called "operation window-shop." As the name implies, many of the visitors aren't necessarily interested in buying a home; they're simply trying to get builders accustomed to the idea of dealing with Negroes. The Los Angeles CORE chapter says it draws on volunteers from about 30 local Negro groups, such as social clubs, for these visits.

Although integration groups don't consider themselves limited by the scope of the Presidential order, they are determined that its provisions will be enforced. "If we think there's been a violation, the first step will be to file a complaint with the local FHA or VA office and let them make a determination," says Frances Levenson, director of the National Committee Against Discrimination in Housing.

It will be about six months before a significant number of new houses covered by the order come on the market. Meanwhile integration groups will urge Federal agencies to apply the provision of the order which instructs them to use their "good offices" to encourage abandonment of discrimination in existing Federally financed housing.

Many of these groups also plan to step up lobbying for tough new state anti-discrimination laws. In Illinois, the Chicago chapter of the National Association for the Advancement of Colored People and the Chicago Urban League are backing a proposal to outlaw discrimination in both sale and rental of residences. Only home sales by resident owners and rental developments with fewer than three units would be excluded from the law.

In California the Hawkins Fair Housing Act already bans discrimination in publicly assisted housing. Negro groups are pushing to expand the law to cover all types of housing and to create a commission to handle enforcement.

Jack E. Wood, Jr., housing secretary of the NAACP, says he believes new anti-discrimination laws also have a "good chance" of passing this year in New York, Ohio, Rhode Island, Massachusetts, Connecticut, Michigan, Maryland and the state of Washington. He says the NAACP is pushing for local housing legislation in a number of cities in the North and West.

Efforts to integrate housing are limited mainly to these areas, explains CORE Director Farmer, because "there are so many things in the South that take precedence over housing." Even outside the South, Mr. Farmer foresees no sudden, drastic change in housing patterns as a result of integration campaigns.

"Most people are not crusaders, especially in housing," says Mr. Farmer. "When they're denied housing, most people prefer to forget it and look someplace else."

Human Rights Council

DEC 2 0

united community centers
INCORPORATED

Nightingale 9-7979
819 VAN SICLEN AVENUE BROOKLYN 7, N. Y.

BOULEVARD-LINDEN BRANCH
819 VAN SICLEN AVENUE
Nightingale 9-7979

GLENWOOD BRANCH
1016 EAST 56th STREET
CLoverdale 1-4733

HUMAN RIGHTS COUNCIL

December 17, 1963

add NY

Mr. James Farmer
The Congress of Racial Equality
38 Park Row
New York 38, N.Y.

Dear Sir:

The Human Rights Council of our Center was organized in September, 1963, to stimulate action on the community level for the implementation of the demands of the March on Washington Movement for Civil Rights.

In addition to the demands of the March on Washington, we also addressed ourselves to the further democratization of the total civil rights spectrum in the East New York area of Brooklyn, including efforts to accelerate the advent of a more democratic response to the community's needs in Education , Housing, Jobs and Voter Registration.

A crucial aspect of our program concerns itself with the "action issues" in the community. We have, therefore, introduced into the community a monthly series of lectures and forums which relate to some aspect of Civil Rights. Our next such presentation will be a Community Affairs Forum on Civil Rights, Sunday evening, January 12, 1964, 8:30 P.M. at our Community Center.

We would be deeply grateful if a representative of your organization could participate with us in this forum. We have also invited the Anti-Defamation League, N.A.A.C.P., The National Council of Churches of Christ in the U.S.A., the Catholic Interracial Council and the Commonwealth of Puerto Rico Labor Department to be with us.

It is of the utmost importance that we hear from you as soon as possible so that we may get out our publicity.

Sincerely yours,

James H. Miller
Public Relations Director
Human Rights Council

NON-PROFIT, NON-SECTARIAN, INTERRACIAL SOCIAL AGENCY — CONTRIBUTIONS TAX DEDUCTIBLE

CORE
Congress of Racial Equality
38 Park Row, NYC 38
CO 7-6270
November 14, 1962

New York Area Leadership Conference

RESOURCE SHEET FOR PARTICIPANTS

Agencies:

American Civil Liberties Union
156 Fifth Avenue
New York, N.Y.
OR 5-5990

American Committee on Africa
801 Second Avenue
New York, N.Y.
MU 6-7263

AFL-CIO
COPE (Committee on Political Education)
Margaret T. Cronin, COPE Research Dept.
815 16th St., N.W.
Washington 6, D.C.

Committee on Civil Rights
(same address)

American Friends Service Committee
218 E. 18th St.
New York 3, N.Y.
SP 7-8700

American Jewish Congress
15 E. 84th St.
New York, N.Y.
TR 9-4500

Anti-Defamation League
515 Madison Avenue
New York, N.Y.
PL 1-1800

Association of Fair Housing Committees
426 W. 58th St.
New York 19, N.Y.
JU 6-3460

Catholic Interracial Council
20 Vesey St.
New York, N.Y.
RE 2-5417

Jewish Labor Committee
25 E. 78th St.
New York, N.Y.
LE 5-3700

National Association for Advancement of Colored People
20 W. 40th St.
New York, N.Y.
BR 9-1400

National Committee Against Discrimination in Housing
426 W. 58th St.
New York, N.Y.
JU 6-3460

National Conference of Christians and Jews
43 W. 57th St.
New York, N.Y.
MU 8-7530

National Urban League
14 E. 48th St.
New York, N.Y.
PL 1-0300

Negro American Labor Council
217 W. 125th St.
New York, N.Y.
UN 5-8710

Southern Regional Council
5 Forsythe St.
Atlanta 3, Ga.

Young Christian Workers of New York
381 Lafayette
New York, N.Y.
GR 5-8970

State Civil Rights Commissions

Connecticut
State of Connecticut Commission on Civil Rights
State Office Building
Hartford 15, Conn.

Massachusetts
Massachusetts Commission Against Discrimination
41 Tremont St.
Boston 8, Mass.

New Hampshire
no commission -- write to Attorney General's office, Concord, N.H.

New York

State: Commission on Human Rights
270 Broadway
New York, N.Y.
BA 7-1616

City: Commission on Human Rights
80 Lafayette St.
New York, N.Y.
WO 4-4700

New Jersey
State of New Jersey Department of Education
Division on Civil Rights
1100 Raymond Boulevard
Newark 2, N.J.

Rhode Island
Rhode Island Commission Against Discrimination
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Offices of the Commission
State House
Providence 2, R. I.

Vermont
no legislation except in public accomodations
for information write Vermont State Librarian, Montpelier, Vt.

Maine
no record

CORE Groups

Affiliated:

New Haven CORE
Winston H. Lockett, Chmn.
704 Orchard St.
New Haven, Conn.
SP 6-0598

Boston CORE
Alan Gartner, Chmn.
48 Alpine St.
Cambridge 44, Mass.

Bergen County CORE
Mrs. Sally Elliott, Chmn.
221 Phelps Avenue
Cresskill, N.J.
LO 8-8630

Newark-Essex CORE
Robert Curvin, Chmn.
709 Hunterdon St.
Newark, N.J.
BI 8-4062

Brooklyn CORE
Oliver Leeds, Chmn
272 Van Buren St.
Brooklyn 21, N.Y.
GL 5-7114

(Brooklyn SCORE)
Eleanor Stein, Chmn.
131 Westminister Rd.
Brooklyn 18, N.Y.
BU 2-8588

City College CORE
Terry Perlman, Chmn.
340 W. 28th St., Apt 6B
New York, N.Y.
CH 2-5834

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Lincoln Lynch, Chmn.
970 Hillman St.
W. Hempstead, LI, NY
RO 4-4284

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Phyllis McNeill, Chmn.
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VI 8-1650

(Long Island SCORE)
Susan Schnapf
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PY 6-3698

New York CORE
Gladys Harrington, Chmn.
% New York CORE
239 W. 125th St.
New York 27, N.Y.
MO 6-0400

New York University CORE
David Moscowitz, Chmn.
323 W. 4th St.
New York, N.Y.
WA 4-9399

Rochester CORE
Hannah Storrs, Chmn.
134 Adams St.
Rochester, N.Y.

Staten Island CORE
344 Victory Boulevard
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Syracuse CORE
Evert Makinen
1107 E. Genessee St.
Syracuse 10, N.Y.
476-4524

Unaffiliated:

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Elliott Watson, Chmn
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Hartford, Conn.
522-4562

Jersey City CORE
Beatrice Weiss, Chmn
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Jersey City, N.J.

Bronx CORE
Miss Johnnie Mae Hunt, Chmn.
734 E. 181st St.,
Bronx, N.Y.
WE 3-0434, OR 5-1886 (work)

Columbia University CORE
Reuel Liebert, Chmn.
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TE 7-6039

Queens CORE
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97-07 34th Avenue
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Queens College CORE
Pat Dagler
187-14 120th Avenue
St. Albans, LI, NY
LA 7-4583

CORE GROUPS, Cont'd

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Norwalk, Ct.

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Brooklyn 32, N.Y.
UL 3-2051

New York Community College
Alan R. Hipwell
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Brooklyn 1, N.Y.

Nassau College
Laurence Fox
1927 Decatur Avenue
North Bellmore, LI,N.Y.

Rockville Center (hi-school grp.)
Jonathan Moscow
355 Merrick Road
Rockville Center, LI, N.Y.

Wegner College
Louise Valuck
GUild Hall, Rm 320
Staten Island, N.Y.

Douglass College
Ann Shteir
PO Box 418
New Brunswick, N.J.

Newark State College
Katie LaMar
Box #1087 Residence Hall
Morris Avenue
Union, N.J.

Fordham University
David Smith
31 Trinity Place
Staten Island, N.Y.

Housing and Planning News
CITIZENS' HOUSING AND PLANNING COUNCIL

DEC. 1963 — JAN. 1964 Vol. 22, Nos. 4, 5

EDITORIAL

PRIVATE PROTEST, PUBLIC RESPONSIBILITY

ONLY a few months ago, President Kennedy said, in discussing the civil rights issue, that an arena other than the streets must be provided if the human rights of all Americans are to be firmly established. His warning that the street is unsuitable for the solution of the problems of the commonwealth foreshadowed, with a terrible irony, that fact that it would be in the street itself that his murderer would seek to solve his own unfathomable problems. Yet if the street is not the place for effective solutions, it is certainly an appropriate arena in which to express a depth of feeling against the conditions which must be solved by application elsewhere.

Thus, the rent strikes which have started in Harlem, and which are rumored to be spreading elsewhere in the city, are not themselves a solution to the conditions complained of. Withholding rent from the landlords will not cure the defects of these ghastly buildings, for whose demolition and replacement we have been campaigning for 25 years. Money is needed to cure them, more money, and the probabilities are that few, if any, landlords will be persuaded to invest more money in their properties by the prospect of concerted tenant action to withhold rent. The enforcement of housing and construction codes is clearly of great importance, but it has rarely been effective against the hard core violator on the one hand, or the benevolent but impecunious landlord on the other. Ultimately, good housing conditions depend on the investment of somebody's money in the structure, and this is a most difficult activity to force by legislation and police action.

Rent Strikers Hope City Will Invoke Receivership

The leaders of the rent strikes, as well as a number of spokesmen for organizations sympathetic to it, understand that significant cures will come from the withholding of rent only if it imperils the continued profits of adequately-financed landlords, a condition which may be applicable to some of the affected buildings, but not all. For this reason, it has been suggested by the leaders that the purpose of the strike is not to achieve a victory on the streets, but to influence the New York City government to invoke on a wide front its powers under the Receivership Bill.

The Receivership Bill was adopted by the State Legislature in 1962, with the strong support of Citizens' Housing and Planning Council. The Bill gave the City of New York the right to take over the operation of a multiple dwelling that is in dangerous condition, and to repair its defects at city expense. The City's Commissioner of Real Estate then operates the building in much the same way that the Receiver of a bankrupt enterprise may try to keep it going. From rental income collected in the repaired building, the Receiver is entitled to recover for the city the money it paid to cure the defects.

City Pays Plumbers and Gets Work Done

This Law is an effective instrument. When the City takes a bad building over, it has the money to pay the plumbers who fix it up. The work it accomplishes frequently encourages the tenants to take good care of the property. The threat of receivership is often sufficient by itself to prod owners of buildings in bad condition to make repairs themselves. This is all to the good, but in an area like that affected by the

(Continued on Page Two)

STATEN ISLAND CONFLICT OVER OFFICIAL CITY MAP POSES NATIONAL PROBLEM

CALIFORNIA law requires that every town have a professional city planner — yet the new subdivisions in that state are as graceless and wasteful as any laid out in the 1920s. Federal law requires a "Workable Plan" before the central government may extend urban renewal assistance to any city — but few of the workable plans have ever been "worked". Why does such a chasm yawn between planning art and legislative high resolves on the one hand, and what actually happens in the nation's cities on the other? A dramatic demonstration of the question was staged recently before the New York City Board of Estimate. The demonstration was brought on almost inadvertently. A mildly worded and obscure item on the Calendar of the Board would, if adopted, declare that the "city map" of the City of New York is the "official map" of the City of New York. In four boroughs of the city which are substantially built up, this proposal was greeted with complete silence. In the Borough of Richmond, which is now undergoing rapid development, the same proposal appeared large and menacing. A delegation of Staten Islanders, representing the home building industry, and other business interests connected with it, came to City Hall, and objected vigorously for almost four hours.

Although the subject is complicated, and involves a long juridical history, the issue presented is a simple one. It boils down to balancing long-range values against immediate hardships: shall the developers of Staten Island be permitted to proceed with the construction of homes much in the way they are now building them, or shall the construction of homes on Staten Island be slowed, or perhaps stopped, so that the homes can be properly sited with respect to a well-thought-out street plan? The Planning Commission wants to stop the development of Staten Island until it

(Continued on Page Four)

Citizens' Housing and Planning Council of New York
20 West 40th Street, New York, N. Y. 10018. LO 3-5990

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Editorial (continued)

rent strike, fear of the law does not seem to be very effective in chastening the property owner.

The strength of the Receivership Bill to cure the defects in the rent strike area will depend, then, not on example but on the city's own power to inspect, prosecute, obtain the court approval of a receivership, superintend and pay for the required work, and operate the building without further new deterioration. No one claims that the city's present fiscal and manpower resources are adequate to push many more than fifty or sixty buildings per year through the labyrinth we have described; nor is it a realistic view that the labyrinth can be significantly shortened by legislative act. Opposing the possibility of strengthening is the specter of unconstitutionality — a predecessor law was declared unconstitutional — and of a law which might so discourage mortgage investment in older properties that its harm would far outweigh the positive accomplishments.

Expanding Receivership Hard Job For City

An attempt to meet this challenge solely by expanding the City's money and manpower resources devoted to the Receivership Bill will certainly be a difficult and long-range procedure, with natural limits, set by the availability of experienced staff. Courts will not easily consent to the appointment of a city receiver to take over private property except on the sworn testimony of the city's own officers; for this reason little of the work of receivership can be entrusted to private experts and private firms.

Since the use of receivership by itself will not cure the conditions against which the rent strike has been called, does this mean that the strike itself is futile and meaningless? Hardly. The strike represents the dramatic expression of a protest. It is a protest expressed at some risk to the people who express it, the risk of possible loss of the only housing they can find for themselves, at a time of desperate shortage of low-rent housing. It is a protest against the deplorable physical conditions in housing — the cold, the dirt and grime that cannot be washed away, the crumbling of the building structure itself, the rotted pipes, leaky roofs, falling plaster, vermin and rats. While many people devoted to good housing are spending so much time discussing social aspects of housing, it is probably salutory to be forcefully reminded that its physical shortcomings and their other physical needs, come first with the people who need decent housing most acutely.

Rent Strikers Pose Question for Responsible Public

It is not the responsibility of the rent strikers to find the arena in which their complaints can be met. It is the responsibility rather of those of us who make the fight for decent housing a major preoccupation. The strikers are telling us that present conditions are so bad they will risk eviction in order to find something better. It is up to us to develop the programs for producing something better.

A Minimum Program: New Public Housing

One such program is certainly the subsidized public housing program. Provision must be made for more public housing with state and federal subsidy. Is it credible that popular government should discontinue the low-rent housing at a time when the need for decent low-rent housing is so great that it has produced this strike? Even the most fervent supporter of the private landlord as the sole proper purveyor of housing, should recognize that public housing is less dangerous to his institution than the organized refusal to pay rent.

Public housing, with full subsidies, is the only way to provide decent housing in appropriate quantity. It must be continued.

Plus Publicly Operated Rehabilitation

For those low-income families who are ineligible for public housing, and for those who prefer their present accommodations provided they are brought to a modern standard of decency, an effective housing rehabilitation program, big enough to do the job is essential. The shortcomings and cumbersome quality of receivership must be overcome. A state rehabilitation agency, started with state fiscal aid, and empowered to acquire property by condemnation and to borrow money would appear to be a minimum essential for cheap and effective rehabilitation. Such an agency would rehabilitate and operate buildings either directly or by contract with private agencies.

Friends of Low Rent Housing

Other steps may be necessary, but these will do for a starter. Is the federal government thinking of such a program? Some of President Johnson's recent utterances — to meet the problem of poverty — indicate that it might. Is the state government ready to do its share? We have heard nothing to indicate that it is.

Both governments are responsive to popular demand. A federal official has asked: "Where are the friends of public housing, of low-rent housing? We never hear from them. We only hear from the enemies." The friends are being heard from now — the rent strikers, and their thousands of sympathizers in this and other big cities — these are the friends of low-rent housing. They have made the protest. It is our responsibility to shape the programs that will change the conditions they are protesting against. These changes cannot be found in the street — or even in the heart. They can only be found by intelligent people who have taken the time to study the problem, and are impelled by the determination to do better.

PLANNING BODY DEMANDS FUNDS FOR MASTER PLAN

CHAIRMAN William F. R. Ballard of the New York City Planning Commission has put forward the Commission's strongest budgetary foot in a letter to Mayor Wagner, requesting that the Expense budget include sufficient funds for the Department of City Planning so that it can proceed to develop the City's Master Plan.

The New York Times supported Chairman Ballard's request editorially, but few words of encouragement have been heard so far from the officials like the Controller and the President of the City Council whose support will be necessary if master planning is to be of significant practical help to the city in foreseeing and lightening long-range problems.

It is one of the curious side effects of the present wave of local reform politics that the reformers have tended to belittle, if not actively to oppose, the whole process of master, long-range planning when it conflicts with neighborhood sentiment. This is almost precisely opposite to the position which municipal reformers have taken over the years, and since more traditional politicians have not seen fit to modify their own equally traditional opposition to planning, long-range planning has few powerful advocates.

A recent book by James Q. Wilson and Edward C. Banfield, *City Politics,* discusses the fate of long-range planning in American cities in general. While it may not encourage New Yorkers as to the prospects for master planning, the professors find that master planning is in equal political trouble in almost all American cities. Essentially, master planning is the assertion that long-range needs are more important than the decisions which seem immediately necessary. Since the cities move from crisis to crisis, bearing the brunt of the country's race and automation problems with daily immediacy and a totally inadequate bag of legal and fiscal powers at hand, it is not difficult to find excuses for preferring the immediately easy to the long-term improvement.

In the New York Civic Center there is debate as to where to place the new police headquarters. In the recent report by a state committee to expedite construction, it is urged that the new zoning be waived specifically for tax-abated housing (a proposal equally dubious on legal and planning grounds). And in a host of other questions those who want to judge the merits on long-term considerations rather than obvious immediate advantages are left feeling more and more lonesome, more and more out of step. In these circumstances, Chairman Ballard's call for Master Planning struck a welcome, refreshing, courageous note.

PASS 90% MARK IN FRANKLIN PLAZA SALES

WHILE some of the Mitchell-Lama projects in the Bronx and Brooklyn are rumored to be lagging somewhat in sales — perhaps in connection with an effort to assure a racially integrated tenancy — Manhattan middle-income housing continues to move with startling rapidity, even when the location within the borough is in areas which are allegedly not desirable.

Franklin Plaza, the cooperative which occupies an East Harlem site originally built by the New York City Housing Authority, is one of the city's most interesting success stories. Opened only two years ago, the development contains 1635 units. It is situated in a part of the city which has seen no new construction except for subsidized low-rent public housing in many, many years, and precious little residential rehabilitation. The Middle Income Housing Corporation, which handled the conversion from Authority management to co-operative ownership, has managed in two years not only to sell more than 90% of the units but to integrate the project. This has taken imaginative selling, and great determination in the face of discouraging set-backs.

It has also taken a persistent demand for Manhattan housing from the middle income group. Clearly, there is a residual demand of unknown size but remarkable intensity among middle income families for the advantages of close-in Manhattan locations. This demand underlines the efforts of a number of middle income groups, of which MI-Cove is an example, in obtaining sites for the construction of new developments. A pilot study, undertaken on a tentative basis by the Housing and Redevelopment Board, indicates that middle income developments which attract the families they are built for, exert an upgrading influence on the housing accommodations of other families of lower income, because the apartments that are vacated by those who move into the new projects, are, in turn, made available to other, house-hungry families.

CHPC DIRECTOR IN U.N. POST

FREDERICK G. FROST, JR., a fellow of the American Institute of Architects and a member of CHPC's Board of Directors, has been named representative at the United Nations for the International Union of Architects. This adds to a busy roster of extra-curricular activities for Mr. Frost, who formerly served as a member of the Executive Committee of the New York Chapter of AIA, as well as Vice President of CHPC. Mr. Frost's achitectural firm, Frederick G. Frost, Jr., & Associates, is architectural consultant on a new building code for New York City, which is now under preparation by the Polytechnic Institute of Brooklyn under contract to the city.

In the halls of the United Nations, Mr. Frost may meet Charles S. Ascher, president of CHPC, who also has official business with the international organization as representative of the International Federation for Housing and Planning. Mr. Ascher is Chairman of the Department of Political Science at Brooklyn College, and secretary to Local Planning Board #7, as well as international representative of the Institute of Public Administration.

STATEN ISLAND CONFLICT

(Continued from Page One)

has a street map assuring proper drainage, reasonable traffic patterns, fire safety, and economical provision of city services. The Staten Island Home Builders prefer to keep Staten Island free, for the time being, at least, from the adoption of an official city map.

Since the four other boroughs of New York City have official maps, and since every other city in the state has one — New York City, alone, being exempted from this responsibility, in accordance with an Appellate Division opinion handed down three years ago on an action commenced by the Staten Islanders for this purpose — it might appear to the outsider that no one could advance any substantial reason to oppose the adoption of an official map. The main function of such a map, after all, is merely to prevent the construction of new buildings in the bed of a street that appears on the map.

Yet the Staten Island builders have a point. The map which the Planning Commission proposes to declare official covers only 40 percent of Staten Island. In the remainder of the borough it will be impossible to construct a building (because there will be no official streets to which it can be adjacent) without obtaining a variance from the Board of Standards and Appeals. Certificates of Occupancy for buildings already constructed will not be issued, where these are not constructed on streets that shown on the official map. They predict that Staten Island building activities will slow down, and stop. That streets which have been used for years, in some cases hundreds of years, will officially cease to exist, because they have not been mapped. That it will be years before a full map is completed, and that the adoption of an official map should not occur until the map itself has been completed.

The Planning Commission points out that mapping simply cannot be done more quickly than it is going now; that the city will forever be stuck with buildings constructed now in places which may compromise fatally the final map; that building will be possible in the interim period by application to the Board of Standards and Appeals, where denied; and that individual hardships are far less drastic than the general loss resulting from haphazard, sprawling development.

How will the Board of Estimate decide this question? When will the decision be handed down? Will other vital Staten Island problems, such as the proposed Annadale Urban Renewal scheme, be fatally compromised because of the argument between the home builders and the Planning Commission, an argument in which the Borough President has been siding with the Home Builders? These questions remain unanswered at the present time. One definitive statement can be made: planning has not helped the California suburbs, and workable plans have seldom "worked", because, in the last analysis, planners haven't political muscles as big and strong as those from whom present action is important. It is easier for the Home Builders to stop planning altogether than it is for the Planning Commission to get the funds to finish the Staten Island map hurriedly, although the ultimate cost of the city of the haphazard development may be far greater than the cost of the accelerated maps.

LIBRARY ACQUISITIONS

Harold N. Vogel and Jonathan V. Pollack, "CON'DO'MIN'I'UM," Cities, U.S.A. Research Co. 126 pp. 1963. $3.50.

Contains available references from the Federal Housing Administration and government agencies having jurisdiction over condominium legislation. Special chapters include Puerto Rico's Horizontal Property Act of 1958, New York State's proposed Unit Ownership Act, non-statutory approaches to condominiums, income tax aspects, and the F.H.A.'s administrative regulations.

An introduction defines "condominium," gives something of its history and highlights experience in Puerto Rico, Hawaii and the United States.

Harvey S. Perloff, Edgar S. Dunn, Jr., Eric E. Lampard, & Richard F. Muth, "Regions, Resources & Economic Growth." Published for Resources for the Future, Inc. by The Johns Hopkins Press, Baltimore. 716 pp. 1960. $12.00.

Emphasis of this book is on causes and patterns of regional economic growth, with special attention to natural resources. The authors seek to explain the forces producing rapid growth patterns in some areas while other areas seem fixed in varying stages of decline. There is a review of regional development from 1870.

CITIZENS' HOUSING AND PLANNING COUNCIL

Willkie Memorial Building
20 West 40th Street, New York, N.Y. 10018

NEWSLETTER

file

APR 15 1964

URBAN LEAGUE OF GREATER NEW YORK

CITY-WIDE HOUSING COMMITTEE
MEETING

National Urban League Building
14 East 48th Street, New York City
Wednesday, March 18, 1964 - 2:45 P.M.

MINUTES

Edward Babb, Presiding

PRESENT: Doris Beausoleil, Dohald Benjamin, St. Clair Bourne, Michael Coffey, Elaine Dowe, Rev. James A. Gusweller, Dr. Frank Horne, Joseph McLemore, Robert Paul, Leonard Pringleton (representing Mrs. Laura Valdes)
Miss Rogers (representing William Valentine)
Guest: William Goldman (Cayton-Klempner)
Staff: Barney Hendley, Barbara Morrison, Joan Rigney, Rita Smollens, William H. Toles

ACTION TAKEN:

Agreed: That the minutes of February 19th meeting be approved and adopted. Report on final plans for City-Wide Housing Workshop to be held April 25th at Ethical Culture Building, 2 West 64th Street, New York City.

Accepted: Report on March 10th "March on Albany".

Agreed: That City-Wide Committee send wires to State legislative leaders in support of $165,000,000 bond issue and in support of Curran bill A 1955 #5891 - to grant greater powers to courts in disposition of withheld rents;

Agreed: That City-Wide Committee recommend to ULGNY Board that they send similar wires of support for public housing bond issues and Curran bill #5891.

Agreed: To recommend to Upstate Urban League affiliates that they support bond issue and Curran bills. (#5891)

Accepted: Final report of Rehabilitation Subcommittees on Codes and Financing.

Accepted: Principle of Citizen participation of interim report of Subcommittee on Social Aspects of Rehabilitation with suggestion that committee bring in specific recommendations with regard to problems posed by August 14th proposals of City Planning Commission on Rehabilitation, such as relocation, tenants' ability to pay higher rentals, etc.

DISCUSSION:

City-Wide Housing Workshop: Miss Barbara Morrison reported on final plans for the Workshop to be held April 25th at Ethical Culture Building, 2 West 64th Street, NYC. Four morning panels are scheduled: I. "Opening Up New Areas", Chairman, Mrs. Ruth Whitehead Whaley, Secretary, Board of Estimate; II. "Government Housing Policies Low Rent and Middle-income Housing", Chairman, Dr. Edler G. Hawkins, Pastor, St. Augustine's Presbyterian Church; III. "Urban Renewal", Chairman, Joseph Morales, Commonwealth of Puerto Rico; IV. "Code Enforcement", Chairman, Howard Squadron, Metropolitan Council, American Jewish Congress. After a lunch break, a general session will be opened by Frederick Richmond, President, Urban League of Greater New York, to be followed by Sidney Rivkin presiding over discussion of reports from morning panels. The main address will be by Algernon D. Black, Chairman of New York Committee on Discrimination in Housing, to be followed by summation by ULGNY Executive Director, Alexander J. Allen. Registration, including lunch is $1.00. After some discussion it was agreed that $1.00 registration would not inhibit attendance by local people. Suggestions for reaching neighborhood people included contacting local churches, parents associations, unions, local press, etc. Mr. Goldman indicated that a general release on the Workshop would go out shortly, Joe Walker announced that there would be notice of the Workshop in Local #1199, Hospital and Drug Employees' Union newspaper, and that participants in an April 6th meeting of rent strike building captains would be invited to register for the Workshop. Mr. Rosas announced that the Commonwealth of Puerto Rico would send out a mailing on the Workshop to local Spanish-speaking groups. The need for intensive activity by the ULGNY Borough Housing Committees was emphasized to insure the success of the Workshop.

Public Housing: Michael Coffey reported that the $165,000,000 bond issue bill including provision for subsidies to some low-income tenants to occupy middle-income housing passed in the State Senate but was in urgent need of support in order to pass in the Assembly. It was agreed that the City-Wide Committee should wire State leaders to support this bill in the Assembly, and recommend to ULGNY Board that they do likewide. In view of the disappointing record of Upstate legislators and of their crucial role in the State Legislature, it was agreed that the City-Wide Committee recommend to Paget Alves, Jr., National Urban League's Associate Director for Housing, that Upstate Urban League affiliates reach their local State representatives to urge their support for the public housing bond issue bill and the Curran bill to "legalize" withholding of rent.

Rent Strikes: It was reported that the City-Wide Committee's [illegible] recommended statement on withholding of rent was approved by ULGNY Executive Committee March 3, 1964. It was agreed that communications of support for the Curran bill to grant additional powers to the courts for the disposition of withheld rents be sent to State leaders. It was also agreed to recommend to ULGNY Board that they send wires in support of these bills.

Report on March on Albany: Joe Walker reported that the leaders of the March on Albany, March 10th, including A. Philip Randolph; Rev. Hildebrand, NAACP; Jesse Gray, Community Council on Housing; David Livingstone, District #65 and Leon Davis, Local #1199, met with Governor Nelson A. Rockefeller to present their demands for funds for public housing, legislation to legalize rent strikes, $1.50 minimum wage and unemployment insurance coverage for hospital workers, but received no encouragement from the Governor on any of these demands.

Rehabilitation Subcommittees:

Subcommittee on Codes:

Rev. James A. Gusweller read the final report of the Subcommittee on Codes, copies of which were distributed to the City-Wide Committee. It was accepted with commendation for the fine work of this hard-working committee. Rev. Gusweller noted that the technical experts did not feel that rehabilitation could be done with tenants remaining in the building. It was agreed that this problem should be dealt with by the Social Aspects Subcommittee.

Subcommittee on Financing: Robert Jones reported for William Hudgins, Chairman, Copies of the report were distributed to the City-Wide Committee. Mr. Jones also reported on a meeting of Abraham Beame and Sidney Rivkin on the use of the Municipal Pension Funds for rehabilitation loans. Mr. Beame agreed to consider specific proposals to be drawn up by the Finance Subcommittee. It was also reported that the Housing and Redevelopment small loan program for rehabilitation was beginning to move along with granting loans to several individuals in recent weeks. The Subcommittee's report was accepted with an expression of gratitude for a job well done.

Social Aspects Subcommittee: Preston Wilcox presented an interim report, (copies of which had been sent to all members of the City-Wide Committee), emphasizing community participation in the planning and implementation of the rehabilitation program. Mr. Wilcox indicated that another meeting would be scheduled, which, hopefully, would involve representatives of all five rehabilitation areas. The report's emphasis on citizen participation was accepted by the City-Wide Committee. However, it was suggested that, in addition, the Social Aspects Subcommittee should respond to other specific social problems raised in the August 14th proposal of the City Planning Commission, such as relocation of tenants, ability of tenants to pay present rents and higher rents in the post rehabilitation period. Mr. Wilcox noted that this interim report would be followed by further reports at future meetings.

Adjournment followed.

Recorded by,

RITA SMOLLENS

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NOTE: Next meeting of the City-Wide Housing Committee to be held
3:00 P.M. -at the Bowery Savings Bank, 110 East 42nd Street, NYC
in the Employees Dining Room (6th Floor) APRIL 15th, 1964.

Here is how We Push for Progress...

WE...

- Fight for a **strong city planning** program.
- **Help groups of local citizens** solve their housing and planning problems.
- Demand **more and better public housing** for the low-income family.
- Insist that state and city **middle-income housing** programs be made to fit the pocketbook of the $5000-$9000 family.
- Explore realistic ways to **rehabilitate** run-down buildings and **conserve** older neighborhoods.
- Promote **integration** in housing.
- Express our independent and expert judgments
  - at **Public Hearings**
  - in the **Press**, on **Television** and **Radio**
  - to **Public Officials.**
- Support worth-while **public improvements** that will contribute to the beauty and the enjoyment of our city.

Our Membership is Our Strength

The membership of CHPC represents a wide range of interests—professionals in the fields of housing and planning; social welfare and labor leaders; architects, builders and realtors; civic leaders as well as **citizens** who simply want to improve their city.

This membership of experts and interested citizens has made CHPC the voice of New Yorkers for a better city.

Join Us Today!

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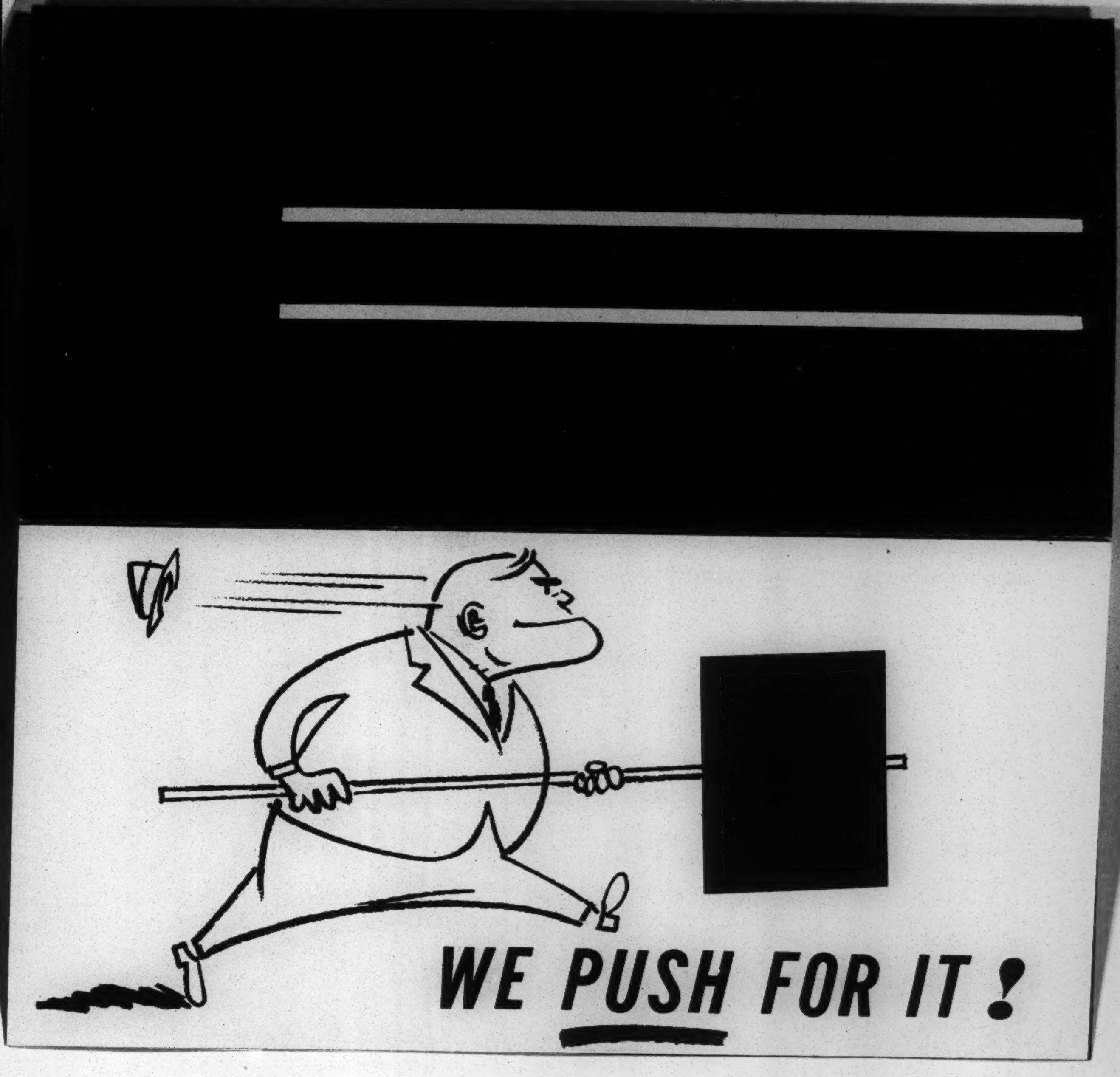
WE PUSH FOR IT !

CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK INC.

an independent, non-profit organization was formed
in 1937 by civic-minded New Yorkers in the belief that
A DECENT HOME IN A WELL-PLANNED NEIGHBORHOOD
can be achieved for every citizen through
VIGOROUS PUBLIC AND PRIVATE ACTION.

SUBSCRIPTION BLANK

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20 West 40th Street, New York 18, N. Y.

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(OVER)

Since 1937, the Citizens' Housing and Planning Council, a non-profit, non-partisan organization, has combined the efforts of civic-minded New Yorkers of diverse interests in stimulating vigorous private and public action to bring better housing to a better city.

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ALL ABOUT

CCRM

THE COMMITTEE ON CIVIL RIGHTS
IN METROPOLITAN NEW YORK

a volunteer organization dedicated
to securing equal opportunity for all New Yorkers
through an orderly process of research,
persuasion and educational action

IN June 1960, a Negro couple, Mr. and Mrs. A, attended the CCRM meeting which launched a practical new action plan — the Partnership Apartment Seekers' Experiment. For more than a year, this couple had been searching for an apartment in Brooklyn. At the CCRM meeting, they agreed to pair up with Mr. and Mrs. B, white volunteers.

A few days later, the A's spotted an ad for an apartment that seemed suitable. According to plan, Mr. A promptly telephoned his partner. First the Negro couple approached the superintendent and were told the apartment was not available. Then Mr. B saw the super: he was shown the apartment and looked it over carefully, noting every detail he knew the A's needed to know. When the team reassembled, Mr. B reported to the A's that this was a fine apartment for their needs — and that it was available. Now the A's were able to register a well-documented complaint with COIR, the city agency charged with enforcing anti-discrimination laws.... A month later the Negro family was living in the apartment of their choice.

This unique plan was not a sudden brainstorm. It grew out of more than a decade of painstaking research and testing of imaginative new procedures. The story dates back to . . .

CCRM's BEGINNINGS

About a dozen years ago, a small group of citizens set to work to improve practices in New York restaurants. The inferior treatment suffered by dark-skinned customers was by no means the most injurious form of discrimination in the city, but it did serve to cement a whole social pattern of unequal treatment. The group that undertook this task called itself the Committee on Civil Rights in East Manhattan. It started out by consulting organizations long in the civil-rights field, which in turn sent observers, social workers, teachers and businessmen to help start the program rolling. CCRM's grassroots action plan was so contagious that many of these consultants stayed on as permanent representatives. Today 26 organizations and many individuals comprise the ever-growing membership of the Committee on Civil Rights in Metropolitan New York.

STRIKING BIAS OFF THE MENU

As it tackled its first task in 1950, the young group developed its distinctive pattern of working.

To get the facts about restaurants, teams of Negro and white testers surveyed midtown eating places. The results showed that 42 per cent of the restaurants visited were practicing more or less subtle discrimination against Negro customers, subjecting them to inferior treatment in seating and service.

Next, CCRM members sat down with the restaurant managers and union representatives. Soon, pledges of future compliance with New York laws requiring equal treatment of all patrons were secured. Final follow-up tests in 1954 showed a vast improvement. Now it was up to members of minority groups to patronize dining places throughout the city — and CCRM was free to concentrate its efforts elsewhere.

ENTERING THE HOUSING FIELD

Next came CCRM's entry into the difficult campaign to overcome unfair housing practices in New York. As early as 1953—before the law afforded New Yorkers far-reaching protection against discrimination — CCRM had launched a series of basic studies of private rental housing.

Following the design of the restaurant surveys, testing teams of Negro and white volunteers went to see real-estate brokers who were offering apartments, and answered "for rent" advertisements in the Sunday newspapers. Findings showed clear discrimination in 81 per cent of the team visits. Then calls were made on a dozen leading real-estate lawyers, members of the Real Estate Board, brokers and apartment owners. These interviews pinpointed the myths on which discriminatory practices rest: the inevitable flight of white tenants, depreciation of property values, withdrawal of mortgage money.

To help overcome such fears, CCRM conducted two factual surveys—a questionnaire study of successful housing integration in different parts of the country, based on responses from 80 communities in 20 states; and an interview study conducted in a North-Bronx neighborhood where Negro and white families had lived side by side for 50 years.

Again CCRM's preliminary studies provided a solid, factual grounding for intelligent action in the New York community. They indicated two main needs: 1) to open new doors to non-whites in search of housing in Manhattan and environs; and 2) to tell minority-group home-seekers about the new opportunities which are theirs for the taking.

> "The Committee on Civil Rights in Metropolitan New York has scored some remarkable successes in helping secure equal opportunity for New Yorkers of all races and creeds. Efforts like these are clearly an asset to the United States in its foreign relations, enhancing our prestige as a world leader. Through my work at the United Nations, I have come to recognize that the case for democracy is most persuasive when it is clear to the rest of the world that we Americans practice what we preach."
>
> —MARIETTA TREE
> *U.S. Representative, United Nations*
> *Commission on Human Rights*

PUTTING ANTI-BIAS LAWS TO WORK

Laws for fair housing provide the springboard for expanding opportunities. In 1953, when CCRM entered the field, the only laws on the statute books applied to public housing. Many new city and state laws gradually extended the anti-discrimination principle to encompass publicly supported housing and private apartments and homes. By 1961, the combination of state and city measures provided for New Yorkers the nation's most complete legal protection against housing bias. Two official agencies see that these laws are enforced: the State Commission Against Discrimination (SCAD) and the city's Commission on Intergroup Relations (COIR).

As anti-bias laws went into effect, CCRM recognized that many agents and landlords were finding subtle ways to avoid the final step of signing a lease or contract with a Negro applicant. Surveys to assess discrimination in housing were futile if they stopped at any point short of actual rental or sale. CCRM's search for meaningful facts about housing bias thus pointed the way to a practical action plan to help New Yorkers make open occupancy a reality for all.

CCRM's Partnership Apartment Seekers' Experiment is a method which sets up teams composed of minority-group apartment-hunters and white volunteers, who work closely together until the apartment-seeker has found a home. Should discrimination occur, the applicant has full facts to present to the city's Commission on Intergroup Relations (COIR) or the State Commission on Discrimination (SCAD) as evidence of a breach in New York City's anti-bias laws. The more thorough and observant the white volunteer, the more likely that his partner will be successful.

This experiment, attracting several hundred applicants a year, has helped many people secure apartments. But success does not always come quickly and easily. Nor is the outcome of each search the only measure of the plan's value: partnership apartment-hunting itself is educational — for the teammates, and for the people they approach as they ask for fair and equal treatment.

"The Committee on Civil Rights in Metropolitan New York grew out of a clear need for factual assessment of the state of civil and human rights in New York City at mid-century. It has hewn to its basic objectives and, in so doing, has provided both a sterling example of volunteer citizens at work and a body of substantive materials from which action programs can soundly emerge. There can be no question regarding the value of the Committee's service to the community."

—Roy Wilkins
Executive Secretary, National Association for the Advancement of Colored People

FINDING ALLIES IN THE COMMUNITY

CCRM has encouraged and supported fledgling groups eager to help lower restrictive bars in housing. More and more of these citizens' committees are succeeding in breaking down rigid patterns of exclusion in metropolitan and suburban communities. Today a number of active and effective groups keep CCRM posted on local housing opportunities as they open.

SPREADING THE WORD

Opening new doors is only half the job. The other half is persuading people to walk in. Many minority-group families are reluctant to seek homes in the open market because they fear rejection. To encourage them, CCRM publicizes rental and buying prospects for minorities in metropolitan and suburban New York.

To acquaint minority-group members with a new type of housing unquestionably open to them, CCRM issued *Housing Cooperatives May Be Your Answer,* a pamphlet on the workings and advantages of non-profit housing cooperatives. This was the first step in a continuing campaign to acquaint the Negro community with co-op housing as a pleasant possibility for those who can afford the purchase price.

CCRM publishes listings in its bimonthly newsletter, *The Scoreboard,* and cooperates with numerous civic, religious and governmental agencies likewise interested in disseminating information on open-occupancy housing.

> "I am extremely pleased to endorse the work of the Committee on Civil Rights in Metropolitan New York. At this moment in history, it is particularly important to have citizens who are willing to give witness to their belief in equality of opportunity for all citizens. The National Urban League views CCRM as its colleague in the great crusade to make New York City truly the citadel of democracy."
>
> —Whitney M. Young, Jr.
> *Executive Director, National Urban League*

CCRM NEEDS YOUR WORK

Willing hands are needed for many exacting tasks — to keep CCRM's important committees functioning usefully, to go out into the community as speakers, to serve as public-relations aides, to man CCRM's continuing survey and apartment-seeking activities. Daytime and evenings, CCRM's busy offices depend on responsible assistants. In short, volunteers are indispensable.

CCRM NEEDS YOUR MONEY

CCRM is now calling for greatly increased support — from individual members and cooperating organizations; from foundations; and finally, from the growing ranks of people who believe in fair and equal treatment for all New Yorkers.

To support CCRM, send your contribution now. All gifts are tax deductible. Make checks payable to **CCRM N.Y.**

THE COMMITTEE ON CIVIL RIGHTS
IN METROPOLITAN NEW YORK
225 West 57 St., New York 19, New York

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*American Jewish Committee, N. Y. Chapter
*American Jewish Congress
*American Legion, Willard Straight Post No. 842
*American Veterans Committee, N. Y. Region
*Americans for Democratic Action, N. Y. Chapter
*Association for the Study of Negro Life and History
*Benjamin Cardozo Lodge of B'nai B'rith
•Church of the Master
*Community Church, Social Action Committee
*Delta Sigma Theta Sorority, N.Y.C. Alumnae Chapter
*Ethical Culture Society, Committee on Integration
*Gentry, Inc.
*Japanese-American Citizens League, N. Y. Chapter
*Jewish Labor Committee
*Kappa Alpha Psi Fraternity, Omicron Chapter
†Local 1707, Community and Social Agency Employees ✓
*National Association for the Advancement of Colored
  People, N. Y. Chapter
•National Conference of Christians and Jews
*National Council of Negro Women, Manhattan Council
*Negro Labor Committee
†New Englanders
•New York City Civil Liberties Union (ACLU)
•New York Committee of Racial Equality (CORE)
*Phi Delta Kappa Sorority, Beta Epsilon Chapter
•Spanish American Youth Bureau
•Urban League of Greater New York
†Utility Club, Inc.

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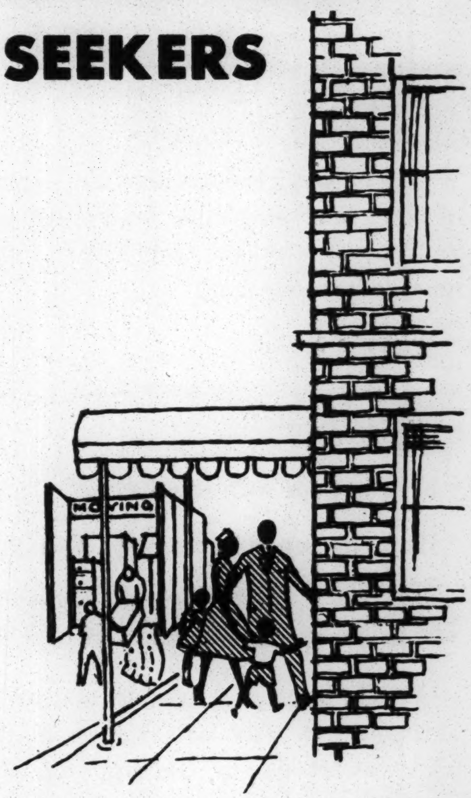
February 1962

THE COMMITTEE ON CIVIL RIGHTS
IN METROPOLITAN NEW YORK
225 West 57 St., New York 19, New York

From: CCRM

THE COMMITTEE ON CIVIL RIGHTS
IN METROPOLITAN NEW YORK -
an organization of volunteers dedicated
to eliminating discrimination in housing

To: APARTMENT SEEKERS



You can raise the odds of finding the right home for you and your family by enrolling today in PASE (Partnership Apartment Seeking Exchange).

White volunteers team up with non-white apartment seekers
. . .pinpointing discrimination if it occurs
. . .helping New Yorkers put fair housing laws to work.

It's a simple plan that *gets results*. Here's how. . .

CALL AND TELL US YOUR NEEDS

Telephone CCRM: CI 7-6343.

Arrange to stop in at our office: 225 West 57 Street, Room 403.

Hours: 9-5 weekdays; appointments may be made for evening visits.

Describe the size, price and neighborhood of the apartment you need, and the searching you have already done on your own.

SIGN UP FOR THE NEXT PASE TRAINING SESSION

One evening session provides a group of white and non-white teammates with valuable tips on the techniques of partnership home-seeking:

- What to look for
- How to approach landlords and renting agents
- How to cope with rebuffs
- How to work effectively with your partner-checker
- How to report your findings

You'll have a chance to act out situations that may arise in encounters with landlords or renting agencies. You'll be given a special form for reporting your experiences in detail.

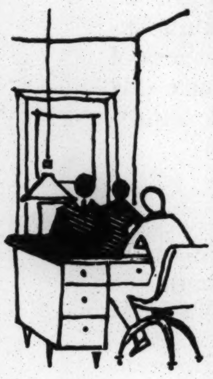
PASE IMPROVES YOUR CHANCES FOR SUCCESS

The PASE program, attracting several hundred applicants a year, has helped many people secure apartments. Here's one example:

> A Negro couple, Mr. and Mrs. A, who for more than a year had been searching for a home in Brooklyn, paired up with the B's, white volunteers. Seeing an

YO

attractive ad, the A's arranged to meet the B's in the neighborhood.



First the A's approached the superintendent and were told the apartment was not available. Then the B's saw the super; they were shown the apartment and looked it over carefully, noting every detail they knew the A's needed to know. Now the A's were able to register a well-documented complaint with the city agency charged with enforcing anti-discrimination laws. A month later the Negro family moved in to live quietly and amiably in the neighborhood of their choice.

To get the best results, we need your cooperation. If you meet discrimination, you should be prepared to *follow through.* Present the full, documented facts to one of the official agencies — either the City Commission on Human Rights or the State Commission for Human Rights — charged with enforcing New York's laws against discrimination. We'll help you. Partnership apartment-seeking gives you the kind of evidence these offices need.

YOU CAN HELP ROOT OUT INJUSTICE

Housing discrimination is stubborn and deeply ingrained. Partnership apartment-hunting strikes at the very root of the problem. Because each time a PASE team goes out, someone — broker, agent, apartment manager, landlord, superintendent — is brought to a moral crossroads. Either he gives the would-be tenant an even break — or faces up squarely to the fact that he is a lawbreaker, deliberately blocking a citizen from equal treatment because of color or national background.

Success does not always come easily. But everyone who works through PASE has a good chance of finding housing and is adding important evidence needed by officials if they are to enforce New York's laws against discrimination.

WORKING WITH OTHERS MAKES SENSE

Like CCRM's other action programs, the Partnership Apartment Seeking Exchange brings together New Yorkers of many races and creeds. All share one common goal: securing equal opportunity for all citizens.

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THE COMMITTEE ON CIVIL RIGHTS
IN METROPOLITAN NEW YORK
225 W. 57 St., N.Y. 19, N.Y.

November 1962

Norm Hill

Emergency Committee for More Low-Rent Housing

organized by

CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.

Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018

LOngacre 3-5990

OCT 9 1963

OCT 6 1963

EXECUTIVE DIRECTOR
Eleanor Vaughan

CHAIRMAN
Paul T. O'Keefe

Dear Friend:

This letter is an invitation to your organization to cooperate in a giant citizens' effort for more low-rent housing in New York City.

We New Yorkers have been taking our low-rent housing program for granted for a long time now. We were mistaken, over-confident.

The hard truth is that NO MORE NEW APARTMENTS WILL BE BUILT HERE FOR LOW-INCOME FAMILIES AFTER MARCH, 1965, unless a fresh supply of public loan and subsidy funds is made available. And this in spite of the fact that at least 200,000 families desperately need such apartments. (See enclosed fact sheet).

The Emergency Committee for More Low-Rent Housing seeks to end the human misery of slums and slum living in the largest city in the richest land the world has ever known by:

1. Obtaining federal and state funds so that many more apartments can be built here at rents low-income families can afford;
2. Supporting sound methods (in addition to traditional housing projects) of providing families and elderly persons of low income with decent housing opportunities.

We know that we can count on your organization to take part in this great human crusade. The enclosed postal card suggests several of the numerous ways in which you can work with us. Please return it promptly. We hope that you will also plan now to send representatives to an organizational meeting to be held early in November at which further plans and program will be discussed.

Cordially,

Paul T. O'Keefe

Paul T. O'Keefe,
Chairman

INITIATING COMMITTEE: William F. R. Ballard (Citizens' Housing and Planning Council), Milton Bergerman (Citizens' Union), Elinor G. Black (Women's City Club of New York), James Fogarty (Community Council), Ernestine Friedlaender (Women's City Club of New York), Elinor L. Gordon (Citizens' Committee for Children), George H. Hallett, Jr. (Citizens' Union), Helen M. Harris (United Neighborhood Houses), Trude V. Lash (Citizens' Committee for Children), Frances Levenson (Committee Against Discrimination in Housing), Edward S. Lewis (Urban League), Barbara Reach (Community Service Society), I. D. Robbins (The City Club of New York), Ralph S. Rosas (Commonwealth of Puerto Rico Labor Office), Roger Starr (Citizens' Housing and Planning Council), Jack Wood (NAACP).

Funds for the work of the ECMLRH were made possible by the generosity of Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps Stokes Fund.

EX

Facts

About Low-Rent Housing

October 1963
No. 1

THE FUND STORY
and
NEW YORK'S HOUSING NEED

> ***I say to you that public housing for low-income families is a high quality, high return social investment.***
>
> ***Yet the fact is that the public housing program in New York and nation-wide is about to be put to death unless there is emergency action in Albany and Washington next year.***
>
> **Mayor Robert F. Wagner, at**
> **dedication of Cornelius J.**
> **Drew Houses, July 11, 1963**

Fund Shortage - GRAVE!

There is a critical shortage of funds for additional low-rent housing. This is no time to stop helping localities provide public housing for their low-income families. New York City has a backlog of 200,000 families who cannot move from their present unsafe, insanitary, and unhealthful quarters unless and until more subsidized low-rent apartments are built.

Source: William Reid, Commissioner,
Chairman, New York City
Housing Authority

State Funds - LOW!

Total authorized loan funds for New York State's public housing program stand at $960 million. As of August 1 of this year, the State has committed a total of $894 million in loans for construction of low-rent housing projects on a Statewide basis. Of this amount, $730 million

---

Emergency Committee for More Low-Rent Housing

organized by **CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.**

Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018

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CHAIRMAN
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EXECUTIVE DIRECTOR
Eleanor Vaughan

or almost 82 percent have been committed in the City of New York. There are then approximately $66 million which are uncommitted and available for new construction. These funds are greater than the amount that can be committed under law during the fiscal year ending March 31, 1964. Additional funds will be required for an expanded low-rent housing program before the end of the following year, whether we proceed under the traditional public housing program or adopt a multi-lateral attack on low-rent housing needs.

Source: James Wm. Gaynor, Commissioner,
New York State Division of Housing
and Community Renewal

Federal Funds -
EXHAUSTED!

Nation-wide, unless Congress acts, all federal public housing funds will be exhausted by 1964.

Congress has authorized no new funds for annual low-rent housing subsidies since 1949. However, the 1961 National Housing Act authorized the federal Public Housing Administration to use up whatever money was still left over from 1949 -- about 56.6 million dollars, or enough to support a total of only 100,000 new low-rent apartments throughout the country. The 1961 Act also specified that no single state could have more than 15% of those funds.

New York State has now exhausted its share. Five proposed low-rent developments for New York City were recently turned down by the federal government for lack of funds.

Source: Herman D. Hillman, Regional Director,
federal public housing administration

The work of the ECMLRH has been made possible by the generosity of Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps Stokes Fund.

OUR PRESENT STRUCTURES

20% of all housing in New York City is still unfit to live in, in spite of all the public and private residential building which has gone on since the war.

276,000 dwelling units (at least) are either dilapidated or lack private toilets, running hot water, or a private bath or shower.

277,497 additional dwellings need major repairs if they are to continue to provide safe and adequate shelter.

Source of Statistics: U.S. Census, 1960

350,000 dwelling units (at least) are in structures constructed to building standards outlawed since 1901.

Source: New York City Department of City Planning

> ***To the extent that new low-rent housing can be built in a community it will help to remove the economic pressures that make the creation of slums profitable. And this, in turn, protects property values throughout a community.***
>
> **Robert C. Weaver,**
> **Administrator,**
> **Housing & Home**
> **Finance Agency**

OUR PRESENT LIVING CONDITIONS

500,000 people (at least) live in dilapidated dwelling units or without the plumbing facilities necessary to decent family life and the public health of a crowded, modern city.

825,000 people (at least) live in buildings with unsafe stairs, rotted window frames, plaster holes, or other potentially dangerous conditions.

50,000 additional people (at least) live in physically-sound quarters, but are too overcrowded for their physical and mental health.

Source of Statistics: U. S. Census, 1960

530 babies and children (at least) were bitten by rats in infested dwellings in 1962.

198 children under the age of 7 were poisoned (9 died) in 1962 from nibbling at surfaces with peeling, exposed lead paint, although using lead paint has been illegal in New York City for nearly 10 years.

Source: Bureau of Sanitary Inspections, New York City Department of Health

7,000 children and adolescents were killed or injured in 1962 while playing on "lively" city streets.

Source: New York City Police Department

> ***A family in a cramped, unsanitary tenement is scarcely able to function as a family – to stay together and to pray together in the way a family should.***
>
> **His Eminence,**
> **Francis Cardinal Spellman,**
> **at dedication of the**
> **Cornelius J. Drew Houses,**
> **July 11, 1963**

OUR INCOME-RENT SPREAD

A family (4 persons) with a $6268 gross income should pay no more than $82 a month for shelter and utilities based on October 1962 prices.

Source: Community Council of Greater New York
Family budget standard, revised 1963

Rents for vacant units in buildings constructed between 1960 and 1962 were $44 a room city-wide, more than $75 a room in Manhattan.

Source: Special Vacancy Survey
U. S. Census, December, 1962

Public housing is the only housing they can afford, yet public housing is too often unavailable.

President John F. Kennedy,
Special Message on
Housing and Community
Development to the Congress
of the United States,
March 9, 1961.

Middle-income housing (Mitchell-Lama) rents or carrying charges are averaging $23-30 a room, excluding utilities.

Source: New York City Housing & Redevelopment Board

52.4% of New York City families renting sub-standard apartments have incomes of less than $3,00 a year; 80% have incomes of less than $5,000 a year.

Source of Statistics: U. S. Census, 1960

Incomes of families in subsidized housing in New York City average $3,500 a year. The families pay rents of $12.50 to $18 per room, including utilities.

Source: New York City Housing Authority

LOW-INCOME FAMILIES WANT PUBLIC HOUSING

Their faces here indicate giant satisfaction at this development in a neighborhood which has been so plagued with bad housing and other difficult conditions, knowing as they do better than anybody, that decent housing is the first prerequisite for a decent and orderly life and a decent and orderly community.

Senator Jacob K. Javits

Senator Jacob K. Javits at dedication of Taft Houses,
October 20, 1961.

110,000 families are on waiting lists for apartments in public housing in New York City.

The number of families applying for apartments to the New York City Housing Authority has risen regularly over the past eight years. More than 80,000 families applied for public housing in 1962 alone.

Move-outs from public housing (including tenants who "graduate" into private housing or homes of their own) are at only half the rate of move-outs from private, moderately-prived apartments.

Source: New York City Housing Authority

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Emergency Committee for More Low-Rent Housing
organized by
CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.
Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018
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EXECUTIVE DIRECTOR
Eleanor Vaughan

CHAIRMAN
Paul T. O'Keefe

DEC 20 1963

December 11, 1963

REPORT TO MEMBERS

FROM: Eleanor Vaughan, Exec. Dir.

I have just returned from a quick roundup coverage of Washington, D.C. to check on public housing's prospects there: What does the change in the Presidency mean to public housing? How can ECMLRH contribute to an enlightened and enlarged public housing program for New York City? What is the immediate legislative picture?

I talked with key members of the Housing and Home Finance Agency on Administrator Weaver's staff, with the national professional housing organizations, and with staff directors of both the Senate and House housing committees.

Summed up, here's what's what:

1. President Lyndon Johnson is pro-city and pro-public housing. He has consistently both voted and worked for progressive public housing legislation. Low-rent housing will be in the President's January budget message to Congress.

2. "The formation of the ECMLRH has given low-rent housing its greatest boost in recent years." "Housing will depend on organizations such as yours." (Sorry! off-the-record quotes)

3. The year of decision for public housing may be 1964 -- or it may not be until 1965. The tax cut and civil rights come first. With the expected short Congressional session, any refilling of the empty public housing and the low urban renewal coffers may have to be jammed through at the last minute on an emergency basis. Major housing legislation may thus be passed over to 1965.

   There are tactical factors, too, operating toward a possible delay in housing legislation -- the difficulty of getting Congressional support for "spending" legislation on the immediate heels of "economy" legislation: "I voted to save the people's money yesterday; how can I vote to spend it tomorrow?" Also, in 1965, the popular FHA program will be up

Funds for the work of the ECMLRH were made possible by the generosity of Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps-Stokes Fund

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for renewed authorization. FHA might better swing public housing along in 1965 than the less-popular urban renewal reauthorizations necessary in 1964 could swing it next year.

To get any public housing funds through the 88th Congress, about 20 *new* Republican votes will be needed in the House. This is to compensate for the anticipated loss of Southern Democratic votes -- formerly public housing loyalists but now ('tis feared) ready to retaliate against the cities because of the Administration's civil rights stand.

4. Washington continues to look to New York City expertise "for *technical* leadership" in matters housing. However, "too much direct pressure" (mass visitations by laymen, for example) can swing away the delicately balanced needle of small town and rural-oriented housing votes."

New York expertise is particularly needed on such tricky matters as:

- The *real* attitudes of non-white families to public housing. Do Negroes want good housing *or* integration *first* -- most? "New York must *eventually* rationalize this conflict for the nation" -- but not by 1964. There is time. To press too hard now for an immediate legislative or administrative solution to this knotty problem "could work in Congress" to the disadvantage of both integration and better housing objectives."

- The continued occupancy of over-income families. Will New York take the lead in using all available legal means to permit more such families to remain in residency? This is looked on as a way to siphon off some of the anti-public housing thrusts by certain articulate tenants themselves and to help to satisfy the social work and related professions.

- The question of community facilities and related preventive and curative social service programs for public housing tenants and their neighbors. Can New York expertise suggest amendments and methods to enhance these vitally needed social measures? What can housing do to make those people better, without the housing dollars taking too large a share of society's obligations to the poor and nearly so?

The immediate situation for New York City remains critical but not hopeless. The number of units to be up for debate this session is unsettled. The ECMLRH's demand for 7,500 annually from the federal government for New York City for the next 10 years is not too far out of line. If 1964 legislation is to be stopgap only, HHFA will probably go in to Congress for (for New York) 5,000 as a pipeline-refilling measure.

Equally critical, but still not hopeless, is the low-rent program's more long-range future. "Congress is extremely sensitive about eliminating details in the present Act."

Unless the private sector of the citizenry, as individuals and in such groups as ours, articulate a strong commitment, public housing may get lost in a welter of political and more-or-less extraneous housing issues.

On the Congressional front, the faint praise public housing has been getting in recent years from its old champions is not seen as crucially important. The lineup is still between those who abhor the principle of the government as anyone's landlord and those who look to low-rent housing as one in a set of aids necessary to raise up to par the more depressed elements of the population. If legislation can be amended or revived to do the job even better than it has in the past, well and good (but not crucial).

The Congressional housing leadership fully expects public housing's old socially-conscious friends of the 1937, 1949, and 1961 housing acts to come forward in 1964 (or 1965) to stand up and be counted, without quibbling, in order to counteract the major opposition expected from the real estate boards and the home builders.

On the HHFA administrative front, however, it's a bit more subtle. HHFA would like respectable public opinion, such as the ECMLRH represents, to marshall the kind of facts we have that citizens both inside and outside of public housing need public housing, want it, and like it.

Such facts and convictions will serve to support Dr. Weaver and his people when they go before Congress to call for a continued and enlarged public housing program -- with an equitable share for New York City. Dr. Weaver's now stating publicly that Americans must not "foresake a generally effective- if less than perfect instrument while (they) theorize about the development of a workable substitute. The poor in our society cannot wait for theories to be translated into fact. They need housing and they need it now."

File

METROPOLITAN COUNCIL ON HOUSING

215 WEST 23rd STREET · NEW YORK 11, N.Y. · GR 6- 5161

A Program for Urban Renewal

The Metropolitan Council on Housing - a federation of tenant organizations - is dedicated to the solution of the housing problems of New York City's tenants. The problems of slum clearance and urban renewal are, therefore, of special significance to us.

We cannot support the basis on which the City Planning Commission and the Housing & Redevelopment Board are planning to remake the face of the City. The plans offered do not make available sufficient low and middle-income housing. The vest-pocket projects proposed by the Commission in many of the areas do not give sufficient public housing for low income tenants who urgently need decent housing.

The program of the Commission and the Board is avowedly one of making available 'a preponderance of middle-income housing', to be obtained by 'selected clearance' of sites. They say that a well-balanced community will be achieved by constructing 80% middle-income housing and 20% luxury and public housing combined. (Is our City so prosperous that less than 20% of our citizens may be considered in the low-income category?) In order to achieve this balance, the Board promises to relocate those tenants out of the area whose buildings are pin-pointed for 'selected clearance', using the sites thus obtained for middle-income housing.

200,000 AWAIT PUBLIC HOUSING

In a two-year period, approximately 200,000 families apply for low-income public housing. There is room for only a fraction of them. In the face of this fact, the Commission and the Board recommend that 'vest-pocket projects of low-income housing be built on each site, which would comprise about 250 units, even in areas where the land is vacant and no buildings need be razed. The Metropolitan Council on Housing has no objection to a vest-pocket approach to public housing, if enough vest pockets are provided to house all the low-income families wishing to remain in the area sought for renewal.

While there are variants in the projects presently being discussed by the City Planning Commission, the majority of which involve 'stemming blight , all reach the same end. Those living on the selected sites, in rent-controlled housing, will be removed from the community; the tenants coming into the community will occupy the new housing that is out of the reach of most of those displaced, because the rentals are too high. The token vest pocket projects would not be sufficient to house all the displaced tenants wishing to return.

THE POSITION OF THE METROPOLITAN COUNCIL ON HOUSING

There is a shortage of standard housing units to fill the needs of the City population. The Metropolitan Council on Housing calls on the City to devise an overall, coordinated program to provide housing for the low and middle-income families of the City. A major step in this direction should be a crash program of building new units in both categories on vacant and poorly used commercial land. This would also allow a freedom of movement out of existing dense and deteriorated areas and make possible the eventual rebuilding of those areas.

The Metropolitan Council on Housing states that when areas are chosen for renewal, the first and most pressing challenge of the City is to provide decent housing at rents they can afford for the people now living in bad housing. The Council stresses that only by rebuilding communities in this manner can the good faith of the City Planning Commission and Housing and Redevelopment Board manifest itself. The recent statement by the Mayor urging that the City should retain City-owned parcels for use by the renewal program has long been advocated by our Council and we look forward to its implementation.

DOES "PLANNING" IN CITY PLANNING COMMISSION MEAN PLANNING BETTER HOUSING FOR THE PEOPLE OR PLANNING FOR INCREASED TAX REVENUES? DOES "REDEVELOPMENT" IN THE TITLE OF THE HOUSING & REDEVELOPMENT BOARD STAND FOR REDEVELOPMENT OF COMMUNITIES FOR THE BENEFIT OF THE PEOPLE NOW LIVING THERE OR REDEVELOPMENT TO PROVIDE MORE LUCRATIVE SITES FOR REAL ESTATE BROKERS?

The Commission and the Board have stated that the practices in which the old Slum Clearance Committee engaged will not be carried on by them. This is certainly a consummation devoutly to be wished. The plans, however, would seem to differ from those of the Slum Clearance Committee only in degree. In the ten years since Title I projects have been constructed in our City, more low-income housing has been razed than has been built.

A tally of Slum Clearance Committee evictions over those years is staggering. A rough estimate is at least 10,500 families cut adrift: 5,000 in Lincoln Square; 2,500 in Seward Park; 3,000 in Chelsea. All were driven from their homes to make way for another economic group. A large proportion of those evicted from these sites were Negro and Puerto Ricans.

To these figures should be added, at a minimum, the more than 20,000 Yorkville families who have been evicted by private real estate interests in the same period, to make way for luxury housing.

WHAT IS A BALANCED COMMUNITY?

The plan to 'balance' communities, as proposed by the City Planning Commission and the Housing and Redevelopment, is unworkable and unrealistic. While protesting that every tenant who is displaced will be rehoused in far better housing than he is forced to leave, the plan of the Board would disperse minority groups who have found roots in old, stable communities.

The Housing and Redevelopment Board has publicly stated that no one has a vested right to continue to live where he wishes. The application of this outlook has driven Negro and Puerto Rican families back into ghetto areas and destroyed previously integrated communities.

When a community is segregated, whether economically or ethnically, this fact is reflected in the schools of the area. Everyone looks with horror on Little Rock, on Jackson, on Montgomery. The Board and the Commission must prepare plans to enlarge the areas of integration - not create segregated communities which, before urban renewal, were open to all.

PRESERVATION AND RE-BUILDING OF COMMUNITIES

The Metroplitan Council on Housing urges that the concept of a truly balanced community be kept in the forefront of all urban renewal plans. A statement, therefore, to the effect that 'ample public housing exists in the area' cannot be deemed to solve the problem. If the tenants in the area sought for renewal, need low-income housing, it must be built for those wishing to remain, on that site, jointly with middle-income housing.

We know this approach is not the total solution for ghetto or all-white communities, since we cannot condone the perpetuation of the pattern of segregated communities. The key to integrating these areas lies in the massive increase of the housing supply on vacant and badly used commercial land and vigorous enforcement of strong anti-discrimination laws. However, the application of the Metropolitan Council program, as described above, can be applied in those very areas chosen for urban renewal by the City Planning Commission. In almost all cases, the components of integration are present in these communities. Were the policies of the City Planning Commission and the Housing and Redevelopment Board to be followed, the Negro and Puerto Rican people would be almost entirely 'renewed out' of the newly-created communities. For example, the combination of housing to be set up in the West Side Urban Renewal is not 'balanced'. It is not a balanced community when 7000 low-income families are removed from the site and only 2500 units of supposedly low-income housing provided. (It should be noted that even these 2500 apartments are not all true low-income, since 1010 of the 2500 will be $18-a-room and a large proportion of them located in cooperatives. Despite loans to undertake the buy-in, the installment payments to repay the loan must be figured as added to the monthly rent.)

The history of the City's 10 years of 'people clearance' under the guise of slum clearance, has resulted in segregation; in the breaking up of families; in the bankrupting of small businessmen; in the demoralizing insecurity and resultant delinquency of many of our young people. It has brought about the impoverishment of displaced tenants, forced to pay higher rents and double fares, out of incomes already stretched to the breaking point. These problems have been forced upon the people of our City by the City's so-called housing program.

The Metropolitan Council on Housing urges the adoption and implementation of a true urban renewal program for the City of New York by increasing the housing supply; replacing bad housing with good housing for those tenants living on the site at rents they can afford and by planning for construction with a minimum of dislocation, displacement and disruption.

BASIC PRINCIPLES

The basic principles for urban renewal should include:

1. Community participation by the tenants themselves in plans for their community;

2. Building low-income public housing units in the area sought for renewal for the low-income tenants wishing to remain on the site while simultaneously providing additional units of middle-income housing to create a balanced community.

3. Construction of the new housing first on vacant or badly-used commercial sites; the new housing to be built in stages, where necessary, thus minimizing the need for dislocating large groups of tenants. The site tenants then to move into the new housing which has been built with their planning and help.

With such guarantees built into each area plan, the Metropolitan Council on Housing would welcome the opportunity to offer enthusiastic support to the Commission and the Board. Indeed, we would be proud to work for the adoption of a program which sincerely offers to the residents of our City decent housing, within their means, in neighborhoods where there is no bar to race, creed or nationality. Such a plan will not be resisted by communities. More important, the tenants in those communities will give their active and enthusiastic support to such a plan, because from the beginning they will know that the planning is for them, stemming from their needs.

September 1961
Revised October 1962

METROPOLITAN COUNCIL ON HOUSING

215 WEST 23rd STREET NEW YORK 11, N. Y. SP. 7-8900

NEIGHBORHOOD CONSERVATION

A QUESTION: What is the City's Neighborhood Conservation Program? Is it the magic medicine that can cure our deteriorating neighborhoods? Or is it -- as charged by some residents in the Chelsea Conservation area -- "definitely slowly destroying communities in its own special way"?

Just what does the public know about Neighborhood Conservation? No overall public report has ever been issued so that the program could be discussed and evaluated. Here, for your information, are some of the facts. Here, also, is the METROPOLITAN COUNCIL ON HOUSING's program for true City-wide conservation.

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WHAT IS "NEIGHBORHOOD CONSERVATION"?

It is a program developed to "stop the spread of blight in New York City's sound neighborhoods." Conservation was launched in 1959 as Mayor Wagner's answer to the bulldozer method of urban renewal. It is financed by local sponsors, such as settlement houses, churches, hospitals and educational institutions, with Federal financial aid. The City provides the inspectors and a central staff. Conservation programs are now in operation in seven areas: Chelsea, Bloomingdale, Morningside, Hamilton Grange, East Harlem, Carnegie Hill and Hudson, all in Manhattan. These areas contain 37,000 apartments housing 80,000 persons.

In addition, Area Services programs have been set up in nine areas. This is a limited form of Neighborhood Conservation, and is located in neighborhoods facing demolition by urban renewal within 10 years. It is a "holding action," aimed at keeping a minimum of services going until the buildings are torn down.

When Neighborhood Conservation enters an area, a local office is opened, with a small staff. The City assigns a Buildings Department inspector and a Health Department inspector. Liaison is set up with the Welfare Department, the Rent and Rehabilitation Administration and other City departments, as well as with private social agencies.

Conservation tries to attack housing blight mainly through code enforcement and rehabilitation. To enforce the City's housing laws (code enforcement), the Buildings and Health inspectors make cellar-to-roof inspections, re-inspect periodically and go to court when the landlord is prosecuted for failure to correct the violations reported.

Neighborhood Conservation enters a neighborhood by administrative decision, without public hearing before the Board of Estimate. The only public hearings held, either on designation as a "Neighborhood Improvement District" or a "Non-assisted Urban Renewal Area," are held before the City Planning Commission, a non-elective body. This procedure has been criticized by some communities.

WHAT HAS BEEN THE EFFECT OF NEIGHBORHOOD CONSERVATION?

What has Neighborhood Conservation done to the people in its neighborhoods? After all, neighborhoods are basically the people who live there, not buildings.

1. Relocation and Neighborhood Conservation: A large portion of the violations reported are for overcrowding, that is, violation of laws against overoccupancy. When an overoccupancy violation is found, the family is relocated.

lost rent

Since its inception, Neighborhood Conservation has removed 1444 families from their neighborhoods. Relocation accounted for 186 families in 1960; 368 families in 1961; 695 in 1962; and 195 families in the first four months of 1963. Thus the relocation load is increased every year. There are no figures on the number of families who relocate themselves and become "unknowns." Many move to rapidly deteriorating areas which face urban renewal in the near future, and from which they will again be forced to relocate. Many move into decontrolled housing, such as two-family houses. Less than 10% go into public housing.

This year, two new occupancy laws take effect which will cause even more violations and more mandatory relocation. These are the laws against children in furnished rooms and the requirement of a toilet for every 6 tenants. Both are good laws, and necessary for health and for family living. But enforcement should be coordinated with increased housing construction so that families will not be shunted from one violation building to another.

Relocation from Neighborhood Conservation started small but is increased alarmingly every year -- adding to the mounting total burden of relocation in the whole City of almost 11,000 families per year.

2. Minority families and Neighborhood Conservation: Most of the relocated families (95% or more) are Negro and Puerto Rican. They are moved from integrated neighborhoods, such as Chelsea, to segregated ghetto areas in Bedford-Stuyvesant or the South Bronx.

Neighborhood Conservation has had the discriminatory effect of removing Negro and Puerto Rican families, placing the hardship of relocation on them, and making the Neighborhood Conservation area more "white." The Chelsea Neighborhood Conservation report of April, 1961, said that, "in addition to the physical change of the buildings, so too has there been a noted change in both the attitude and appearance of the people. They are better clothed, and judging from their appearance better fed, and making better use of the health facilities." Judging from this description, "upgrading" a neighborhood is a polite way of saying that poor people, especially Negroes and Puerto Ricans, have moved out, and higher-income whites have moved in.

3. Rehabilitation and Neighborhood Conservation: The plan for City loans for rehabilitation has not worked. Not one of these loans has been made in the entire

City. Instead, rehabilitation and renovation has been done privately with loans from banks, individuals and institutions. The result has been high rents in the renovated units.

Mrs. Hortense W. Gabel, the first director of Neighborhood Conservation, and present Rent Director, called Neighborhood Conservation the "carrot and stick." The carrot was the offer of loans, and the stick was code enforcement. The landlords in Neighborhood Conservation areas, however, prefer caviar to carrots. They turn to expensive rehabilitation, conversions and demolition to reap the caviar of high rentals.

In Chelsea 27 out of 100 buildings have undergone conversion to high-rent units. Another 11 buildings have been demolished for a luxury apartment house. Chelsea is finding that Neighborhood Conservation means a rapid change from low rents to high rents. Chelsea is finding that Neighborhood Conservation means the green light to real estate speculators who would like to turn Chelsea into another Yorkville or Greenwich Village.

The only type of rehabilitation which has produced low-rent housing has been the Housing Authority "rehabs" on West 94th Street. In this case the cost of rehabilitation was subsidized. The resulting apartments were rented by the Housing Authority as public housing. More of these are needed, not private rehabilitation.

In buildings both within and outside of the Chelsea Neighborhood Conservation area, landlords are refusing to make needed repairs, saying, "I'm thinking of selling the house -- property values are going up." Thus, tenants are not only threatened with future eviction, but are being denied ordinary maintenance, which only increases the pace of decay.

4. The housing shortage and Neighborhood Conservation: One basic way to improve neighborhoods is to provide enough housing so that people will not be compelled to crowd. Yet, according to Neighborhood Conservation in New York City, a report by Frances Low published by Citizens' Housing and Planning Council in June, 1962: "To date the Conservation neighborhoods . . . are not adding to the supply, in fact they are watching it diminish."

Neighborhood Conservation should have been preceded by small vest-pocket projects on vacant or poorly-used commercial sites in the Conservation areas before relocation of over-crowded families was begun.

5. Code enforcement and Neighborhood Conservation: Neighborhood Conservation claims that compliance rate (the rate at which landlords make repairs and correct violations) is very high. A compliance rate of 94% is claimed for Chelsea.

However, a study of buildings in a Conservation Area in 1962 by the Women's City Club found a total of 1319 violations in 59 apartments, an average of more than 22 violations per apartment. These apartments had been reported "cleared" in 1960. There were 347 hazardous or potentially hazardous violations with at least one in each apartment. The study report, Maintaining Decent Dwellings, concluded that "even buildings which have had the special advantage of being in a Conservation area are found to be in deteriorating condition."

Code enforcement in Neighborhood Conservation areas has not been able to overcome the handicaps to code enforcement all over the City. These are: 1) lack of sufficient inspectors; 2) overlapping departmental responsibility; 3) confused record-keeping; 4) and most important, judges who slap slumlords on the wrist and impose picayune fines instead of jailing them.

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A PROGRAM FOR TRUE CITY-WIDE CONSERVATION

The City's Neighborhood Conservation Program has been destructive of moderately priced, rent-controlled housing. It has had a discriminatory effect on Negro and Puerto Rican families and has intensified segregation. And its positive benefits are too few and too limited. Neighborhoods all over the City need conservation -- but they need true conservation. A true City-wide conservation program would include:

1. Stricter enforcement of housing laws. More inspectors, a centralized department of housing inspection; cyclical annual inspection; stiffer fines and jail sentences for slumlords and a speeded-up court procedure; and stronger rent control. The City should use both its power of receivership and the power to make repairs, suing the landlord for the cost of doing so. (Sec. 309 of the Multiple Dwelling Law.)

2. More new housing at rents people can afford, constructed on vacant and poorly-used commercial land in congested areas. This housing should be built before overcrowded families are moved. New public housing should also be constructed in the under-developed sections of the City, such as Queens and Staten Island for families who might prefer to move there.

3. A moratorium on the demolition and conversion of habitable rent-controlled housing, until the housing shortage is relieved.

4. Rehabilitation of the worst buildings by the Housing Authority at low rents.

These four points would go far toward preserving and improving neighborhoods all over the City -- by making housing better for the people now living in them and by increasing the housing supply. Instead of spending half-a-million dollars annually for "Neighborhood Conservation," the City should pause, evaluate the results, and adopt a program of true City-wide conservation.

June, 1963.

TENANT NEWS

METROPOLITAN
COUNCIL ON HOUSING
215 West 23rd Street, New York 11, N.Y.
SP. 7-8900

NYC Housing Groups

THREE TENANT ORGANIZATIONS UNITE, ACT FOR RENT CONTROL

Three major tenant organizations--the Metropolitan Council on Housing, Organized Tenants, Inc. and the Tenants Assn. of New York have joined forces to strengthen rent control. They met recently to form ACT (Action Committee of Tenants).

ACT will aim its activities toward one big goal --a huge tenant rally and demonstration outside rentcontrol hearings scheduled for Dec. at the City Council. ACT is asking that the rent control hearings be held during evenings and weekends so working people can attend, that a bigger auditorium than the City Hall chambers be used, and that separate hearings be held for landlords and tenants.

The founding meeting included Jane Benedict and Richard L. Levenson of Met Council, Marcy Feigenbaum, Maxine Pless and Anna Bernstein of Organized Tenants, Inc. and Mike Bossinger and Sam Adelman of the Tenants Association of N,Y.

Additional organizations -- civic, community, church and synagogue, labor unions and civil rights -- have been asked to co-sponsor.They will help map the pro-rent control campaign and will mobilize tenants in each community. An expanded meeting will be held soon.

Petitions and rallies

Even before the formation of ACT, Met Council had begun to work toward the Dec. hearings. Local af-

Vol. II, No. 1
Sept., 1963 (please turn the page)

MET COUNCIL JOINS WASHINGTON MARCH, SUPPORTS OCTOBER CITY HALL MARCH

"I was there -- in Washington!" That proud boast can be made by144 members and friends of Met Council who filled two railroad cars on the Aug. 28th Washington March for Jobs and Freedom. Another 100 or more had to be turned down because of lack of transportation.

Following the Washington event,the Executive Board voted to support the New York City Hall demonstration tentatively set for Oct. 13th. All members and affiliates are urged to participate and will be notified of the date and hour.

Housing is one of the most basic and serious areas of discrimination. It affects segregation in the schools and almost every other form of segregation. Therefore Met Council has decided to make discrimination the central point in its Nov. 16th Annual Conference. Each aspect of housing-- rent control, public housing, urban renewal, etc. -- will be discussed with particular emphasis on discrimination and what tenants, working together, can do to overcome it.

MetCouncil delegates in Washington.
(Photo by Lucille Flato)

METROPOLITAN COUNCIL ON HOUSING
A FEDERATION OF TENANT & NEIGHBORHOOD ORGANIZATIONS
METROPOLITAN COUNCIL ON HOUSING
A FEDERATION OF

(cont. from page 1)

filiates began collecting signatures on petitions. During the summer outdoor rallies were held by the LowerEast Side Tenant Council,YorkvilleSave Our Homes Comm., RENA, & Uptown Tenant Council.

Tenant rally at Dec. hearings

All of these actions -- locally and citywide by ACT -- are pointed to the Dec. rent control hearings. The thousands of people who have a stake in rent control must be at the hearings and demonstrating outside.

Your local tenant group can help. Attend ACT meetings, organize your neighborhood for rent control and get the tenants to ACT.

IT PAYS TO ORGANIZE . . . .

On March 11th a basement fire at 211 Grand St.drove the tenants out of the building. Most apartments were untouched by the fire,but the landlord padlocked the building and refused to make the necessary repairs to restore the water, gas and electricity.

After 5 long months of appeal to every City agency and courts, the families were still locked out and living like nomads -- mothers separated from children, wives from husbands,sleeping on floors of relatives and friends. In desperation, 6 families, assisted by the Housing Clinic of the University Settlement, moved back into the building. They were still without water, gas or electricity but with their families united.

Huge sheets were hung out of the windows with lettering reading: "Mayor Wagner, would you live this way?" -- "The City has the power. Give us services. Five months is too long." The courageous action of the tenants, led by the articulate and angry Fauci family, was publicized by the newspapers,radio and TV. The result? The City took over thebuilding in a long overdue receivership action while the tenants occupied their apartments and supervised repairs.

LEGISLATIVELY SPEAKING

by Frances Goldin

Vacancy survey heartens tenants

Last month the Bureau of theCensus provided figures to show what all New York tenants knew from bitter experience -- there are still no apartments to be had. Landlords, too, know this but are willing to swear that black is white if it will kill rent control. The leading landlord group, the Metropolitan Fair Rent Committee, did just that. They interpreted the vacancy survey to show that there is plenty of vacant housing and that rent controls should be dropped.

But the survey showed that less than 2 of every 100 rental dwellings in the city are available for rent -- a vacancy rate of 1.9%. This is far below the5% rate which must be reached before controls can be lifted, according to the City Rent Law.

Tenants demand no compromise

It is hoped that the survey will strengthen the hand of the RRA in fighting for stronger controls and closing existing loopholes. Hearings on rent control are scheduled to be held in Dec.,1963 before the City Council. Recent indications are causing concern that concessions and backtracking will be proposed by RRA officials. An aroused,articulate and organized tenant body can prevent any sellout and guarantee a stronger rent law and more protection for tenants.

A joining of tenants,unions, political, community and fraternal and religious organizations can overwhelm any landlord coalition. The next two months must see the growth of such a groundswell.

Ed. note: TENANT NEWS is, alas, without the pert touch of staffer Meryl Lewis this month. Obey your doctor,Meryl -- get back in bed -- and get well fast. We need you.

TENANTS OPPOSE CITY PLANS; CHARGE RENTS WILL RISE, COMMUNITY IGNORED

In a 67-page "Rehabilitation Report," the City Planning Commission last month proposed a major rehabilitation program in 5 study areas. These are St. Nicholas Park and Cooper Square (Manh.), Children's Museum (Brooklyn), Corona-East Elmhurst (Queens) and Bronx Pk. West. All are heavily populated with Negro and Puerto Rican tenants.

The report shows that the City has learned that bulldozing is an ugly word where urban renewal is concerned. The new word -- new but just as devastating -- is rehabilitation.

In at least two areas, local groups have immediately reacted. They charge that (1) the City has ignored the community's opinions and the much-touted new policy of "citizen participation" has flunked its first real test; (2) rehabilitation under the City plan will probably mean big rent increases.

In the Children's Museum Area, the MetCouncil-affiliated Tenants Welfare Committee of theParkway-Stuyvesant Community & Housing Council, a homeowner-tenant group said:
"We are deeply concerned because of the fundamental concept underlying the entire report, i.e., that the improvement of our community shall be financed through increased tenant rentals of up to $40 per month per family per apartment."

The Cooper Sq. Community Development Committee and Businessmen's Assn., Met Council affiliate, began alerting tenants to come to the public hearing scheduled for Sept. 23. The committee urged rejection of the City proposals and adoption of the Cooper Square Alternate Plan instead. The Alternate Plan was developed bythe committee with the aid of a city planner and has attracted wide support. It is aimed at providing good housing at reasonable rents for the tenants in the community. Information about the plan and detailing the community's case against the City plan are available from the Cooper Square Committee, 69 - 2nd Ave.

MET COUNCIL DIARY

July 30: Public housing received almost unanimous support from a wide range of organizations testifying at the hearings of the Temporary State Commission on Low-income Housing. While criticizing the many shortcomings of the public housing program, most speakers urged its continuance and an increase in the number constructed.

Esther Rand, representing Met Council, cited the backlog of public housing applications and the wage statistics in the city as evidence that a continued and expanded program is urgently needed. At the same time she argued for immediate correction of the faults of public housing -- site selection, de facto segregation, its design and administration. Her statement also pointed out that increased public housing construction would help ease growing unemployment in the state.

Her statement and a summary of testimony by other organizations is available on request from Met Council, 215 West 23rd St., NY 11.

Aug. 26: Breezy Point Park was endorsed by Met Council at the Bd. of Estimate public hearing. Our spokesman, Richard L. Levenson, had to leave the jammed, marathon session and he filed a written statement. In addition to backing the park, he asked that the cottage-owners there be given life-tenure and adequate compensation.

SAVE THAT DATE!

Sat., Nov. 16th, at the McBurney YMCA, 215 West 23rd St. for the Annual Conference of Met Council ... panels, discussion, action!

MODERN LIVING CHELSEA-STYLE

Have you seen the infamous "horror house" of Chelsea at 221 West 21st St.? Earlier this year it was called the "muchroom house." Leaks were so bad throughout the building that a huge mushroom fungus grew from a rotting wooden beam in one tenant's kitchen. Ceilings were falling; stairs were perilous; one tenant caught 40 rats in 2 months; the landlord refused to buy coal for hot water. A community campaign by the Chelsea Save Our Homes Committee and the tenants resulted in agreement by the City to put the building into receivership. Brought into court on July 10 the landlord promised to make repairs within 21 days and the City dropped its action.

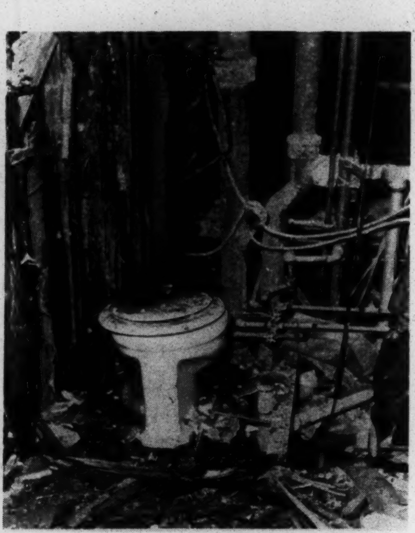
Two months later the house was a HORROR HOUSE. Toilets and bathtubs were torn out and lay unconnected in the halls; walls, closets, and floors were ripped out; one tenant had to walk across a wooden door suspended between rooms or she would fall through.

Instead of repairing, the landlord had begun to gut the building with the tenants still living there. The tenants feel that they are being forced out to permit the landlord to convert the 20 apartments into luxury, decontrolled units.

Again the tenants and the Chelsea Save Our Homes Committee demanded that the City act. Finally, on Sept. 12, in an emergency proceeding the building was taken into receivership. But actual City takeover was suspended for 30 days to give the landlord yet another chance. The tenants were shocked at the extension of time. The landlord had already shown that he did not intend to make repairs and make the building fit to live in.

The tenants have been forced to vacate the building temporarily because it is dangerous. But they intend to return. They will keep fighting to turn the "horror house" into happy homes for their families.

Jane Wood



Modern toilet facilities in the "horror house". Photo by Dick Frazier.

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CORE LEADER TO KEYNOTE 5th ANNUAL MET COUNCIL CONFERENCE, NOV. 16th

Segregation in housing ...how does it affect both Negro and white tenants ... what can we do about it? These will be the central questions at the 5th Annual Conference of Met Council on Sat., Nov. 16, 10 am-4 pm at 215 W.23rd St. Stanley Aronowitz,national representative of the Amalgamated Clothing Wkers., is this year's chairman.

Conference delegates will hear a keynote address by Oliver Leeds, chairman of Brooklyn CORE. Mr. Leeds is expected to highlight action needed to achieve full integration in neighborhoods.

Panels are scheduled on: 1. Housing violations, 2. Urban renewal, 3. Public housing. In addition, a special panel for Spanish-speaking participants will deal with all these housing problems in Spanish.

This year's conference will emphasize action. The panels will discuss what the tenants need and want. They will then discuss how to win these demands -- and will formulate a program of action.

Among those who will be on the panels are CouncilmanTed Weiss,Cong. Leonard Farbstein and John Lindsay, Assem. Felipe Torres, Mario Abreu, organizer for Dist.65,RWDSU, Thelma Burdick, Cooper Sq. Dev. & Bus. Comm., Rev. Arthur Simon, Tompkins Sq. Hsing. Comm., GranvilleCherry, Harlem Education Project, Jacob Volkmann, Sr. Manager, NYC Housing Authority, Jorge Rodriguez, chairman, Carver Project Tenants Assn., as well as manyMetCouncil leaders.

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October, 1963

TENANTS LINE UP FOR RENT CONTROL

Met Council's RentControl Petition campaign is rolling ahead full steam. Write or phone for more petitions. Your organization's name can be stamped on the bottom.

RENA gets signatures

The long lines of people at 145th St. and Broadway and at Amsterdam and 162nd St. on Sept. 26 weren't waiting for free dollar bills.They were waiting patiently to sign an enormous petition for rent control.

At street rallies held by theHousing Committee of RENA (Riverside-Edgecombe Neigh. Assn.) the petition was unrolled to permit tenants to add their signatures. The committee plans to continue collecting signatures on Saturday mornings in front of local supermarkets and to circulate individual petitions in organized buildings.

Yorkville sees legislators

Further downtown the Yorkville Save-Our-Homes Comm. has been seeing its elected representatives to ask their support for rent control and for more public housing. Most of the legislators have come to committee meetings to hear directly from the tenants what they feel about needed legislation. Others have been seenby delegations in their offices. So far Councilmen Robert Low and TheodoreKupferman,Congressman Lindsay,State Sen. Jerome Wilson, Assemblyman Carlos Rios and Councilmanic candidate Paul O'Dwyer have been seen. Other appointments are being made.

Yorkville is also continuing to circulate rent control petitions.

TENANTS IN "REHABILITATION" AREAS PROTEST RENT RISES;URGE OWN PLAN FOR IMPROVEMENTS WITHOUT INCREASES

The New York Times summed up the testimony of 101 speakers at the CityPlanning Commission's hearings on rehabilitation last month -- "they mistrusted government when it came to urban renewal." Or in the words of the proverb -- the burnt child fears the fire.

More than half of the speakers opposed inclusion of their areas. Why? The City's plan was scored as not representing community opinion in most of the neighborhoods. Many speakers, both pro and con, showed concern because of the vagueness and unanswered questions in the CPC's published report.

Plan hurts low-income tenants

The point was also made that most of the tenants who would be removed or whose rents would rise areNegro and Puerto Rican with low incomes. Hundreds of families would be forced onto welfare or "rent subsidies." In either case,they would be subject to the indignities and humiliation of income checkups and welfare investigations.

Is 25% too much?

A new figure loomed ominously at the hearings. A cut-off point of 25% was offered as the proper percent of income to be spent for rent. It was assumed by Rent Administrator Gabel and the CPC that families could well afford to pay up to 25%. Families paying over that amount might be subsidized. Figure it out for yourself. A family earning $77 per week would spend $83 per month on rent, leaving about$57per week for food, clothing, medical care,recreation, education and other "luxuries."

Rent control undermined

Tenants all over the city, even those not in rehabilitation areas, are worried that this will be used to force up the general rent level and to undermine rent control.

Met Council opposes City plan

In her testimony MetCouncil chairman Jane Benedict emphasized that Met Council does not oppose the *idea* of rehabilitation. The Council is anxious to see deteriorating housing made livable -- but is opposed to loading the burden of payment on tenants.It is the landlords, especially absentee slumlords,who have let their buildings run down.Under the City plan these slumlords would be rewarded with big rent increases and a 12%return on their investments.

Among MetCouncil affiliates testifying in opposition were theCooper Sq. Community Dev. & Businessmen's Assn., the Uptown Tenant Council & theTenantWelfareComm. of the Parkway-StuyvesantComm.Council(Bklyn.).

Rehabilitation without rent rises

The last group offered its own plan for financing rehabilitation without raising rents. Under its proposal,the City would set up a special bank to make 20-year loans to landlords and small homeowners at a low 1% interest. An owner who maintained his property would also receive tax benefits equal to the yearly cost (repayment of loan and interest) of the rehabilitation.It would thus cost the landlord nothing and the tenant's rent would not be increased. The cost to the City in lost taxes and loan expenses would be very small.The Brooklyn group estimated that the City could rehabilitate their community of almost 13,000apartments for the same price it would cost to build 100 new public housing apartments.

CORE alerts tenants

In the St. Nicholas Park area,Manhattan CORE, along with Met Council and the Uptown Tenant Council, will hold a huge rally on Oct. 21 at Edgecombe Ave. and 135th St.

That evening tenants in the area will be alerted to the City's plan for rehabilitation and rent increases in their neighborhood. The rally is expected to kick-off a continuing drive to organize tenants in St. Nicholas Park for improved housing conditions without rent increases.

LEGISLATIVELY SPEAKING

by Frances Goldin

Those who fought so hard for a receivership law are thinking hard of ways to make it effective - for it is not now serving the purpose for which it was conceived.

Crippled with a weak law, insufficient funds and staff, the Building Department takes from 4 to 7 months to have a Receiver appointed on a house which was in a hazardous and unsanitary condition at the start! The very intent of the law is defeated by this absurd procedure.

In those cases when a Receiver is finally appointed after heroic, persistent fight by tenants and Housing organizations, the battle is still not won. At this point, tenants expect fast effective repairs, but get more delays and neglect. One tenant with a toilet broken for 4 months with a private landlord waited another two for the City to make this simple repair. After 3 months of City Receivership and 52 unrepaired violations remaining, the building was returned to the original slumlord.

The existence of the law has served as a threat to the slumlord. But its purpose was to provide active, speedy relief, as well, and this *can* be its result. There is no reason why a Receiver cannot be appointed within a month in an emergency, and all qualifying cases are emergencies. Repairs should be made within a week after the City takes over, rather than the current delay of 2 months. Manhattan and the Bronx have reported many buildings with disheartening experiences before and after appointment of a receiver. The concept of this law is a good one, but its application lacks humanity. Discussions, conferences and open hearings are in order to make effective a hard won but indecisive piece of legislation.

MET COUNCIL DIARY

Public housing: Jane Benedict, Met Council chairman, last month accepted an invitation to join the Emergency Committee for More Low-Rent Housing, organized by Citizens Housing and Planning Council. Paul T. O'Keefe is chairman. The major civic, housing and civil rights groups of the city are represented.

Sep. 26: **Immediate enforcement of new zoning laws** was endorsed by Met Council in a written statement filed with the Board of Estimate. Public hearings were held on proposals to delay again the enforcement of the new regulations. Met Council asked for immediate enforcement to stop builders who are rushing to tear down dwellings and build luxury apartments at high density before the zoning crackdown.

Oct. 9: **Cadman Plaza** -- Met Council wrote to MayorWagner about the State turn-down of the public housing site adjacent to the Cadman Plaza urban renewal area. MetCouncil had opposed Cadman Plaza as a whole altho, at separate hearings on public housing, it had endorsed the public housing proposal with criticisms. Met Council had pointed out that (1) the site was inferior, (2) that it was physically separated from Cadman Plaza and would not provide economic and racial integration in Cadman Plaza as claimed by City officials. This promise of integration was used to win support from some civil rights groups at theCadmanPlaza hearings.

Met Council, in its Oct. 9 letter to the Mayor, asked that "even at this late date heroic measures be undertaken to include public housing (in Cadman Plaza) by one means or another. Let us not have another urban renewal of the kind that New York City has said it would never build again."

CITY IGNORES TENANT PROTESTS; OK'S TOMPKINS SQ. URBAN RENEWAL PLAN

Continuing its pattern of mouthing platitudes about racial and economic integration--while constructing upper middle-income housing--the Bd. of Estimate last month approved the TompkinsSq. urban renewal plan. It will build 900 units of middle-income housing, including 40 town-houses for artists.

No attempt was made to include new low-rent housing for the 167 families living on the site. Vicky Cerilo,chairman of the site tenants, protested the plan. Rev. Arthur Simon, Tompkins Sq. Housing Comm. chairman, also spoke in opposition.

TheCity's terrible indifference to community needs was capped by the fact that the decision to approve the plan was made immediately after the hearing ended at 10 p.m. without pausing to think about arguments against the plan.

The Mayor and the Bd. of Estimate received much publicity during the March onWashington where they were given front row seats. But they seem to have missed the point. It was this type of discrimination -- the removal of PuertoRican and Negro families to make way for higher income white families -- that was one of the targets of theMarch.

Esther Rand

WISE OLD OWL WATCHES "HORROR HOUSE"

"Who-o-o is watching our landlord?" asked the live owl joining demonstrators in front of 221 West 21st St. on Wed. morning, Sept. 25th. Tenants of the "horror house" of Chelsea (see Sept.TENANT NEWS) and the Chelsea SaveOurHomes and BusinessCommittee used the owl as their watchbird in a Community Watchout.

Forced out of the house by interior demolition, the tenants asked that the City see to it that the landlord complete repairs promptly and not subdivide the house into decontrolled units. They asked for City receivership immediately if repairs are not completed within the promised 30 days.

As the owl left the demonstration, reliable sources have told TENANT NEWS,he nodded and said, "Be wise, -- organize."

STOP THE
HURT

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250 DELEGATES AT MET COUNCIL CONFERENCE HEAR CORE LEADER HIT DISCRIMINATION AND SLUM LANDLORDS; PLAN ACTION TO WIN DEMANDS

"Slumlords are the only merchants in the U.S. who can sell second-hand merchandise not in first-class condition. Even a used-car dealer shines up the car." These were the pointed words of Oliver Leeds, ex-chairman of Brooklyn CORE, and keynote speaker at the 5th Conference of Met Council on Nov. 16th. His hard-hitting speech to the 250 registered delegates and observers set the tone for the panel sessions and the final plenary session in the afternoon.

The Conference was billed as an "action" conference and it ended with specific proposals for strong action to win specific goals:

- From the CODE ENFORCEMENT panel, 1. The President, the Governor and the Mayor were asked to declare as disaster areas those areas most seriously suffering from lack of code enforcement, such as Harlem, East Harlem, Southeast Bronx, Lower East Side and Bedford-Stuyvesant; 2. Mass demonstrations at the rent control hearings before the City Council in January; 3. A continuations committee to work on direct action such as Citywide rent strike, picketlines, etc.

- From the URBAN RENEWAL panel, 1. Organization and support for those tenants who refuse to move from their homes and face eviction for urban renewal, conservation, luxury housing or rehabilitation; 2. Picketlines at the Housing and Redevelopment Board; 3. A March on Washington for rebuilding a democratic America.

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November, 1963

- From the PUBLIC HOUSING panel, 1. A demand that New York City build 500,000 new units in 10 years or 50,000 units per year; 2. Picket lines at State and Federal public housing offices; 3. Face-to-face meetings between Gov. Rockefeller and tenants who are waiting for public housing; 4. A meeting with Federal housing boss Robert Weaver.

- From the Spanish panel, ACCION PARA VIVIENDAS DECENTES, a decision to form a new group, consisting of Spanish-speaking tenants, under the auspices of Met Council, to deal with the specific problems of this minority group, including discrimination.

Copies of the resolutions will be sent to all registrants and to anyone who sends in a request.

Who was there?
A quick look at the registrations shows delegates from Met Council affiliates, including the newest member, Ebbets Field Tenants Action Committee..from CORE, NAACP, Urban League & other civil rights groups ..Mobilization for Youth...churches ...political clubs, both regular & reform Democrats, and Republicans ...community organizations....many public housing tenant associations ...labor unions, including Dist. 65, RWDSU, Drug & Hospital #1199, Cooks Union #89, Fur Joint Board, as well as observers from other unions.... Puerto Rican organizations....government bodies...and, finally, New Jersey and suburban housing groups.

MET COUNCIL DIARY

Oct. 22: Esther Rand, Met Council Exec. Bd. member, spoke at the Improvement Assn. of the East 20's.

Oct. 24: Mamie Jackson, Board member and exec. dir. of the Bronx Council on Rents and Housing, addressed the Furriers JointCouncil.

Nov. 12: Jane Benedict, chairman of Met Council, was guest lecturer at a class on "Citizen Participation in the Modern City," at the New School for Social Research. The class is taught by Walter Thabit, city planner and consultant on the Alternate Plan for Cooper Sq.

Nov. 21: Jane Benedict journeyed out to Garden City, L.I., to speak for Met Council at the legislative program hearing of the NY State Democratic Committee. She urged strengthening of laws against discrimination in housing and legislative action to revive and increase the public housing program.

TENANTS TALK TURKEY

Tenants of the infamous "horror house" of Chelsea (see Sept.& Oct. TENANT NEWS) talked "turkey" at City Hall on Nov. 12. Disgusted at delay after delay in putting their building into receivership, they picketed City Hall with a stuffed turkey. They have been unable to live in their apartments since Sept. 10 because the building is unsafe. The tenants warned Julius Edelstein, asst. to the Mayor, and Judah Gribetz, Deputy Commner. of Buildings, with whom they met: We intend to eat Thanksgiving Dinner in our homes -- whether or not repairs are finished by then.

The tenants and members of the ChelseaSave Our HomesComm. carried signs reading, "The landlord gets the turkey, We get the leavings." TheMayor was asked to speak out on court delays in putting neglected buildings under receivership. In the words of the tenants--"We have had enough gobble-gobble on receivership! We want action!"

LEGISLATIVELY SPEAKING

by Frances Goldin

For several years, ever since Robert Moses went to Washington and got special permission for NY City to "urban renew" by selling tenants and buildings along with the land to private sponsors, Met Council has been fighting to end this dangerous practice. Mayor Wagner has just announced that this procedure will be changed, and the City will relocate the tenants and clear the land before the land is turned over to sponsors. It may bring lower rents ($2.50 per room) for middle-income apartments in urban renewal.

Altho this is undoubtedly a timid step in the right direction, it is too little and too late and does nothing to solve the current housing crisis. Unless the Mayor and our legislative bodies take some giant steps along three main avenues of relief, an aroused citizenry will find a way to express its discontent and place the blame for the housing crisis where it belongs.

Three basic steps must be taken if there is to be any real progress:

1. We have urged before and repeat now: Mayor Wagner should lead a mass delegation of tenants to Washington and Albany to revive the dead public housing program and demand immediate funds for massive new public housing construction.

2. New housing must be built on vacant land or badly-used land. Thus every apartment built will be a net addition to the supply.

3. Finally, the City must realize that new building must be done in stages, so that those now living in bad housing can move into good new reasonably-priced housing in their own community. Until slum dwellers are the benefactors and not the victims of urban renewal, it will be rejected by the tenants.

RECOMMENDED READING

"REHABILITATION -- What Does It Mean to Tenants?," issued by Met Council in November. The basic question to be answered is: "Who pays for rehabilitation?" The answer, in the City's plan which is analysed in this report, is you -- the tenants! And the cost would be high. Rent increases would be at least $15 to $40 per month, also according to the City's plan.

The Met Council report contains suggestions for rehabilitation without rent increases. Copies are available from Met Council, 215 W. 23 St., NY 11 or call SP 7-8900.

"Report of Ad Hoc Committee on the West Side Urban Renewal Plan," issued by the F.D.R.-WoodrowWilson Democrats, 107 W. 96th St. A detailed, serious study of what has gone wrong with the WestSide urban renewal plan; failure to provide low-priced housing in time, relocation snarls, tax exemption for luxury rehabilitation. Many of these faults had been pointed out by Met Council in its opposition to the plan. It is encouraging that a group on the Upper WestSide is finally taking a critical and thorough look at the plan. We urge that others study this report and take action accordingly. It is available from the AdHocCommittee.

"Family and Social Change in an African City; A Study of Rehousing in Lagos, Nigeria," Peter Marris, Northwestern Univ. Press, 1962. Urban renewal and how and why it went wrong on another continent.

The Met Council Executive Board is temporarily without one of its most valuable members, Mrs. Petra Rosa. We hope that her illness (the all-too-common bad back) will not keep her from us too long.

The ExecutiveBoard is glad to welcome three new members who filled vacancies: Stan Aronowitz, Jose Fuentes and Bryna Zwicker.

TENANT NEWS GETS SUPPORT

TENANT NEWS wishes to thank Morris Steinhaus for his generous gift of $50 in memory of Robert Wood. He was a former associate of Bob's. We hope that other friends of Bob will continue to support TENANT NEWS in which he was so interested.

LANDLORDS RALLY TO KILL CONTROLS or The Inside Story of the "Liberation Rally" of the Metropolitan Fair Rent Committee

(Exclusive to TENANT NEWS from Meryl Lewis and Irene Eckstein, our on-the-spot observer.)

Sunday, Oct. 6th was the day for all loyal real estate and landlord people who believe in "restoring property rights" and killing rent control. They crowded into Manhattan Center that day and their aim was to soften the hearts (and empty the pockets) of NewYork tenants. Their slogan was "Rent Control Must Go NOW!"

Altho the chairman of the meeting was none other than Mr. Rex Tompkins, president of the East River Management Corp., the real hero of the day was Vito Batista, self-appointed spokesman for the small landlord. The hall rang with enthusiastic support when he exhorted the landlords to stop making repairs until RentControl is ended.

The meeting initiated a campaign to kill Rent Control when the law comes up for renewal inMarch,1964. The campaign will not lack for money, according to the leadership of real estate. Attacking the Wagner administration for supporting Rent Control for "merely political reasons," the rally also distributed petitions against control.

New York City tenants,studying the results of the "Liberation Rally," must acknowledge a debt to the landlords.....for we have now been forewarned. We must step up the campaign for stronger rent control ....with no weakening changes.

REPORTS FROM REHABILITATION AREAS

Here are the latest developments in two areas proposed for rehabilitation by the City Planning Commission. For more general information on the City's rehabilitation plan, send for MetCouncil's "REHABILITATION -- What Does It Mean to Tenants?," no charge, (see page 3).

St. Nicholas Park

A kick-off meeting, to alert tenants of the St. Nicholas Park Rehabilitation Area of future rent increases, took place at 136 Street & 8th Avenue on October 21. Three organizations sponsored the meeting: Uptown Tenant Council, Manhattan CORE and the Metropolitan Council on Housing. Petitions were circulated, directed to Mayor Wagner, stating that tenants did not want to foot the bill for past landlord neglect and asking for repairs without rent increases. One tenant brought in over 100 signed petitions and 500 were collected by the end of the meeting.

The rally was addressed by Marshall England, chairman of NY CORE, William Stanley, Uptown Tenant Council, Eugenia Flatow, District Leader, 7th A.D., Granville Cherry, Harlem Education Project, Stanley Aronowitz, national rep. ACWU, and Frances Goldin, Met Council.

NY CORE has decided to make the organization of tenants in the St. Nicholas Pk. area a major project. Met Council and its affiliate, the Uptown Tenant Council will continue to work with CORE so that tenants in the area can form into a group to get improved housing without rent increases.

Frances Goldin

Children's Museum

Tenant and homeowner leaders in the proposed Children's Museum rehabilitation area met last month to resolve their differences and work out a common approach to rehabilitation. Meeting under the auspices of the Parkway-Stuyvesant Community & Housing Council, the group also included representatives from the Urban League, City Commission on Human Rights, and Unity Democratic Club. The result was a program calling for no rent increases, tax abatement for homeowners and subsidies from the Federal government to the City to finance the program. The committee intends to meet with the City Planning Commission soon.

Hy Bershad

...DON'T DELAY....................

...JOIN MET COUNCIL TODAY!........

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File

NEW COMMITTEE CALLS ON TENANTS TO FIGHT FOR STRONGER RENT CONTROL

Starting with a letter to all community, religious, political, civil rights and tenants organizations, the newly-formed COMMITTEE TO SAVE AND STRENGTHEN RENT CONTROL began mobilizing citywide support. The letter was signed by an initiating committee of 19 individuals from a wide range of organizations.

The committee included Ruth Beinart, ch., Housing Comm. of RENA; Jane Benedict, ch., Met. Council on Housing; Hy Bershad, co-ch., Ten. Welfare Comm., Pkwy.-Stuy. Comm. Coun.; Hyman Bravin, Bronx chair., Liberal Party; Rev. Henry J. Browne, ch., Hous. Comm., Strykers Bay Neigh. Coun.; Rev. Eugene Callendar, Church of the Master; John Carro, past pres., Puerto Rican Bar Assn.; Leon Davis, pres., Local 1199; Eugenia Flatow, Democratic leader, 7th A.D.; Rev. Donald Harrington, Community Church of N.Y.; Dr. Helen Harris, Bx. Coun. on Rents & Hsing.; Rev. Edler Hawkins, St. Augustine's Presby. Church; Nicholas Kisburg, leg. rep., Joint Coun., Internatl. Broth. of Teamsters; Assem. Jerome Kretchmer, 3rd A.D.; State Sen. Joseph R. Marro, 24th Dist.; Rev. Howard

(please turn the page)

Plenary Session of Freedom Conference of Met Council, Nov. 16, listens attentively as Hy Bershad reports from Panel III; others at table, Esther Rand, Stan Aronowitz, Jane Benedict, Herb Hines, Jr.

CONFERENCE FOLLOW-UP MEETINGS MAP ACTION:
SPANISH ORGANIZING COMMITTEE (page 1)
RENT STRIKES (page 3)
BROTHERHOOD WEEK DEMONSTRATION (page 3)

El establecimiento del Comité Español de Organización, el sábado, el siete de diciembre tuvo lugar por primera vez en el Metropolitan Council on Housing y quizás en toda la ciudad. El Comité fue el fruto del mitin, Acción Para Viviendas Decentes. Se habló sólo español en la conferencia del mes pasado del Council.

Según su presidente temporal, José Fuentes, tratará de asegurar las acciones de parte de los inquilinos puertorriqueños y los demás de habla española y, especialmente, tratará de vencer la barrera lingüística que hoy en día divide a todos los inquilinos. "Queremos empujar esta barrera a un lado y unirse con los otros grupos que ya tienen la experiencia y que ya han ganado los frutos de la lucha de los inquilinos organizados."

La Señora Petra Rosa es la presidenta honoraria y el señor Efrain Velazquez el secretarió. La próxima reunión tendrá lugar el viernes, el 27 de diciembre.

A "first" for Met Council and, maybe in the city, was set with the establishment of a Comité Español de Organización (Spanish Organizing Committee) on Sat., Dec. 7. The committee grew out of the panel, Accion Para Viviendas Decentes, at the Met Council conference in November. Mrs. Petra Rosa is honorary chairman and Efrain Velazquez is secretary.

According to its temporary chairman, Jose Fuentes, it will try to encourage action by Puerto Rican and other Spanish-speaking tenants. "We want to push the language barrier aside and blend in with other groups which are already experienced and getting results."

Vol. II, No. 4
December, 1963

RENT CONTROL (cont. from page 1)

Moody, Judson Mem. Church; Basil Patterson, Poli. Action Comm., NAACP; Petra Rosa, Puerto Rican Citiz.Comm. on Hsing.; Congressman Wm. Fitts Ryan, 20th Dist.; (organizations for identification only).

Rent control hearings in Jan.

The letter called for 1) hundreds of tenants to testify at Jan. hearings on rent control, 2) mass rally and demonstration outside the hearings; 3) petitions supporting control; 4) letters and cards to the Mayor and City Council.

The committee can be reached at 23 West 45th St., 3rd fl., N.Y. 36, CI. 7-4327.

Action spreads

The necessity for a fighting federation became more obvious withRRA chief Gabel's proposal to weaken controls by decontrolling rents over $250. This move brought opposition from another new group, the Citizens' Comm. for the Preservation of Rent Control. The committee includes politicians, lawyers, clergymen and labor leaders, and is chaired by James H. Scheuer, real estate developer and an ex-president and current board member of Citizens' Housing and Planning Council.

Landlords vow to kill rent control

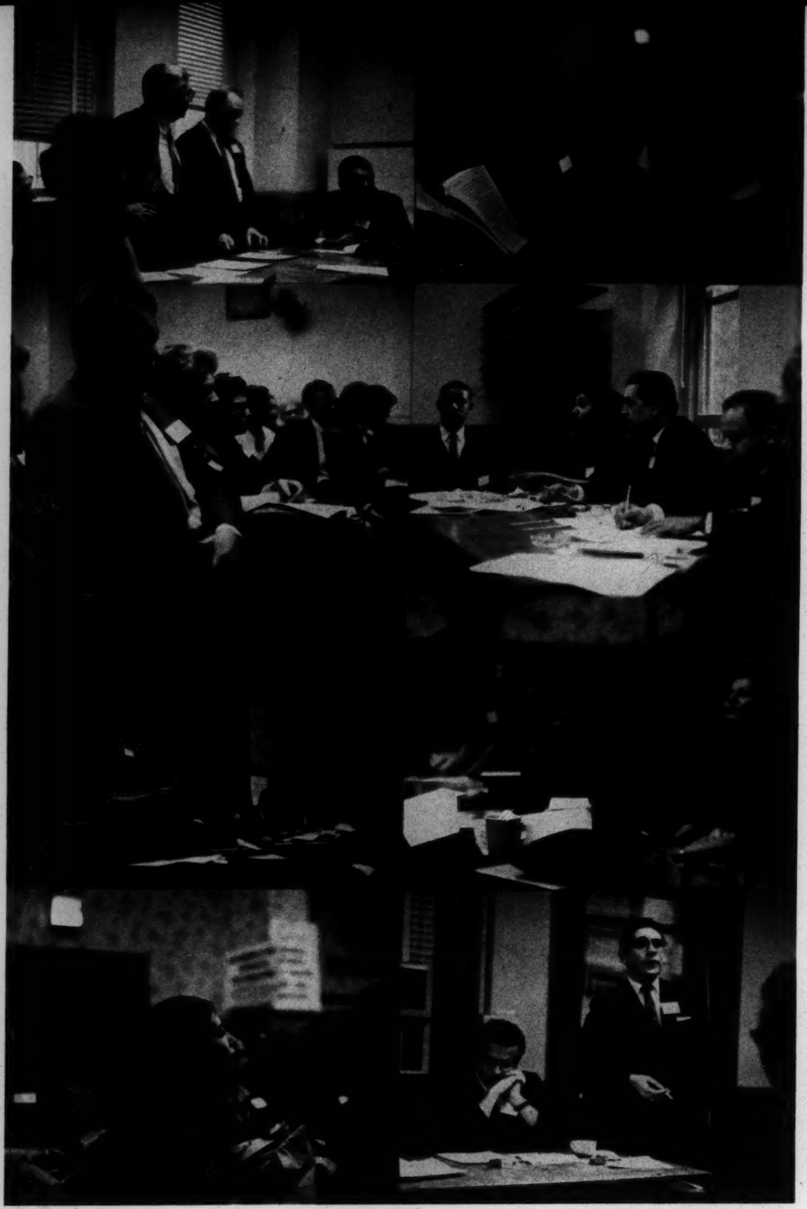
Despite all this support for control the New York Times this month editorialized for "gradual decontrol." E. Sulzberger, pres., Metropolitan Fair Rent Comm., the landlords' lobby of real estate boards, pledged to press for complete decontrol "all the way to the U.S. Supreme Court."

Tenants face 15% increase

Pressure on the Mayor and City Council is mounting -- and the tenants who, after all, have the votes must speak up now. If we don't, we will face gradual decontrol. There are strong rumors of an across-the-board 15% increase on all apartments which haven't been increased by leases since 1953. We must speak up for stronger, not weaker control.

DON'T JUST STAND THERE . . . .

Support the COMMITTEE TO SAVE AND STRENGTHEN RENT CONTROL!



HIGHLIGHTS OF THE FREEDOM CONFERENCE OF MET COUNCIL, NOV. 16, 1963

Left, top to bottom:

1. Public housing panelists - Jorge Rodriguez, Ruth Beinart, Cong. Leonard Farbstein (with suspenders), Jacob Volkman, Herb Hines, Jr.
2. Delegates at code enforcement panel.
3. Urban renewal panel - Frances Goldin (with hat), Robert Curvin, Rev. Arthur Simon, Assem. Jerome Kretchmer, Thelma Burdick.
4. Eager listener at plenary session.

Right, top to bottom:

1. Delegates at urban renewal panel.
2. Panelists at Acción Para Viviendas Decentes - Jose Fuentes, Victoria Cirilo, Mario Abreu, Assem. Frank Torres, William Stanley.
3. Registration desk - Irene Eckstein (standing) and Maria Harriton.
4. Code enforcement panel - Richard Levenson, Councilman Theodore Weiss (with cigarette). Dr. Helen Harris and Hy Bershad are out of camera range.

Conference photos by Lucille Flato

NEW GROUP TO COORDINATE RENT STRIKES

Rent strikes, as a means to win better housing NOW, were the center of attention for 50 delegates from tenant groups, civil rights organizations and labor, who met on Dec. 9 under Met Council auspices.

The meeting was a continuation of the Code Enforcement Panel of Met Council's annual conference in Nov. It brought forth an enthusiastic exchange of experiences and knowledge. Several Met Council affiliates, Bronx Council on Rents & Housing, Lower East Side Tenant Council, University Settlement Housing Clinic, Harlem Ten.Counc., and UptownTen.Counc., have run rent strikes over the years. Now, besides the big Harlem rent strike of the Community Council on Housing under the leadership of Jesse Gray, others such as the Harlem Action Group and local CORE chapters, have initiated such actions in recent months. All agreed on the need for citywide coordination of rent strikes as the tenants' "ultimate weapon."

Gray urges strike spread

As expressed by Jesse Gray: "We must create an atmosphere where the landlord will not take us to court"-- by striking in many buildings at the same time.

Strike on "Miserable Street"

Ed Smith and Esther Rand of the Lower East Side T.C. told of answering a desperate plea from Brooklyn tenants on Meserole Street (referred to as "Miserable Street" by those who have seen it)and organizing a successful rent strike there.

Rent strikes to be aided

The coordinating committee was formed on the spot. It will meet on Dec. 26 and will compile experiences and knowledge, issue instructions for running rent strikes, coordinate action, handle citywide publicity, find resources for aiding rent strikes and assemble volunteer organizers.

Brooklyn increased its representation on Met Council's executive bd. with the addition of Robert("Skip") Moore, co-chairman of the Tenant Welfare Comm. of the Parkway-Stuyvesant Community Council.

"Fight the good fight,
With all your might,
To keep the rent down
So that we can stay in town."

This rhyme was sent to Met Council along with a donation of $10 from a Yorkville tenant who wishes to be known merely as a "great sympathizer." He denies that it is a "poem" but it sounds like a Shakespeare sonnet to us when it is accompanied by $10. Any more such poets around?

FEBRUARY CITY HALL DEMONSTRATION TO URGE REAL BROTHERHOOD IN URBAN RENEWAL AND ASK MORE PUBLIC HOUSING

"Let's have some real Brotherhood in New York City!" This was the feeling at the December 12 Public Housing and Urban Renewal Meeting of Met Council, convened to follow up the recommendations of the November Freedom Conference.

Speaker after speaker rose to attack the City's urban renewal policies and to ask for changes in urban renewal so that it will benefit the low-income minority tenants in "renewed" areas. They emphasized that urban renewal is hurting Negro and Spanish-speaking families worst and is doing more than anything else to increase segregation in the city. Urban renewal drives tenants from their homes, often destroying integrated neighborhoods. It offers nothing to low-income tenants in return since the new housing constructed is mainly luxury and middle-income cooperatives.

Thus Brotherhood Week in Feb., 1964, was selected as the appropriate time to demonstrate at City Hall against urban renewal which is, in effect, minority removal -- and for more public housing.

Hundreds of tenants face removal from urban renewal sites. Additional hundreds are refused public housing every year because there isn't enough. These tenants will be asked to join with other tenants in calling on Mayor Wagner, the City Planning Commission and the Housing and Redevelopment Board to come out with an urban renewal program which will benefit low-income minority site tenants first -- and to include more public housing. A committee, including delegates from two labor unions, was set up to plan details.

MET COUNCIL DIARY

Anti-harassment amendment, Nov. 22: Esther Rand spoke at a public hearing and urged that Mayor Wagner sign the amendment to the Rent Law. She pinpointed loopholes and weaknesses in the amendment but supported it as a first step in protecting thousands of tenants against a handful of landlords who harass and evict tenants in order to demolish their homes or convert them into luxury units.

Youth Action Committee of Mobilization for Youth, Dec. 5: Frances Goldin led an orientation session on action for improved housing. The enthusiasm and eagerness of the younger generation in recent housing activity has been a spur to their often weary and jaded elders.

Chelsea-Greenwich Village Action Conference for Civil Rights, Dec. 7: Several Met Council board members participated in Panel II, Freedom and Housing in Our Community.

Ansonia Democrats, Dec. 12: Richard L. Levenson, MC vice-chair. and chairman of our Law Comm., addressed a meeting there.

Metropolitan Conference on Civil Rights Action, Dec. 14: The workshop on housing was co-chaired by Wm. Stanley, MC bd. member and head of the Uptown Ten. Coun., and Jane Benedict, MC chairman, was one of the speakers. The conference, an outgrowth of the March on Washington, set up a permanent body to coordinate civil rights action in the New York area. It also voted to endorse the Brotherhood Week demonstration on urban renewal and public housing (see page 3).

ANOTHER SHAMEFUL EPISODE . . .

In the continuing story of the "Horror House" of Chelsea tells of the tenants' success in finally having the building put under City receivership -- only to find that they are in worse trouble than before. Nothing has been done to make the building livable and there are additional complications because some of the tenants now are in danger of losing their original apartments by accepting temporary relocation. There also is some confusion in City departments over whether or not theCity should continue the landlord's nefarious scheme to divide the apartments into smaller units, thus forcing the tenants out permanently. The Chelsea Save-Our-Homes Comm. and the tenants are still trying to write a happy ending to this sordid story.

REHABILITATION PLANS GET CPC OK

The City Planning Commission this month approved plans for rehabilitation in 5 areas(see Nov. TENANT NEWS and MC report, "Rehabilitation -- What Does It Mean to Tenants?"). Despite criticism the plan was approved with very few changes. Due to a vigorous battle by the Cooper Sq. Community Dev. Comm. some minor but significant changes were made in that area.

THE METROPOLITAN COUNCIL ON HOUSING welcomes the support of every organization and individual interested in "decent housing at rentals people can afford." Yearly membership is $10 for organizations; $5 for individuals. You may join by signing this address label ---- and sending it with membership fee to Met Council on Housing, 215 West 23 St.

TENANT NEWS is a publication of the Met Council. $1 per year for 10 issues; free to members; bulk orders, $2 per 100.

Chairman, Jane Benedict; Editor, Ruth Beinart; Staff, Frances Goldin, Herbert Hines, Jr., Meryl Lewis; designed by Helen DeMott.

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RENT STRIKES SPREAD, HIT BROOKLYN AND LOWER EAST SIDE

Spurred by the Rent Strikes in Harlem, tenants are acting to spread the strikes in slum buildings all over the city. On Jan. 11 the Lower East Side Ten. Council (MCH affiliate),Downtown CORE, Negro Action Group & the Council of Puerto Rican Organizations met to form the Lower East Side Rent Strike. The group plans to begin by heating things up with a Bonfire and Rally on a vacant lot on Houston St.

Brooklyn rent strikes

Out in Brooklyn, another MCH affiliate, the Tenant Welfare Comm. of the Parkway-Stuyvesant Community Council has joined with Brooklyn CORE and the Brooklyn Tenants Council to form a coordinating group on rent strikes.

Bronx rent strikes

In the Bronx a Rent Strike Rally is set for Feb. 4, The rally will be held by the Bronx Council on Rents & Housing (MCH affiliate), CORE and several political clubs.

MCH supports Harlem rent strike

Meanwhile, the Harlem Rent Strikes are growing and setting off a chain reaction of proposals and legislation(see page 2). A coordinating committee has been set up, led by Jesse Gray and Rev. Hildebrand, pres. of NY NAACP.Nine full-time workers from the Northern Student Movement have been assigned to the committee. At a big rally on Jan. 12, Gray called for quick receivership, a vast subsidized rehabilitation program, and City-operation of rehabilitated buildings. Stanley Aronowitz spoke for MCH at the rally.He promised support and cooperation and presented $50 donated by MCH members to the Harlem Rent Strike.

Vol. II, No. 5
January, 1964

JAN. 23, TENANTS DEMAND STRONG CONTROLS, VOW RETURN BOUT AT CITY HALL, FEB. 3

City Hall was the arena on Jan. 23 for a full scale battle on rent control. And a return bout is set for Mon., Feb. 3.

Busloads of angry tenants swarmed in and around City Hall on Jan. 23. They demanded that the City Council renew and strengthen rent control. Angry at the City's failure to crack down on slumlords and guarantee decent living conditions, the demonstrators sang, chanted, marched.

We shall return!

Like a well-known general, the tenants vowed to return on Feb. 3 to oppose the decontrol of over-$250 apartments.

Among the tenant organizations outside City Hall on Jan. 23 were the citywide Committee to Save & Strengthen Rent Control and the Community Council on Housing led by Jesse Gray. MCH is a member and one of the initiators of the CSSRC. MCH affiliates have supported CSSRC and, locally, have held dozens of local meetings and leaflet distributions and gotten thousands of signatures on petitions for rent control. They also brought several busloads of tenants to the Jan.23 rally.

Support for the CSSRC came from over 75 individuals and legislators, including (in addition to the list in Dec. TENANT NEWS): Forest Neighborhood House; NAACP Bklyn.; Protestant Council,Bklyn.; Local 102,United Hatters U.;Queens Urban League; Bronx Union YMCA;East Tremont YMCA Senior Citizens; CSS Community Action Program; Bklyn. Tenants Council; Local 2,Cap Makers U.; Community League of W. 159 St.

Met Council studies rent control

Copies of MCH's "The Case for Strong Rent Control" are available on request.

DON'T FORGET - MORE RENT CONTROL HEARINGS MONDAY, FEB. 3, 10 a.m.

LEGISLATIVELY SPEAKING

by Frances Goldin

Two reactions have resulted from theRent Strikes in Harlem. One reaction is shown in the legislative proposals and stopgap programs offered by the Mayor. He is frantically trying to prevent the spread of strikes with his "8 Point Program" and a "War on Rats." Republicans, Democrats, the Community Service Society and even the Bar Assn. are suggesting laws to avoid rent strikes.

At the same time, the strikes are stripping away the lies and hypocrisies of the landlords -- and the ineptitude and doubletalk of the City.Tenants have been suffering because landlords have been on strike for years. They have refused to give tenants what they pay for.

No rent for rookeries

On Jan.8 Judge Fred J. Moritt ruled that tenants could live rent-free as long as landlords failed to correct housing evils that menaced health or safety. His decision has caused hysteria in City circles. He ruled that tenants are not obligated to pay rent to the landlord -- or even into the court. He said, "I am merely applying the ancient and elementary law that you don't owe for what you don't get. That is true whether it's Park Avenue, Brooklyn, or Park Avenue, New York." This forthright and courageous decision gave heart to the Rent Strike movement and gives some clear perspective to the situation.

What can the Rent Strikes accomplish? Do the Mayor's proposals answer the need? How can we turn this dynamic movement into basic changes?

Rent strikes demand new answers

Harlem has given the answer. The Mayor has not. Harlem places the responsibility for decent housing where it belongs -- right in the lap of government. When landlords won't repair, the City must.

But what are the Mayor's proposals? He has proposed that when the Health Commissioner has declared a building a health hazard, the rents would be placed in a special fund and the City would remove the health hazard and be repaid from the fund. And what if the repair costs more than the amount in the fund? And what about the delay and red tape involved in getting the Health Commissioner to declare the health hazard?

The Mayor's War on Rats shows that a direct approach is possible. Health Department exterminators will themselves do the job of getting rid of the rats. The City will then seek repayment from the landlords.

Tenants want heat, also

If the Mayor has the power to wage war on rats, he also has the power to wage war on lack of heat and other health hazards. The City should have a staff of boiler repairmen, plumbers,electricians, etc. Then in heatless slums, the City could repair boilers, order fuel and do whatever is necessary to restore heat. Then collect from the landlord by suing him. First act, then worry about the money. People are freezing!

This is the direct approach which is needed. Tenants are sick of surveys, blanket inspections,loudly-heralded campaigns, IBM processing, larger fines, threatened jail sentences and even rents which are cut by the Rent Administration. What they are demanding is good, sound, comfortable housing, both new and old. And they are demanding that the government provide it NOW.

The answer: Repairs and new housing

The rent strikes have opened the floodgates. The rent strikes can sweep in a new approach to housing. We need immediate repairs -- and we also need thousands of new apartments at reasonable rents, built under a crash public housing program. Our taxes and revenue can be turned back to give us decent homes. This is where the rent strikes must lead.

RENT STRIKE SCOREBOARD

Two rent strikes led by the Lower East Side Tenant Council received favorable court decisions on Jan. 10 and 15. Payment of rent to the courts was ordered at 171 Ave. A and on Meserole St.,Bklyn. (see Dec. TENANT NEWS).

Send in your rent strike news for TENANT NEWS Rent Strike Scorecard.

RECEIVERSHIP SNAG EMPTIES BRONX HOUSE

The City administration bragged recently that receivership is an effective weapon, claiming even the threat of receivership is enough to make a landlord hurry up & make long-neglected repairs. But the actual experience of tenant groups is that putting a building into City receivership is a long drawn-out process which goes on and on for months while tenants suffer.

Take, for example, 827 Kelly St. in the Bronx. Last March a fire damaged several apartments in the building. The building was sold and the new owner refused to start making repairs. He had a history of emptying fire-gutted buildings, renovating and splitting up apartments and thus decontrolling the buildings.

Under the leadership of the Bronx Council on Rents & Housing, the tenants took a summons out against the landlord and also filed for rent reductions with the RRA. But while the redtape dragged on, the landlord started to "renovate." He cut off all water in the building, a serious health hazard in the summer heat of July. The tenants, instead of being forced out by the lack of water, got a water hydrant wrench from the Dept. of Water Supply and opened a nearby hydrant.

By October the tenants were reluctant to face a winter in the building without water or heat. They accepted the landlord's offer of $600 each if they would move. On October 14 the Dept. of Bldgs. issued a vacate order and three weeks later the last tenant moved. A hearing on receivership was finally held in October but, since the tenants were moving, the judge could do nothing but deny the City's tardy application for receivership.

Why all this delay? The endless postponements, the duplication of inspections, the filing cabinets of paper work, legal complication and yards of red tape -- all are devoted to protecting the landlord's property rights while the tenants live under subhuman conditions.

The tenants ask: "Would the City administration choose all this red tape and delay for themselves if they had to live at 827 Kelly Street?"

BROOKLYN BRIDGE HOUSING SCORED AS STEP TOWARDS SEGREGATION, ASK LOW RENT UNITS

The news from Mayor Wagner on Jan. 10 that the City will build 5 middle-income buildings in the City Hall-Bklyn. Bridge area is a disgrace. The City plans housing and a school for the newly-created middle-income white community. In the face of the uprising for school integration and an end to housing segregation such a proposal is incredible. Mr. Mayor --there are thousands of Negro and Spanish-speaking tenants who work downtown as clerks, typists, cleaning women and messengers who would also like to "walk to work." Are they to be consigned to distant rattraps forever. NO housing complex dare be proposed in our city unless it includes low-rent housing as an integral part and in large numbers.

RECOMMENDED READING

Copies of testimony by Hy Bershad, co-chairman of the Tenant Welfare Comm. of the Pkwy.-Stuy. Community Council, at the rehabilitation hearings of the City Plan. Commn. are available from Met Council. The testimony pinpoints the flaws in rehabilitation and offers a new approach.

MCH's analysis of rent control, prepared for the hearings on Jan.23, is available on request, also. The 5-page study gives facts and figures about rents, income and the effects of decontrol.

FIRST THE DAILY MIRROR, NOW TENANT NEWS?

TENANT NEWS is in real danger of being discontinued. The cost of printing and mailing each month is about $90. This was covered each month by a fund raised by Robert Wood. Since Bob's death last May the fund has stopped and its donors have not responded to appeals to continue their donations. In tribute to Bob and to the only tenant publication in the city -- make your pledge today to keep TENANT NEWS going.

I will give $____________ each month to support TENANT NEWS.

Name____________________________

Address____________________ Phone________

MET COUNCIL DIARY

Housing seminars, Mobilization for Youth, Dec. 11 and 18: Richard Levenson, MCH vice-ch. and ch. of the Law Committee, conducted seminars on the rent law and regulations and tenant organization.

East Side Tenant Council on TV, Jan. 5: "Community Dialogue," Channel 5, presented a capsule view of the rent strike at 24 Cooke St., Bklyn., led by Ed and Lucille Smith. The East Side TC is a MCH affiliate and Mrs. Smith is on the board of MCH. The film highlighted building violations and the horrendous state of disrepair in the dwelling.

Lower East Side Rent Strike Comm., Jan. 11: Frances Goldin, ch. of the Legislative Comm., and Richard Levenson participated in the founding meeting of this committee (see page 1).

Harlem Rent Strike, Jan. 12: Stanley Aronowitz, MCH board member, represented MCH at the Harlem Rent Strike Rally (see page 1).

Urban renewal hearing, Jan. 15: Esther Rand, MCH board member, spoke for MCH in opposition to opening 5 urban renewal site offices. Frances Goldin also testified in opposition as did Thelma Burdick who represented the Cooper Square Committee, a MCH affiliate.

Morningside Heights, Jan. 24: Jane Benedict, MCH chairman, spoke at a community rally in Riverside Church sponsored by the Morningside-121st St.-Amsterdam Tenants' Committee, a MCH affiliate, in cooperation with other neighborhood groups. The rally posed the question: "A community dead or alive?", and was called to mobilize opposition to demolition and takeover by big institutions.

Preview-- WBAI program on rehabilitation and urban renewal, Feb. 11, 13: Jane Benedict and Hy Bershad, ch. of the Tenant Welfare Comm. of Parkway-Stuyvesant Community Council, met with Robert Seaver of the Housing and Redevelopment Bd. to discuss problems and future of rehabilitation and urban renewal. The program will be aired on Feb. 11, 9 p.m. and Feb. 13, 3 p.m. (99.5 FM).

TENANT WORKSHOP COMMITTEE PLANS SERIES

Open letter to all tenant councils, housing committees, housing clinics, and all affiliates of Met Council: Your group is urged to send a representative to the next meeting of the Tenant Workshop Committee on Monday, Feb. 10 at the McBurney YMCA, 215 W. 23rd St., 8:30 p.m. The committee is planning a series of workshops to discuss methods and techniques of tenant organization. The workshops will give tenant leaders (both novices and old hands) a chance to exchange experiences, get new ideas and come up with effective ways of handling tenant problems. The first workshop is slated to take up "How to Organize a Building and Get Action Out of the RRA and Bldgs. Dept." Interested? Come & help, Feb. 10.

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Chairman, Jane Benedict; Editor, Ruth Beinart; Staff, Frances Goldin, Herbert Hines, Jr., Meryl Lewis; designed by Helen DeMott.

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file

RENT STRIKES SPUR "MARCH ON ALBANY"; TENANTS UNITE TO FIGHT FOR SPEEDY EMERGENCY REPAIRS & PUBLIC HOUSING

TUESDAY, MARCH 10 -- that's the date set for a TENANTS MARCH ON ALBANY. The date was set at a rousing Rent Strike meeting and conference on Feb. 15. Called by the Community Council on Housing the conference drew support from the Metropolitan Council on Housing and its affiliates, from the Lower East Side Rent Strike, the Bklyn. Rent Strike Coordinating Comm., CORE, Local 1199 and District 65, the Comm. for Civil Rights Action and many political clubs and legislators.

A coordinating committee with these organizations and others was formed to extend and coordinate the rent strikes and to work out plans for the MARCH ON ALBANY. On March 10, tenants will join forces in Albany with civil rights groups and unions lobbying for the $1.50 minimum wage.

The Marchers will have two main demands: 1) Lots of new public housing and 2) Laws to get immediate repairs to emergency violations such as no heat, rats, and other health dangers.

All MCH affiliates and other tenant organizations are urged to make arrangements immediately to send delegates to Albany. Collect money for delegates' fares, elect delegates and, where possible, charter buses. For information and details, contact the Metropolitan Council on Housing, 215 W. 23 St., SP 7-8900.

DON'T JUST STAND THERE . . . .

Join the TENANTS MARCH ON ALBANY,

Tuesday, March 10

Vol. II, No. 6
February, 1964

LOWER EAST SIDE RENT STRIKE HITS 50 BUILDINGS; MCH RENT STRIKE INSTRUCTIONS, LEAFLET AND PROGRAM NOW AVAILABLE

Lower East Side Rent Strike is the name of a new coordinating group in which a dozen organizations are working together to show the landlords and the City -- "We don't pay for what we don't get! No services -- no rent!"

About 50 buildings are now withholding rents after six weeks of organization. Grace Cade of the Negro Action Committee is chairman and Pedro Otero of the Council of Puerto Rican Organizations is vice-chairman. Coordinators in each of three areas direct the organizing. These are Genoveva Clemente of Integrated Workers, Frances Goldin of the University Settlement Housing Clinic, and Loriman Rhodell of Downtown CORE. Two of the 12 cooperating organizations are MCH affiliates. The LES Rent Strike has headquarters at 332 E. 4th St.

On Jan. 28 a huge torchlight parade and rally was held. It was addressed by LES Rent Strike leaders and by Jesse Gray, leader of the Harlem rent strikes. After the parade the tenants came in out of the bitter cold to meet at the University

(please turn to page 4)

Torchlight parade on the Lower East Side
(Photo by Alan S. Gelb)

NO REPAI
NO R

LEGISLATIVELY SPEAKING

by Frances Goldin

Again this year -- on March 10 --tenants will board buses to Albany, armed with a program that can provide new housing and restore services and repairs in old slum buildings. Our program will have the support this year of thousands of rent-striking tenants and of labor unions.

This year, the 13 key demands are:

* A crash program for low and middle income integrated public housing on vacant and badly-used commercial land. Rents would be no more than $25 per room.

* Additional subsidies to allow public housing to rent at $10-18 per room.

* A moratorium on the demolition of structurally-sound, habitable, rent-controlled housing.

* The Wilson bill which would set up a City repair squad to make emergency repairs and restore heat.

* Improve the receivership law for faster action and more effective service. The City should keep the buildings after repairs and not return them to slumlords.

* Enact Judge Moritt's decision into law. No service, no rent -- to the landlord, court or anywhere else. "You don't have to pay for what you don't get."

* In all publicly-aided middle income housing, at least 20% of the apartments should be allotted to the HousingAuthority for subletting to low-income tenants.

* Establishment of a Fair Housing Rental Service to handle all apartment vacancies which would be filled on a non-discriminatory basis.

* Other points deal with protection of public housing tenants from unfair eviction regulations; exclusion of majority of earnings of wife and children in figuring family income in public housing; protection of the right to jury trials for tenants; and a plan for rehabilitation without rent increases.

Write or phone MCH for a more detailed copy of this program.

SPOTLIGHT ON THE MORNINGSIDE SIX

About two years ago the tenants of six buildings along Morningside Dr. and Amsterdam Ave. received a surprising letter in the mail one morning from Columbia University's College of Pharmacy. They were asked to vacate the premises for the College's expansion. Four of the buildings were pleasant 6-story walkups, one boasted an elevator, one was an SRO (single-room occupancy). Morningside Six was formed by the angered tenants to fight the demolition of their homes. It affiliated to MCH and enlisted the aid of able MCH lawyer, Richard Levenson.

"We lost the SRO," says Marie Runyon, one of the group's key organizers. "The tenants were offered $25 to get out. They were Spanish-speaking and didn't know their rights. They were told 'We don't have to give you anything.' The X's went up on the windows, the usual thing." In November another building was demolished. "The bounty went up to $250. I guess we're technically now the Morningside 4."

"The College does not have sufficient funds for its new building. They don't even have plans approved by the Dept. of Bldgs. They scared tenants out a year before applying to the RRA for eviction certificates which are still pending. We want Columbia to meet with us instead of trying to steam roller this through."

The 107 tenants in the 52 apartments still occupied (average residence: 18 years) are now political veterans. On January 24 they held an open meeting to enlist neighborhood support and drew 500 residents of Morningside Heights. It was addressed by Cong. Ryan, Paul Goodman and MCH chairman Jane Benedict.

At a followup meeting on Feb. 13, a larger group was formed -- Morningsiders United -- with Edward Simpson as chairman. It aims to continue and extend the work of the Morningside Six.

"George Washington fought at Morningside Heights. We are fighting also for our community -- for a balanced, integrated neighborhood for all, not just for the University, the big institutions and their staffs."

THE DAY THE TENANTS WALKED OUT

Some 3,000 indignant tenants marched on City Hall on Jan. 23 demanding that rent control be continued and strengthened.

They came from most of the tenant organizations in the city and wore signs expressing their views on rent control, rent strikes, slumlords, bureaucrats and the present City administration. At its high point the line of marchers, singing rent control songs by Frances Goldin, Meryl Lewis and Bill Tatum, stretched out in an unbroken line aroundCityHallPlaza.

When the tenants ended the demonstration and tried to enter CityHall for the hearings, they found that landlords had filled all the seats there. Hundreds of tenants, including listed speakers, were barred and kept out in the cold.

As a result, Jesse Gray of the Community Council on Housing, after consultation with MCH, staged a tenant walkout. Larger quarters were demanded for such an important hearing as that on rent control.

After the walkout and a brief meeting outside, more tenants were admitted to the hearings. Jane Benedict spoke for MCH and other tenant organizations. She protested the exclusion of tenants from the hearings and refused to present her prepared testimony under such conditions.

On Mon., Feb. 3 the atmosphere was less crowded and more peaceful at a hearing to consider decontrol of over-$250 apartments. MCH and its affiliates were among dozens of organizations which spoke and opposed any decontrol at all.

Bill Tatum

Tenants demand strong rent control
(Photo by Lucille Flato)

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MARCH WORKSHOP ON "HOW TO ORGANIZE A BUILDING AND GET ACTION . . ."

A Leadership Training Workshop -- or "Do It Yourself" course for tenant leaders will begin Mon., Mar. 16 at the McBurney YMCA, 215 W. 23rd St. The 5-session series is sponsored by MCH's TenantWorkshopCommittee. The first workshop will be held on "How to Organize a Building and Get Action Out of the RRA and Health and Buildings Departments."

All workshops will begin promptly at 8 p.m. and end at 10 p.m. Further sessions on rent strikes, evictions, demolition & receivership, on the courts and on how to fight landlords' applications will be held in March, April and May.

Your organization is urged to send new and experienced leaders -- no limit on numbers attending and no charge for the series. For details, contact Met Council.

A SENSIBLE SONNET

"What's going up here?
A new house for us, I hear.
No, it's another fake.
More rent for the landlord's take."

These rhymes were neatly lettered on the temporary wooden construction front at a 3rd St. "renovation" job.

David Gurin

MOVE TO LEGALIZE ARTISTS' HOUSING

On Feb. 6 representatives of 6 artists' housing groups got their first look at State Sen. Mitchell's bill legalizing the use of lofts by artists. The bill defines the word "artist" and permits artists to live and work in non-manufacturing commercial buildings of less than six stories. The building must be fireproof, have a sprinkler system and meet various fire retardation requirements.

Helen DeMott, representing MCH, and the Tompkins Sq. Artists, Cooper Sq. Comm. & the Phoenix Reform Dem. reserved judgment until they had time to study the bill. Artists Ten. Assn. & West Village Citiz. Comm. approved the bill with changes.

Helen DeMott

SAVE THAT DATE -------- MONDAY, MARCH 30

MET COUNCIL MEMBERSHIP MEETING

215 West 23rd St. ----- reports, action!

MET COUNCIL DIARY

Housing Committee, Local 1, Dining Room Emp. Union, Jan. 28: Jane Benedict, MCH chairman, met with this union committee.

Urban League, Jan. 29: Ruth Beinart, MCH bd. member, represented MCH at a meeting to plan the New York Urban League's April conference on open occupancy.

Bronx Neighborhood Council of Hotel and Club Wkers., Jan. 31: Mamie Jackson, MCH bd. and exec. secy. of the Bronx Council on Rents & Hsing., addressed this group.

Tilden Houses Tenants Assoc., Bklyn., Feb. 3: Herb Hines, MCH vice-ch., spoke on the history, purposes and program of MCH.

Local Bronx Planning Bd., Feb. 7: Dr. Helen Harris, ch. of Bx. Coun. on Rents & Housing and MCH bd. member, was appointed to the Hunts Pt. planning board.

MCH on the air, Feb. 11: Jane Benedict spoke over WWRL on Alma John's program.

City Hall-Brooklyn Bridge Plan, Feb. 11: Esther Rand testified before the City Planning Commn. against the plan because it is not economically or racially integrated and contains no public housing.

Artists are tenants, too, Feb. 13: Jane Benedict participated in a panel discussion at the Architectural League. The topic was "Artists' Housing."

RENT STRIKE ACTIVITY (cont. from page 1)

Settlement House. There the overflow crowd shouted its determination to support and spread rent strikes.

Meanwhile in other parts of Manhattan & in other boros the rent strikes caught fire. In Brooklyn the Tenant Welfare Comm. of the Parkway-Stuyvesant Community Council and the Brooklyn Tenants Council, both MCH affiliates, are cooperating with Brooklyn CORE. Their work has resulted in putting about 50 buildings on strike.

In the Bronx a Rent Strike Rally was held on Feb. 13 to initiate the strikes there. Mamie Jackson of the Bronx Counc. on Rents and Housing, a MCH affiliate, and Jesse Gray were among the speakers.

In Harlem the rent strikes continued and increased. In addition to the Community Council on Housing, CORE and the Harlem Action Group (Northern Student Movement), two unions have thrown their energy into the rent strikes. These are Local 1199, Drug and Hospital Wkers., and Dist. 65, RWDSU. A total of 300 buildings are reported on strike in Harlem. Local 1199 has also organized strikes in the Bronx. Rent strikes have been started in East Harlem and more are expected.

The Rent Strike Committee of MCH, under the chairmanship of Stan Aronowitz, has issued instructions for rent strikes, a rent strike program, and has also printed a rent strike leaflet which may be ordered in quantity and stamped with the name of the local organization.

THE METROPOLITAN COUNCIL ON HOUSING welcomes the support of every organization and individual interested in "decent housing at rentals people can afford." Yearly membership is $10 for organizations; $5 for individuals. You may join by signing this address label ---- and sending it with membership fee to Met Council on Housing, 215 West 23 St.

TENANT NEWS is a publication of the Met Council. $1 per year for 10 issues; free to members; bulk orders, $2 per 100.

Chairman, Jane Benedict; Editor, Ruth Beinart; Staff, Frances Goldin, Herbert Hines, Jr., Meryl Lewis; designed by Helen DeMott.

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MAR 5 1964

TENANT NEWS

METROPOLITAN
COUNCIL ON HOUSING
215 West 23rd Street, New York 11, N.Y.
SP. 7-8900

4,000 MARCH ON ALBANY & GET CHILLY GREETING FROM WEATHER AND POLITICIANS; MCH SENDS 5 BUSLOADS, SEES LEGISLATORS

"We're fighting against the slumlords, They shall be removed" -- sang the soggy and chilled marchers in Albany on Tuesday, March 10 as they trudged along in the snow and sleet. Going by bus, train and car and united on a program of housing, $1.50 minimum wage and broader voting rights, 4,000 delegates spent the day in Albany.

The trip meant for many delegates a day's pay lost or complicated arrangements for the care of children or just a long, tiring but exhilarating day. The reception in the Legislature and in the Governor's office was as chilly as the weather. It consisted of a string of "We can't do it" -- "We don't have the money" -- or "We don't control the vote." All these excuses added up to another do-nothing legislative session.

Each year the Legislature meets for less than 3 months. During those 90 days it is expected to map the future of NewYork State -- 16 million persons -- for the coming year. Legislation is jammed thru without discussion or it gets tabled or stuck "in committee"and never gets passed at all. New York City desperately needs legislation to legalize rent strikes and clean up slums, and to build

(cont. on page 3)

Vol. II, No. 7
March, 1964

MORE TENANT WORKSHOPS SCHEDULED

The complete schedule for the remaining Tenant Leadership Workshops is:

April 13:		RENT STRIKES
April 20:		THE COURTS & TENANTS
May 11:	✓	EVICTIONS & DEMOLITION and RECEIVERSHIP
May 18:	✓	LANDLORD APPLICATIONS FOR RENT INCREASES AND HOW TO FIGHT THEM.

A panel of Rent Strike organizers will be featured at the April 13 Workshop. Other sessions will present tenant "experts" to lead the discussions.

The first Workshop on March 16 drew a full house. All Workshops are on Monday evenings, 8 p.m. sharp to 10 p.m., at the McBurney YMCA, 215 West 23rd Street. No limit on attendance and no charge.

ALBANY MARCH PHOTOS by Cordley Coit (left to right):

1. It's 7 a.m. in New York City as buses get ready to roll. Bill Tatum and Rudy Henderson attach the MCH banner.

2. Skip Moore makes a point in talk with Stuart. Jane Benedict in foreground; Dick Levenson on Skip's left.

3. MCH delegates march to State Capitol.

OLITAN
CIL ON HOUSIN

LEGISLATIVELY SPEAKING

by Frances Goldin

What's another word for outrageous? I am so often compelled to start this column by describing City housing policies with this word that it becomes inadequate.

The latest piece of nitwittery was the sidetracked auction of 29 buildings owned by the Housing Authority (21 in Manhattan, 8 in the Bronx). The auction was set for March 10. After the sale 16 would have remained under rent control and 13 would have been decontrolled.

Slap-in-the-face to rent strikes

It seemed unbelievable. The rent strikes have been demanding government takeover of neglected buildings -- and here the City was dumping the few buildings it already managed.

These buildings were originally bought to relocate tenants from public housing sites. (A parallel short-sighted stupidity is the sale of land, in both large and small parcels, at public auction by the Real Estate Department because "the City needs the money" and then the purchase of land, sometimes the same land, at exorbitant prices for schools, small parks and vest-pocket housing.)

Tenants act to stop sale

The tenants were indignant and fearful. Organized by Met Council affiliates they started a leaflet and petition campaign against the sale. Assem. DeSalvio was prepared to seek court action to stop the auction with tenants as complainants. Woody Klein, World-Telegram reporter, wrote an expose on the scheduled auction.

Auction plans fizzle

Suddenly and mysteriously the auction was cancelled. At this writing we don't know if the cancellation is permanent or what the plans of the Housing Authority are -- except that they are "exploring the possibility of the Dept. of Real Estate taking over these building."

Why wasn't this"exploration" done before the costly preparations for the auction? Why should the Authority drop responsibility for the buildings? Why isn't the Authority exploring the takeover of many more neglected buildings for the benefit of the tenants occupying them?

UNIONS THROW STRENGTH INTO TENANT BATTLES

Carrying out the program for better housing adopted by the AFL-CIO,New York City trade unionists have joined forces with tenant groups to fight for the housing needs of their members.

The Feb. issue of the Industrial Union Dept. Bulletin of the AFL-CIO pointed out that a sixth of the nation is forced to live in slums. Almost a million New Yorkers are included in this figure. Calling Pres. Johnson's housing proposal a "small start", the IUD declared that "a massive effort ..... is in order. By ending the slums, the nation will be creating needed jobs and broadened opportunity for the underprivileged."

New York unions fight slums

Deeply committed to and involved in the rent strikes are two trade unions, Local 1199 of the Drug and Hospital Employees Union and Dist. 65 of the Retail, Wholesale and Dept. Store Union. These are unions which have always shown keen awareness of the needs of their members.

The Hotel and Club WorkersUnion has long welcomed the assistance of Met Council's expert representatives, Wm. Stanley and Mamie Jackson, in its Neighborhood Councils. In a recent issue of the union's magazine,Stanley who is also head of the Uptown Tenant Council, scored the "ruined lives" of NY citizens caused by slum housing. Segregated housing, he charged, is linked to job discrimination and segregated schools.The magazine, Hotel and Club Voice,won a national labor press award for the hardhitting series of articles on slums and housing problems in which Stanley was quoted extensively.

At the City Hall rally for stronger rent control in Feb., demonstrators included the Fur Workers Union, District 65,Local 1199, Hotel and Club, Shoeworkers, Hatmakers and many others. On this month's March on Albany the unions joined with tenants and civil rights groups to lobby for the$1.50 minimum wage,better housing laws, and broader voting rights.

Thus, in New York City, the cooperative efforts of militant trade unionists and tenant organizations are bringing about the massive effort urged by the AFL-CIO.

In this issue,MCH takes particular pleasure in welcoming two new trade union affiliates (see page 3).

WALL STREET JOURNAL LOOKS AT THE "NO SERVICE, NO RENT" MORITT RULING

"Although many property owners are steamed up over Judge Moritt's decision, they don't intend to join any appeals. 'We'd be on the unpopular side'" says an article in the Wall Street Journal of Feb.4.

The issue is rent abatement. Judge Moritt stated that if it can be shown that the landlord has failed to provide services or maintenance so that there is a threat to life, health and safety, the tenants can stay in their apartments without paying rent to anyone. This goes fay beyond previous decisions. The most that could be hoped for previously was the deposit of rent into court - and then only if the Bldgs. Dept. had inspected and had recorded the violations.

This simple doctrine of "no services -- no rent" is an application of the idea, acceptable in every other part of law, that you don't pay for what you don't get.

Law group favors rent abatement

The technique of rent abatement, the WSJ article reports, is supported by a special committee of the Assn. of the Bar of the City of New York. The committee asserts that,as an adequate means of enforcing building standards, this technique is the "most likely to succeed and to provide the least likely radical change in the existing law." That the most conservative N. Y. bar association takes this position is remarkable indeed!

Of course, Judge Moritt's decision did not come out of thin air.The Rent Strikers have opened up this legal avenue to put the slumlords out of business.

Other judges of theCivil Court have been more reluctant than Moritt to accept the principle of "no services -- no rent."

Tenants can put teeth in Moritt ruling

Assem. Paul Curran introduced a bill in theState legislature which would put the Moritt decision into law and thus force the other judges to follow it. The Curran bill,which died in the 1964 session, must be enacted next year. Increased tenant activity and more rent strikes can change the judges' attitude now -- and can get the Curran bill passed next year.

Piilani Lum

WELCOME TO . . . .

five new MCH affiliates:

Brooklyn CORE, Community Tenant Council
Local 89, Chefs, Cooks, Pastry Cooks, and Assts., AFL-CIO
Community Services Committee of the Fur Workers Joint Board, AFL-CIO
Tilden Tenants Assn. (project tenants)
Dyckman Tenants Assn. (project tenants)

MARCH ON ALBANY (cont. from page 1)

public housing. At TENANT NEWS presstime not one single piece of legislation for better housing had been passed. Like the Bums,we must "wait until next year." But cold and weary tenants can't wait. They must act now and get theCity to take action within the present laws.

Met Council was part of theCitywide Committee for Decent Housing, a co-sponsor of the March. Our affiliates sent over 5 busloads of tenants. Among those MCH affiliates which sent delegates were: Lower East Side Ten. Counc., Uptown Tenant Council,Bronx Counc. on Rents & Housing, RENA, Brooklyn Tenant Council, Yorkville Save Our Homes Comm., Chelsea Save Our Homes Comm., University Settlement House Clinic, Local 89, and Community Services Committee of the Fur WorkersJoint Board.

Altho the March as a whole did not concentrate on visiting legislators,the MCH delegates managed to see most of their State Senators and Assemblymen and urge them to fight for better housing laws.

Four MCH Executive Bd. members -- Legislative Director Frances Goldin, Law Committee chairman Richard Levenson, Esq., Petra Rosa and Skip Moore -- went to Albany on Mon., Mar. 9. They saw prominent legislators, made appointments for Tues. and distributed the MCH Legislative Program to all legislators. On the day of the March a MCH committee met with Richard Stuart,counsel to Gov.Rockefeller, and with other legislative leaders.

HOUSING HI-LITES

Housing Primer by Elinor Black, published by the Women's City Club of New York, Inc., 6 W. 48 St., Feb., 1964. Explains the different housing agencies and their programs with housing term definitions.

WAIT A MINUTE -- DON'T SKIP THIS ITEM!

Marches to Albany -- rent strikes -- demands for more public housing --the tenants are fighting back! Housing is one of the big issues of the day. It's part of the civil rights battle but also important to all families who cannot afford luxury housing.

But the housing fight takes money. MCH can't print TENANT NEWS, mail out information, organize tenants and do the many other essential chores unless it has the dough. You won't miss that $5 or $10 so much. Send it to MCH. When? NOW!

MET COUNCIL DIARY

Housing Rally at the Ft. Washington-Manhattanville Reform Democrats, Feb. 27: Ruth Beinart, TENANT NEWS editor, spoke on tenant organizing and theAlbanyMarch.

Hearing before Mayor Wagner on decontrol of over-$250 apartments, March 11: At a "quickie" hearing, called without notice, Dr. Helen Harris represented both MCH and the Bronx Council on Rents and Housing. She strongly opposed the decontrol as an insidious weakening of rent control.

She pointed out that the RRA (Rent & Rehabilitation Admn.) had turned to the tenant organizations for support in defeating a proposed cut in its funds."How can you expect the tenants to support you when you deliberately do all in your power to destroy the Rent Control Law?" She cited the over-$250 decontrol, the new regulations giving landlords rent increases for heating equipment repairs, and the rumored decontrol of small buildings as instances of RRA undermining of the rent law. Altho most of those at the hearing opposed decontrol, it is assumed that the Mayor will sign it soon.

Dyckman Tenants Assn., March 12: Richard Levenson, MCH vice-chairman, reported on the Albany March and on the status of a bill to exclude most of the earnings of a wife or children in figuring income in public housing. The bill originated from this project tenant group.

Lawyers Guild, March 19: Richard Levenson, chairman of MCH Law Committee, and Bruce Gould, lawyer for the Harlem rent strikers, addressed their fellow lawyers on landlord-tenant law as it applies to the rent strikes.

Brooklyn Rent Strike Conference, March 21: Two MCH affiliates, the Brooklyn Tenant Council and the Tenant Welfare Comm. of the Pkwy.-Stuy. Comm. Council, were among the organizations sponsoring the conference. William Stanley and Stan Aronowitz represented the MCH exec. bd.

A NOTE OF THANKS

Some of the people who see to it that you get TENANT NEWS every month deserve the heartfelt thanks of all of us. They are Jean Congdon, Dolph Hazel, Clara, Elizabeth and Mary Josephson and Esther Rand, who take care of the mailings.

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CITY IGNORES "WAR ON POVERTY"; PLANS MORE MIDDLE-INCOME PROJECTS WITH NO LOW-INCOME

Despite the Mayor's proclamations of a "War on Poverty" and the hoopla about providing for the needs of low-income minority families --the City moved ahead this month to build more segregated middle-income enclaves. On April 9 the Bd. of Estimate held a hearing on the Bklyn. Bridge South plan. The project would provide 1,600 units of middle-income housing, no low-income housing, stores, a kindergarten-2nd grade public school and additions for Pace College and Beekman Downtown Hospital. At a previous hearing before the City Plan. Commn., MCH as well as the Women's CityClub and Citizens Housing & PlanningCouncil protested against continuing to build one-income communities. The project would be segregated economically and also racially by virtue of income. The on-site school would thus be another segregated school.

Speaking at both hearings for MCH, Esther Rand called for a mix of middle and low income housing, which would also guarantee a racial mix.

Canarsie project ignores low-rent, too

Another middle-income enclave loomed on the horizon with the announcement last month of a huge project in Canarsie. It would provide 5,840 apartments and shopping center on vacant land -- with no low-rent housing at all.

The story in the NY Times wryly reported that the developer's law firm isMitchell, Barker & Cohen of which State Sen.McNeil Mitchell is a partner; that the architectural firm is Lama,Proskauer & Prober, headed by Assemblyman Alfred Lama; and that the developer has applied for State loans under the Mitchell-Lama law.

(turn to page 2)

Vol. II, No. 8
April, 1964

TENANTS TO PICKET RENT OFFICES, WEDNESDAY MAY 20; ASK FASTER ACTION, RENT CUTS

Why doesn't the Rent and Rehabilitation Administration cut rents in Rent Strike buildings to $1 immediately? Why can't emergency cases be handled in a few days and ordinary cases be handled in60 days? Why can't RRA offices be open on Sat.and at least one evening? Why are increases granted without hearings and without inspections to guarantee no violations? Why are landlords given increases for normal repairs and replacement? Why is there so much redtape,confusionsand discourtesy at some local RRA offices?

Tenants are asking these questions-- and they will demand the answers at Rent Office Picketlines on Wednesday, May 20.

On that date tenants from MCH affiliates will join with other organizations to picket the main RRA office at 280 Broadway and four local RRA offices in Manhattan, the Bronx and Brooklyn. The hours and locations are:

541 West 145th St., Manh.
260 East 161st St., Bronx 9-11 a.m.
81 Willoughby St., Bklyn.

2 Lafayette St., Manh. 12-1 p.m.

280 Broadway, Manh. 1-2 p.m.

Picket before you go to work or while the kids are in school in the morning -- or take a long lunch hour and come out to the picketlines at 2 Lafayette St. and 280 Broadway. Bring your neighbors.

Tenants are demanding that the RRA use its power & hit landlords in the pocketbook. Instead of protecting tenants the Rent Law is being used to reward slumlords for years of neglect.

DON'T JUST STAND THERE . . . .

PICKET THE RENT OFFICES, WED., MAY 20

LEGISLATIVELY SPEAKING

by Frances Goldin

Pres. Johnson's "War on Poverty" in the housing field is lost -- as surely as if the white flag had been hoisted.

Such a war can only be won with the latest equipment, a large army and dedicated strategy. Instead, our General offers, for the entire nation, an additional 15,000 low-rent public housing units per year. But 15,000 units can't even fill the demand in one poor neighborhood in NY City. And the backlog of applications to the NYC Housing Authority alone now numbers over 100,000!

Instead of a war for the poor, the President must be on a crusade for the middle-income families. He proposes 10½ times as much money for middle-income homes as for low-income housing. There is no question of the need for middle-income housing. Something is wrong with the proportions if the war is aimed at poverty.

In addition, the basic dilemma on the housing front is the shortage. Yet the Federal program is based on tearing down as much as is built. This only guarantees no end to the crisis and continued power over tenants by landlords who will stay in the driver's seat. The Federal program should be based on massive vest-pocket building on vacant land. Then we could hope for real relief through a bigger supply of decent housing.

The real beneficiaries of the President's housing program are the builders and the investors. They are subsidized, loaned money at long term, low interest rates, given land with written-down costs and, unbelievable as it may seem, when private builders rush in to take advantage of this bonanza, and construct makeshift, shoddy homes, Johnson proposes that the government foot the bill to "finance the correction of substantial deficiencies"!

Pres. Johnson also proposes some improvements in relocation practices and token experimental housing for low-income slum dwellers. But he is fighting this war with a slingshot -- in an age of atomic power and moonshots. Sen. Fulbright has proposed that we turn our military budget toward the people's needs. The President would do well to heed the Senator.

CHELSEA FIGHTS PHONY CONSERVATION

Right now the fate of the Chelsea Neighborhood Conservation Program lies in the balance. It faces either "phasing out" (implying a regular reduction in its supporting grant) beginning this July -- or extension to cover more blocks, more buildings and more people.

The Chelsea Save-Our-Homes Committee has been fighting to tip the balance in favor of ending the program. The committee says that the program is phony conservation and has collected facts to back up its claims. It has drawn up a program for true conservation.

There has been a great influx of money into Chelsea since conservation began in 1959. Chelsea has been the scene of demolition and new building activity -- of luxury apartments. The Conservation Program reported 150 conversions (from rooming houses and apartment buildings) each involving many apartments. For instance, 11 apartment buildings were demolished for the 16-story London Town House on 22nd Street and 9th Avenue.

The result of these conversions has been the displacement of the original tenants out of Chelsea. Most moved to areas even more depressed than Chelsea was at the beginning of conservation --and more segregated. Approximately 85% of the displaced families wereSpanish-speaking, 10% were Negro and 5% other.

The fact is that neighborhood conservation in Chelsea has not preserved the neighborhood socially or ethnically. It has meant the squeezing out of minority families and "upgrading" towards an all-white high-income neighborhood.

Had the City been less concerned with enhancing property values (by which it hoped to upgrade the neighborhood) and more interested in conserving the neighborhood, it first would have built public low and middle-income housing into which the people affected could move. This could have been built on vacant and badly used commercial land within Chelsea. Then relocation of overcrowded families and code enforcement could have begun. The City should also have declared, as MCH has advocated, a moratorium on demolitions and conversions in Chelsea.

Piilani Lum

MIDDLE-INCOME ENCLAVE IN CANARSIE

(cont. from page 1)

The developer is also seeking a 50% tax abatement on real estate taxes. This is allowed if the rents are held under $30. Rents in the Canarsie project have been estimated at $29.96. As one MCH cynic commented: "Why not $29.99?"

One wonders why the City couldn't find those 105 acres of vacant land to build a mixed-income, integrated public housing project?

TENANT LEADERSHIP WORKSHOPS, MAY 11-18

The schedule for the last two Tenant Leadership Workshops is:

Monday, May 11 - EVICTIONS AND DEMOLITION, RECEIVERSHIP ACTIONS

Monday, May 18 - LANDLORD APPLICATIONS AND HOW TO FIGHT THEM

All Workshops are held from 8 to 10 p.m. at the McBurney YMCA, 215 W. 23rd St.

MCH MEMBERSHIP MEETING ELECTS OFFICERS, NEW BOARD; FOLK SINGERS ENTERTAIN

The MCH membership meeting on March 30 presented committee reports and future plans and elected a new executive board and officers. It also (to use chairman Jane Benedict's pun) hit a new note in meetings. A quartet of young folksingers (minimum age, 11 years), with 2 guitars, gave a rousing rendition of "The Faucets are Dripping" and other songs. The four were Sally Goldin, Steve and Dan Beinart and Bill Tatum. They promised to entertain again with more housing songs.

Officers elected were Jane Benedict, ch.; Herbert Hines, Jr., 1st vice-ch.; Stanley Aronowitz, 2nd vice-ch.; Caroline Roest, treasurer; Evelyn Aronowitz, rec. secy., and Virginia Rosen, corr. secy.

The new board includes: Ruth Beinart, Mel Beinart, Susan Brownmiller, Jerry Covici, Jose Fuentes, Frances Goldin, Helen Harris, Mamie Jackson, Richard Levenson, Meryl Lewis, Robert ("Skip") Moore, Major Owens, Esther T. Rand, Petra Rosa, Ruth Rudder, Marie Runyon, Edna Slatkin, Ed Smith, William Stanley, Bill Tatum, Emanuel Vodvarka, Germaine Wasserman, Jane Wood, and Brina Zwicker.

ARTIST-TENANTS VS. CITY HALL

For an hour on Friday, April 3 the artists of New York City laid down their brushes and pencils and became tenants first and artists second. Forgetting differences about art theory -- the modern artists and the traditionalists, the academicians, action painters, "pop" artists, all joined with the sculptors, mural painters, graphic artists and designers to fight for their rights as tenants.

Led by the Artist Tenants Assn. with the support of 15 artists organizations and the Met Council on Housing, 1,000 artists and their supporters picketed City Hall. They demanded that the City exempt artists from zoning rules which would lead to their eviction from lofts. They reminded City officials of the 1961 agreement that artists would be permitted to live in lofts with proper safeguards against fire hazards.

The artists now living in lofts face the loss of their studios if the new zoning laws are enforced against them. Few of them can afford to rent both a studio and an apartment or can pay the high rents in legal apartment-studios.

The Whitney Museum of American Art has been giving practical support to the artists, by giving them meeting space, etc. More than 80 art galleries closed on Apr. 3 to show their support. Newspaper articles and editorials have been favorable.

The picketline was followed up with two meetings with City officials. At TENANT NEWS presstime neither meeting had produced anything but evasive offers to stop evictions for two weeks and to legalize current AIR's (permits for artists-in-residence). Only about 10% of the artist-tenants have AIR cards. Thus new artists and those who do not have AIR cards would receive no protection.

The attempt to oust the artist-tenants is based on the theory of "clean zoning" -- compared by one artist to the "clean bomb." Both are devastating to their victims. When will the City officials realize that a city which has room for gigantic, expensive Lincoln Centers, for so many museums and galleries -- a city which claims to be a cultural center -- must also have room for the producer of that culture, the artist?

Helen DeMott

MET COUNCIL DIARY

Neighborhood conservation, Apr. 6: Jane Benedict, MCH chairman, joined a group from the ChelseaSave-Our-HomesCommittee, including, Jane Wood, its chairman, and the Furrier's Union and New Chelsea Club which met with Milton Mollen,head of the NYC Housing and Redevelopment Board.They asked Mollen to adopt a program of true conservation for Chelsea instead of the present program which encourages evictions,demolitions and luxury conversions. (See story on page 3.)

Metro North Citizens Committee, Apr. 7; Frances Goldin, ch. of MCH's Legislative Comm., and Richard Levenson, ch. of the Law Comm., met with Metro North, a new East Harlem tenant organization. They were consulted in mapping out a campaign to put 4 abandoned buildings --the "Tragic Four" -- under City receivership.

Brooklyn Bridge Plan, Apr. 9: Esther Rand,MCH bd. member, testified in opposition at the Bd.of Estimate(see page 1).

Demonstration for Curran bill, Apr. 13: MCH joined with other housing groups in picketing Gov. Rockefeller's NYC office on West 55th St. They demanded that the Governor include the Curran bill(to legalize rent strikes) on the agenda of the Special Session of the StateLegislature.

Parent Workshop, Apr. 22: Jane Benedict spoke at a Parent Workshop sponsored by the PTA's of PS 175M and 197M on "How to Obtain Better Housing."

Urban League Conference, Apr. 25: Three MCH board members, Jane Benedict, Richard Levenson, and Petra Rosa, were panel consultants. Ruth Beinart, TENANT NEWS editor, and Petra Rosa were also listed as consultants to the planning committee.

Maria Harriton

SAVE THAT DATE -- SAT. NIGHT, MAY 23 --

SAVE THAT DATE --- Sat. night, May 23 -- for Met Council's triple threat. For a mere $1.50 you will be able to watch an exciting folk dancing troupe(better than the Moiseyev Dancers!) -- listen to folk songs by the Met Council quartet (better than the Beatles!) -- and see a fascinating new experimental film (better than Bergmann) -- and then enjoy the rest of the evening dancing,gobbling & guzzling.

MAY 2, RENT STRIKE PARADE IN BROOKLYN

A huge Rent Strike Parade in Brooklyn -- and 300 buildings on rent strikes by May 15th -- these were the goals laid down at the March 21st conference sponsored by the Brooklyn Rent Strike Coordinating Committee. The conference was attended by over 100 representatives of trade unions, churches, NAACP, CORE and political clubs and tenant groups.

The parade will be held on Sat., May 2 and will go from Bedford-Stuyvesant to the Boro President's office at Boro Hall. MCH has pledged its support. Further information is available from Brooklyn CORE, UL. 7-9200.

THE METROPOLITAN COUNCIL ON HOUSING welcomes the support of every organization and individual interested in "decent housing at rentals people can afford." Yearly membership is $10 for organizations; $5 for individuals. You may join by signing this address label ---- and sending it with membership fee to Met Council on Housing, 215 West 23 St.

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Chairman, Jane Benedict; Editor, Ruth Beinart; Staff, Frances Goldin, Herbert Hines, Jr., Meryl Lewis; designed by Helen DeMott.

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PEOPLE, PUBLIC HOUSING AND PARKS

It looks as if MCH's argument that the City should build on vacant land has convinced a City official! Frank F. Lazarus, Commner. of the Dept. of Real Estate, has come out for building on non-occupied land!

Mr. Lazarus is probably tired of trying to find all those empty apartments that the City keeps claiming are lying around for displaced tenants. And so he says that tenants should not be displaced.

But his solution is a bit warped. He proposes to give us housing -- but take away our parks. He suggests that public housing be built on the north end of Central Park. It is interesting that he chose the north end, one of the few large park areas close to Harlem.

Why didn't he choose the south end, across the street from the penthouses of Central Pk. South? Or why not Gramercy Park or Carl Schurz Park (where Gracie Mansion already provides housing for the Mayor)? Could it be that Mr. Lazarus, along with many other City officials, prefers to confine public housing to the Negro and Puerto Rican ghettoes?

Land available outside the parks

Why use the parks at all? There are plenty of available sites for new vest-pocket housing and for small new parks, without displacing a single tenant. MCH's Citizens Survey of Available Land proves it. (See Legislatively Speaking column, page 2.)

How about it, Mr. Lazarus?

ON THE INSIDE PAGES:
- Call for Action booklet
- Lawyers aid rent strikes
- MCH gains new members
- Workshop photo

TENANTS PARADE, RATS STAY HOME

"The cage of live rats was not used because a complaint from theASPCA pressured the police into digging up a law forbidding the caging and exhibition of wild animals. The law is part of the Health Code (161-01) which the police normally refuse to enforce."

The above was the footnote to a press release about the Brooklyn Rent Strike Parade which took place May 2. The release, written before the parade, mentioned a cage of live rats, caught in rent strike buildings, which would be carried atop a car in the parade.

But the City -- always alert to protect its citizens (including rats evidently) -- responded immediately and warned the parade organizers not to be cruel to rats by caging them. Some of the marchers commented that it is crueler to leave the rats in the slum buildings, without sufficient heat or services.

So with a ratless cage and with 1,000 determined tenants and their families marching and chanting, the parade took the three-mile route from the heart of Bedford-Stuyvesant to the office of the Brooklyn Boro President who didn't show up for the occasion. At times the march

(Please turn to page 3)

A welcome pause for the Brooklyn parade
Photo by Bob Gregor

JOIN BROOKLYN RENT STRIKE
MUST GO
TEN

LEGISLATIVELY SPEAKING

by Frances Goldin

As chairman of the Citizens Survey of Available Land, a subcommittee of MCH, I plead special privilege in devoting this column to our newly-issued report on this subject.

The report was almost two years in the making. It is the volunteer effort of dozens of citizen-surveyors, researchers, technicians, planners, draftsmen, typists, photographers, record checkers and sponsors. Housewives, clerks, retired people, white collar workers, unemployed members and professionals gave generously of their time to produce this miracle. In preparing the report, MCH undertook a professional and most ambitious project --to prove to the City that our communities can be rebuilt without displacing their residents.

No legal obstacle to "vest-pocket"

The construction of vest-pocket housing (single buildings) on available land, without displacing a single tenant, would not require any legislative changes. The only roadblock to be overcome is the City's reluctance. The City must decide once and for all to bypass the bulldozer and orient its housing policy to people, rather than to buildings.

Sites were found in all five boroughs, altho our survey covered only a small protion of the City's total area. Under current zoning regulations, a total of 12,050 apartments could be built on the sites we found and documented -- and not a single tenant displaced.

Action needed to back up report

We hope that the Citizens Survey will encourage all local groups to fight for vest-pocket housing on the land available in their communities. If the City administration will not point the way, the tenants must. To quote the report: "The shortage we have found is neither in vacant land nor in finance. It is in the short-sighted approach of our planners and housing professionals and of our politicians."

The Citizens Survey of Available Land, published by MCH, can be purchased for a modest $1.50 by MCH members; $3.00 by others. Write to MCH for copies.

BOARD HEARS HAPPY REPORT

MCH's new executive board met for the first time on Apr. 27. The first report of the evening astounded and inspired the entire board. Treasurer Caroline Roest announced proudly that MCH was -- for the first time in many months -- in the black financially! Contributions had, temporarily at least, brought the treasury out of debt. Whether or not it will stay that way, however, will depend on getting more organization memberships at $10 each -- more individual memberships at $5 -- more renewals of expiring memberships -- and more sustaining contributions of $1 and up per month.

TENANT WORKSHOPS END

The last of the Tenant Leadership Workshops sponsored by MCH is scheduled for Mon., May 18 at the McBurney YMCA, 215 W. 23rd St. The final session will take up Landlords' Applications and How To Fight Them. Altho the series will then be finished, MCH plans to issue a Tenant Handbook, a guide to organizing and action, sometime in the fall. The Handbook will cover some of the same material included in the workshops.

The Workshop Committee wishes to thank those who gave their time and brains to lead the discussions: Frances Goldin, Mamie Jackson, Esther Rand, David Minkoff, Richard Levenson, Jane Benedict, Jane Wood, Ruth Beinart and Minnie Kalmis -- and especially to rent strike leaders Major Owens, Brooklyn Rent Strike Coord. Comm., and Joe Walker, Local 1199, who participated in the Rent Strike panel.

Rent Strike Workshop panelists from left to right: Joe Walker, Richard Levenson, and Major Owens (facing camera).
(Photo by Lucille Flato)

LAW COMMITTEE AIDS RENT STRIKERS

MCH's Law Committee under the chairmanship of Richard Levenson, Esq., has been performing herculean tasks in the las

MCH's Law Committee under the chairmanship of Richard Levenson, Esq., has been performing herculean tasks in the last few months. It has enlisted a panel of volunteer lawyers who devote one day a week to defending tenants in rent strike cases. Tenants all over Manhattan have been given legal help, with most coming from the Lower East Side and Harlem.

The lawyers' valiant efforts are complicated by slumlords who evade the required legal steps in starting a dispossess action. These slumlords neglect to notify the tenant and often win an eviction when the tenant fails to come to court. The eviction can then only be stopped by a frantic 24-hour dash to draw up a "show-cause" and get it signed and served before the marshal evicts. This could be stopped by passage of a law in Albany to require that a dispossess by served by certified mail, with a return receipt.

But despite the shortcomings of the laws which hamper rent strikes, the Law Committee has been invaluable to tenants & to the rent strikes. The volunteer panel, which includes both members and non-members of MCH, includes: Gene Ann Condon, Lester Evens, Bruce Gould, Nancy LeBlanc, Richard Levenson, James Prendergast, John Silverberg, Nathan Urdang, Leonard Wacker.

RECOMMENDED READING

Housing Complaints Guide, The Book You Shouldn't Need. WMCA: Call for Action, 415 Madison Ave., New York 10017. $1.00
This is *the* guide to the dozens of City agencies, departments, etc. which handle tenants' complaints. The guide will be especially useful to tenant leaders. Use the guide to find the proper City agency and then follow up complaints with lots of action -- letters, phone calls, telegrams, delegations, picketlines-- by the tenants.

The guide was compiled and used by volunteers at Call for Action. As the guide points out, tenants wouldn't need it if only the City would set up a single bureau to handle all housing complaints.

→

BROOKLYN RENT STRIKE PARADE

(Continued from page 1)

stretched out for six blocks. Signs and chants proclaimed the theme of "No services -- no rent!" and "What do we want? -- New housing -- When? -- NOW!"

An ASPCA truck and four ASPCA employees walked and rode the entire distance to guarantee that the marchers would not suddenly pull live rats out of their pockets and cage -- or worse -- release them. Some quipsters proposed the formation of an ASPCT (the T means tenants).

Despite all the joking about the rats, the parade lived up to the predictions of Major Owens, its chairman. "Anger and protest will be the mood of this parade. We are not celebrating anything. This is a grass roots demonstration to show that an era has ended. We are serving notice that the people of Bedford-Stuyvesant and Brownsville do not intend to be exploited and misused by slumlords any longer."

The parade was organized at a conference of 100 tenant and community leaders from churches, political clubs and civic groups. It was led by the Brooklyn Rent Strike Coordinating Comm., which consists of Brooklyn CORE, Brooklyn Tenant Council and the Tenant Welfare Comm. of the Parkway-Stuyvesant Comm. & Housing Counc.

MCH sent a contingent of paraders to show citywide support for the Brooklyn group. About 30 members of MCH and its affiliates -- from the Bronx, Washington Hts., Harlem, Yorkville and the Lower East Side -- marched.

The Call for Action group testified at a budget hearing on May 8 and said that no additional funds should be given to the Dept. of Buildings until the whole setup is reorganized to eliminate waste and inefficiency. They asked for a central housing agency, contending that additional funds to the present tangle of agencies is wasteful and ineffective.

MCH agrees with their criticisms of the City agencies but supports additional funds to add inspectors and clerical personnel to the Dept. of Buildings until there is complete reorganization.

MET COUNCIL DIARY

MCH vs. NYC Housing Authority, Apr. 4: Tenants living in rehabilitated housing that the NYC Housing Authority planned to auction met at the McBurney YMCA. Esther Rand, Irene Eckstein and Mamie Jackson organized the group. A total of 29 buildings with 239 apartments are endangered. The buildings were acquired by the Authority in 1947 and originally intended for temporary relocation. However they have become permanent homes for many families; one tenant has lived there for 11 years.

METCOP Forum, Apr. 28: Frances Goldin, ch. of MCH Legislative Comm., spoke at a forum entitled "Appropriate Professional and Governmental Responses to the Rent Strikes," which was sponsored by the Metropolitan Committee of Planners.

Tenant Troubadours on WNEW, May 10: MCH's guitar-playing, folk-singing quartet, Sally Goldin, Bill Tatum and Steve and Dan Beinart, were part of a 25-minute rent strike news program on WNEW. In addition to "The Faucets Are Dripping," a song by Malvina Reynolds, they sang "Mayor Wagner, use your power...," a parody written by Meryl Lewis, Bill Tatum and Frances Goldin for last year's tenant demonstration at City Hall.

The Battle of Morningside Heights, May 12: Jane Benedict, MCH chairman, and Richard Levenson, Law Comm. head, addressed a meeting of the "Amsterdam-111th-112th St. Block Assn." This is a group of 7 buildings which may be torn down for a home for the elderly. Dozens of buildings are being demolished in the area, most for institutional purposes, and the tenants can be evicted without relocation and without moving costs.

Rent Office Picketlines, May 20: A day of protest against the redtape, delay and landlord favoritism in the local RRA offices is set for May 20. As this issue of TENANT NEWS goes to press, preparations are being made to picket the local offices in Manhattan, the Bronx and Brooklyn and the main office at 280 Broadway. The action is getting publicity in the papers and support from other groups, including Local 1199. For a full story, with pictures, see next month's TENANT NEWS.

WELCOME TO . . . .

Clinton Hill Neighborhood Council of
Newark, N.J.
Greenwich Village-Chelsea NAACP

two of our newest MCH affiliates. The Clinton Hill group has been fighting an urban renewal plan which would uproot their neighborhood and replace it with light industry.

Vol. II, No. 9
May, 1964

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MCH "CITIZENS SURVEY" POINTS OUT VACANT SITES FOR VEST-POCKET CONSTRUCTION --- GETS RADIO, TV, PRESS ATTENTION

A practical way of building 100,000 new apartments immediately without relocating a single tenant -- this is the sum and substance of MCH's new publication, A Citizens' Survey of Available Land, unveiled at a press conference on June 8.

The survey shows that the City does not have to bulldoze a neighborhood and tear it to pieces to provide new housing. It calls for building low and middle-income housing on vacant or badly used land. It calls for building vest-pocket housing -- that is, small one-building projects which blend into the neighborhood and do not overload schools and other community facilities.

As the survey's introduction says: "We must stop the thirty-year looting of our neighborhoods by the bulldozer, by the ivory-tower houser and planner, by the influential private real estate developer behind that bulldozer."

The volunteer surveyors were only able to cover parts of 22 of the city's 87 residential districts. However, they found 122 excellent sites on which could be constructed 12,050 apartments. If the entire city were surveyed, space could easily be found for 100,000 or more.

What are the advantages of building small, single buildings on vacant or badly-used land?: (1) It does not throw tenants out and avoids the heartache and expense of relocation; (2) It adds to the net supply of housing; (3) It can help integration by enabling Negro and Puerto Rican families to move into vest-pocket housing in all-white neighborhoods or by offering attractive middle-

(Please turn to page 4)

Vol. II, No. 10
June, 1964

QUINTUPLET PICKETLINES AT RRA DEMAND SPEEDIER ACTION, NO MORE RENT INCREASES

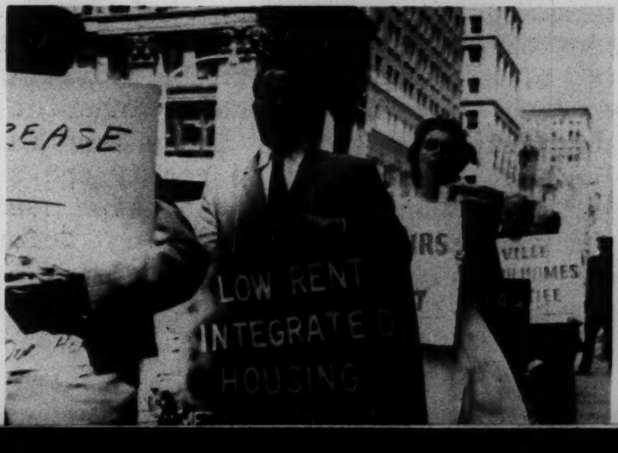
Five picketlines in one day -- can't be done? Well, MCH and its affiliates did it on Wed., May 20. Local RRA (Rent and Rehabilitation Administration) offices in Brooklyn, the Bronx, upper and lower Manhattan, and the main RRA office at 280 Broadway were picketed that day. The demonstrators demanded faster action on tenants' complaints -- and an end to spiralling rent increases for appliances, "improvements," etc.

Fido wants low rents, too

Despite the difficulty of organizing 5 separate actions, the picketlines drew about 250 tenants in all -- 25 in the Bronx, 35 in upper Manhattan, 40 in lower Manhattan, 100 in Brooklyn, and 50 at 280 Broadway. At the upper Manhattan picketline at 541 West 145th St. people going to work, walking their dogs or taking laundry to the launderette greeted the line enthusiastically and joined it, if only for a few minutes. The line was graced by a large, ferocious-looking dog for a while. Maybe that was the reason for the strong police contingent which stayed with the line (despite the much-advertised police shortage). WABC-TV took pictures of this picketline and showed them on its evening telecasts.

(please turn to page 3)

"Mrs. Gabel, use your power" sing Bill Tatum and Frances Goldin at 280 Broadway
(Photo by Lucille Flato)



LEGISLATIVELY SPEAKING

by Frances Goldin

MCH's State legislative program this year contained 13 points. Those demands dealing with rent strike legislation and new housing appropriations received the lion's share of attention and publicity. Because point no. 13 was lost in the shuffle and because it was so important, I wish to single it out at this time.

Point no. 13 proposed the establishment of a Fair Housing Rental Service to effectively stop discriminatory practices in renting apartments. It is an open scandal that discrimination by landlords and brokers continues unabated. The agencies (State Commn. for Human Rights and City Commn. on Human Rights) set up to deal with this dilemma are almost powerless. Only token breakthroughs have been won. Most good housing at reasonable rents in the city is still closed to Negro and Puerto Rican families.

Our point no. 13 presents a new and effective method. All landlords (private or publicly-aided housing) would be required to list all vacancies with the Fair Housing Rental Service. This could be established within the Commn. on Human Rights. Landlords would be required to rent only to tenants referred to them by the service. The service would refer tenants on a strictly non-discriminatory basis in order of application. Naturally, appropriate regulations would be established, such as allowing tenant applicants to indicate the size, description, general location and rental of the apartment they want.

Method developed by trade unions

The approach suggested is similar to open hiring halls set up by trade unions. It is a tested and proven technique for ending discriminatory practices.

Determined action as suggested above is essential to break through the iron curtain of bigotry. The anti-discrimination laws now in effect are inherently susceptible to evasion. These laws must be changed drastically to really end segregation in housing. Legislation needs to be drafted now for prefiling before the next State legislature. How many legislators will respond to the challenge?

SPOTLIGHT ON
DYCKMAN TENANTS ASSOCIATION

The Dyckman Houses public housing project, near the northern tip of Manhattan, is 14 years old. And the Dyckman Tenants Assn., a MCH affiliate, is facing new problems as the project grows older. The group was formed in 1961 to get badly-needed new refrigerators for the 1,100 tenants living there.

The children of tenants in the middle-income project are growing up and getting jobs. Their added "secondary income," along with the earnings of working wives, is bringing family incomes above the allowable limits. This forces the young people to leave home or the family to face eviction, according to Housing Authority rules. To change this situation, the tenants assn. is working for a state law to exclude 75% of secondary wages in figuring incomes in public housing. For many reasons, secondary income should not be counted fully. It is often irregular and much of it is spent on higher taxes & added working expenses.

The tenants assn. expects to add passage of this law to its other victories. It speeded the installation of the above-mentioned refrigerators by 3 or 4 years. Tenants paid only $2 a month for 12 months to amortize the cost.

Other achievements include a much-needed master TV antenna and a Golden Age club. The assn. is pushing to enlarge the club, which now has 50 or 60 members, so that the Welfare Dept. will provide a supervisor. Latest tenant assn. success, won after an extended campaign, is allocation of $78,000 in the City budget for a park across from the project. Work on the park is expected to start in 1965.

A project newspaper, started by the assn. in April, 1962, is paid for by ads from local merchants. Movies of interest to tenants sometimes are shown at the monthly membership meetings. A possible summer outing is being discussed.

Sparkplugs of the Dyckman Tenants Assn. include Louis Selinsky, chairman; Keith P. Schaber, vice-ch. and asst. editor of the paper; and Stanley Weininger, editor.

R.L.

DEPT. OF BUILDINGS ASKED TO TAKE FASTER ACTION ON RENT STRIKE CASES & EMERGENCIES

Tenant dissatisfaction with the Dept. of Buildings was the subject of a meeting on June 4 between Dep. Commissioner Judah Gribetz and representatives of MCH & the New York chapter of CORE.

The tenant spokesmen wanted faster action on emergency and serious cases, especially in buildings where the tenants had been forced to resort to Rent Strike action. One of the bottlenecks seems to be in the "machine" -- the infamous IBM machine which is supposed to speed things up by electronic data processing. Unfortunately, machines are without the feelings or selectivity of human beings and they process all cases the same. A leaky faucet, a balky window-sash -- or a Rent Strike building which is without heat and hot water and which is infested with rats and other dangerous conditions -- all these are sent through the slow, painstaking processes of the machine. The best that Mr. Gribetz could offer was that he has asked for a better machine which may be available next year.

Gribetz to study Brooklyn procedure

The meeting resulted in a promise by Mr. Gribetz to review the procedure which has been set up in the Brooklyn office of the Dept. of Buildings to handle Rent Strike cases and to try to set up the same procedure in Manhattan. He also agreed to ensure proper identification of inspectors.

Inspector's visit card refused

MCH had urged that Buildings Dept. inspectors leave a record of their visit as is done by Health Dept. inspectors. Mr. Gribetz maintained that this was impossible because of the wider variety of violations covered by his department.

Write it down!

Tenant organizers find that it is important to know which inspector visited a building and when. So until the Dept. of Buildings at least agrees to leave a card giving the date of inspection and name and badge number of the inspector-- tenants are advised to ask the inspector for this information and write it down themselves.

RRA PICKETLINES (cont. from page 1)

Gabel will meet with tenants, June 17

At all local RRA offices, the picketers sent in delegations to confer with the District Directors. At the main RRA office Mrs. Gabel, the head of the RRA, also met with a small group for a short time. Another appointment with Mrs. Gabel was set for June 17 to discuss the tenant demands in more detail.

New loopholes allow rent increases

In recent months the RRA has been allowing landlords more and more excuses for raising the rent. Usually the increases are based on so-called improvements, such as wiring, plumbing, repairs to heating equipment or new appliances. All of these are replacements, not new services. A landlord should replace a worn-out boiler just as he replaces a worn-out light switch -- without a rent increase.

Landlords get another break

Only two days after the picketlines the RRA issued a new Operational Bulletin No. C-9, easing the requirements for landlords who want to apply for increases. Instead of being required to file a certificate showing that there are no violations, the landlord can file affidavits, statements and other substitutes. This places the burden of proof on the tenant. The tenant must now try to get a copy of the violations from the Dept. of Buildings (a 4 to 6 week procedure) and prove that there are violations, how many there are, whether they are serious or minor, and so on. Once more the landlord is handed an increase on a silver platter. The tenant must take time off from work and run around and try to keep his rent from increasing.

From a headline in the NY Times: "Ex-City Rent Official Joins Realty Investors." The article goes on to report that Mr. Matthew J. Domber, first deputy administrator of the RRA, has resigned to become executive vice-president of the Stanley J. Harte Corp., realty investors and developers.

To paraphrase the late General MacArthur: "Old City housing officials never fade away -- they join real estate firms."

MET COUNCIL DIARY

National Society of Welfare Assembly, May 4: Citizen participation in the War on Poverty was the subject of a meeting called by the National Society of Welfare, which was attended by members of President Johnson's Task Force on Poverty. Frances Goldin, legislative ch. of MCH, represented MCH.

Executive bd. gets new member(?), May 17: Bryna Zwicker, MCH board member and one of the mainstays of the publicity committee, took May 17 off to have little Andrew Paul. Best of luck to you, Bryna and to proud papa, Alvin Zwicker.

Tenants fight eviction, Bellevue South, May 27: 2,000 tenants and many businessmen face eviction, allegedly to make room for personnel of the NYU Medical Center, according to City plans. MCH bd. member Esther Rand spoke at a street meeting of the Bellevue South Tenants Association protesting this action.

Hotel Trades Council, June 2: Bill Stanley, MCH bd. member and ch. of the Uptown Ten. Counc., spoke on "More and Swifter Action on Housing."

Yorkville, June 3: Frances Goldin, in her capacity as ch. of the Citizens' Survey of Available Land Committee, briefed members of the Yorkville Save-Our-Homes Comm. The Yorkville group is planning a street meeting on June 20 to demand that available land in their community be used for City-subsidized low-rent public housing.

Bronx honors tenant leader, June 10: The Bronx Council on Rents and Housing held a testimonial dinner in honor of Mrs. Minnie Kalmis. She was feted for her many years of work and devotion on behalf of tenants and for good housing.

Maria Harriton

A CITIZENS' SURVEY OF AVAILABLE LAND
(continued from page 1)

income apartments to white families in mixed neighborhoods.

The survey disputes the claim that vest-pocket housing is expensive by showing that it can be as much as 1/3 cheaper. Housing could be built for $12-22 per room instead of $18-30 per room.

Don't sell City-owned land, build on it
To back up demands for vest-pocket housing on vacant land, MCH picketed the sale of City-owned land on June 10. At the auction, held at the Hotel Statler, the City sold 82 parcels of land. Many of these parcels could have been used for vest-pocket housing or for schools or small parks.

(Copies of MCH's Citizens' Survey can be ordered at $2 for members, $3 to others.) Write or phone for your copy.)

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NOVEMBER 3, '64

PROPOSITION #1

Shall sections 5 through 10 of chap. 272 of the laws of 1964, providing for an increase of $7.5 million in the amount of state subsidies which may be outstanding, and authorizing the creation of additional state debt and the sale of state bonds of $165 million for slum clearance and low rent housing purposes be approved?

APPROVAL O

More than 8,000

In 1963 there was
TEN families who

A vot

(The Proposition will appear on the right hand side of the voting machine in New York City. In other areas of the State it may appear on the top line of the voting machine. Be sure to look for it.)

DISTINGUISHED CITIZENS COMMENT...

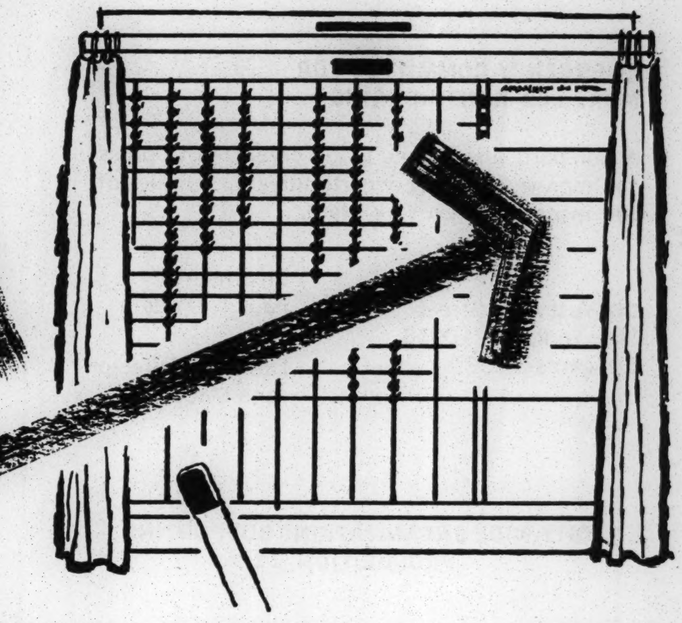
VY. REV. MSGR. HARRY J. BYRNE, Executive Secretary, Archdiocese of New York, Committee on Housing and Urban Renewal—"Public housing by providing people with adequate space and family privacy is a beginning towards the elimination of the social, moral, and emotional deterioration which so frequently accompanies life in a slum. It is imperative that appropriate legislation be fully enacted if public housing programs are to be continued."

RT. REV. HORACE W. B. DONEGAN, Bishop of the Protestant Episcopal Diocese of New York—"The tragedies of social waste and the disruption of family life resulting from the housing shortage impel me to urge passage of the public housing proposition. Christian responsibility on this issue seems clear—homes for our people are needed and every means available should be utilized."

LOUIS HOLLANDER, Secretary-Treasurer, New York State AFL-CIO Labor Council—"The New York State AFL-CIO enthusiastically favors passage of the housing proposition. We strongly urge everyone to vote YES to ease the shortage of homes for low income families."

SENATOR JACOB K. JAVITS—"New York's national reputation for leadership in the field of housing has been achieved through bi-partisan support for better housing programs. I ask all our citizens to vote YES for a continuation of these programs."

JOSEPH MONSERRAT, Director, Migration Division, Depart-



OF PROPOSITION #1 WILL MEAN

0 FAMILIES can leave the slums.

as no room in public housing for NINE out of every
no applied.

ote for public housing means

BETTER homes

BETTER cities

MORE jobs

ment of Labor, Commonwealth of Puerto Rico—"In this election the citizens of New York have a chance to take a step forward in the struggle to provide good homes for all our people. We owe it to ourselves and to the community to vote 'Yes' for housing on Election Day."

GOVERNOR NELSON A. ROCKEFELLER—"The low-rent program is the chief source of low-cost housing for the aging, and an essential part of a responsible relocation plan for urban renewal. These are two important reasons why I urge you to vote 'yes' on the housing proposition."

RABBI MAX SCHENK, D.D., President of the New York Board of Rabbis—"We are rightfully proud of the social progress made by our State, and its recognition of the responsibility for decent housing where the need outstrips the capacities of individuals to achieve it. But pride does not mean complacency. Support of the Housing Proposition is essential."

MAYOR ROBERT F. WAGNER—"Vote YES for a continuation of the public housing program. The indirect help for low-income families gives us an opportunity to clear our slums and beautify our city."

ROY WILKINS, Executive Secretary, NAACP—"A decent home in a decent neighborhood for every New Yorker—this is the goal of New York State's housing program. Vote 'Yes' on Proposition #1 to allow the State to make progress toward this goal."

EMERGENCY COMMITTEE FOR MORE LOW-RENT HOUSING

A non-partisan citizens group organized to press for improved housing opportunities for families of low income in New York State.

20 West 40th Street
New York, N.Y. 10018
LOngacre 3-5990

Chairman
Paul T. O'Keefe

Executive Director
Jane McCarthy

CITY-WIDE ORGANIZATIONS SUPPORTING PROPOSITION #1

American Institute of Architects—
  New York Chapter
Citizens Committee for Children
Citizens Housing & Planning Council
Citizens Union of the City of New York
Committee against Discrimination in Housing
Commonwealth of Puerto Rico
Community Council of Greater New York
Community Service Society
Congress of Racial Equality
Greater New York Hospital Association
Joint Board of the Building &
  Construction Industry
Metropolitan Council on Housing
National Association for the Advancement of
  Colored People
National Association of Social Workers—
  New York Chapter
New York Tuberculosis & Health Association
Protestant Council, Department of
  Christian Social Relations
United Neighborhood Houses
Urban League of Greater New York
Women's City Club

Additional copies may be obtained at the Emergency Committee office.

150

Reprinted from

TRENDS IN HOUSING

Published by National Committee Against Discrimination in Housing

SCOREBOARD

Laws Affecting Discrimination in Housing

As of September 15, 1961

STATE	Public Housing	Urban Renewal	FHA & VA	Private Housing	Real Est. Agents	Mortgage Lenders	Advertising	Official Enforcement Agency
1. California	X	X	X		X			
2. Colorado	X	X	X	X	X	X	X	X
3. Connecticut	X	X	X	X	X	X		X
4. Indiana	X	X						
5. Massachusetts	X	X	X	X	X	X		X
6. Michigan	X				X[1]			
7. Minnesota[2]	X	X	X	X	X	X	X	X
8. Montana		X						
9. New Hampshire	X			X				
10. New Jersey	X	X	X	X	X	X	X	X
11. New York	X	X	X	X	X	X	X	X
12. Oregon	X	X	X	X	X		X	X
13. Pennsylvania	X	X	X	X	X	X	X	X
14. Rhode Island	X							X
15. Washington	X	X	X			X	X	X
16. Wisconsin	X	X						

[1] By ruling of the Michigan Corporation and Securities Commission.

[2] Minnesota's FH law becomes effective Dec. 31, 1962.

Note: Illinois prohibits restrictive covenants on urban redevelopment land.
Kansas and Alabama prohibit racial zoning.

City Measures

Forty-nine cities have laws or resolutions affecting discrimination in housing or have taken action covering specific projects. In addition to *New York City* and *Pittsburgh*, which bar discrimination in private housing (see Digest below), they apply as follows:

Public Housing—Thirty-two cities have provisions applying to this area: Phoenix, Ariz.; Fresno, Richmond and San Francisco, Calif.; Hartford, Conn.; Wilmington, Del.; Washington, D. C.; Chicago, Ill.; South Bend, Ind.; Baltimore, Md.; Boston, Mass.; Detroit, Hazel Park, Mount Clemens, Pontiac, Saginaw and Superior Township, Mich.; Minneapolis and St. Paul, Minn.; Kansas City and St. Louis, Mo.; Omaha, Neb.; Newark, N. J.; Cleveland and Toledo, Ohio; Chester, Delaware County, Erie and Philadelphia, Penna.; Providence, R. I.; Pasco, Wash.; and Superior, Wisc.

Publicly-assisted and/or urban redevelopment housing—Twenty-five cities have provisions applying to this area: Los Angeles, Oakland, Sacramento and San Francisco, Calif.; Denver, Colo.; Hartford, Conn.; Chicago, Ill.; LaPorte, Michigan City and Mishawaka, Ind.; Des Moines, Iowa; Inkster, Mount Clemens and Superior Township, Mich.; Minneapolis and St. Paul, Minn.; Fargo, N. D.; Cincinnati, Cleveland, Dayton, Hamilton and Toledo, Ohio; Providence, R. I.; Madison and Milwaukee, Wisc.

DIGEST

Of the 11 Laws Covering Private Housing

NEW YORK CITY. Signed into law Dec. 30, 1957. Effective Apr. 1, 1958. Amended 1961. *Coverage*: Sale or rental of all housing accommodations except the rental of an apartment in an owner-occupied duplex and the rental of rooms in private residences; activities of real estate operators and mortgage lenders; advertising. *Enforcement* by the New York City Commission on Intergroup Relations, 80 Lafayette St., New York 7—WO 4-5656.

PITTSBURGH. Signed Dec. 8, 1958. Effective June 1, 1959. *Coverage*: Sales or rentals by persons who own or control five or more housing units, anywhere in the city; residential building lots; all activities of real estate operators and mortgage lenders; advertising. *Enforcement* by the Pittsburgh Commission on Human Rights, 518 City-County Bldg., Pittsburgh 19, Pa.—AT 1-3900.

COLORADO. Signed Apr. 10, 1959. Effective May 1, 1959. *Coverage*: Sale or rental of all housing accommodations except "premises maintained by the owner or lessee as the household of his family"; vacant land; activities of real estate operators and mortgage lenders in all transactions involving housing covered by the statute; advertising. *Enforcement* by the Colorado Anti-Discrimination Commission, 328 State Services Bldg., 1525 Sherman St., Denver 3, Colo.—AC 2-9911, Ext. 2621.

MASSACHUSETTS. Signed Apr. 22, 1959. Effective July 21, 1959. Amended 1960 and 1961. *Coverage*: Rentals and sales in apartment houses with three or more units and sales of homes in developments of ten or more contiguous units. (Also applies to housing which was at any time one of ten or more lots on a tract which was submitted to a planning board under the state's Subdivision Control Law.) Covers the activities of real estate operators in all transactions involving housing covered by the statute. Provides for injunctive relief pending final determination of a complaint, after investigation establishes probable cause to credit the charge of discrimination. Separate statutes 1) cover all activities of mortgage lenders; and 2) provide for the revocation of real estate licenses when brokers are found guilty of discriminatory practices. *Enforcement* by the Massachusetts Commission Against Discrimination, 41 Tremont St., Boston 8, Mass.—CA 7-3111.

CONNECTICUT. Signed May 12, 1959. Effective Oct. 1, 1959. Amended 1961. *Coverage*: Sale or rental of any housing accommodation which is owned or controlled by persons owning or controlling three or more contiguous units; residential building lots. The Commission on Civil Rights has ruled that real estate agents and lending institutions fall within the scope of the public accommodations statute. *Enforcement* by the Connecticut Commission on Civil Rights, Room 537, State Office Bldg., Hartford 15, Conn.—JA 7-6341, Ext. 2310.

OREGON. Signed May 27, 1959. Effective Aug. 5, 1959. *Coverage*: Any person engaged in the business of selling or leasing real property, including vacant land and commercial space; advertising. A separate statute provides for the revocation of licenses of real estate operators who violate the fair housing law. *Enforcement* is by the Civil Rights Division, Oregon State Bureau of Labor, 1216 S.W. Hall, Portland 1, Ore.—CA 6-2161, Ext. 421.

PENNSYLVANIA. Signed Feb. 28, 1961. Effective Sept. 1, 1961. *Coverage*: Sale or rental of all housing accommodations except owner-occupied one- and two-family houses and except the rental of rooms in private homes; residential building lots; activities of real estate operators and mortgage lenders in transactions involving housing covered by the statute; advertising. *Enforcement* by the Pennsylvania Human Relations Commission, 1401 Labor and Industry Bldg., Harrisburg, Pa.—CE 8-5151. Ext. 3679.

NEW YORK STATE. Signed Apr. 11, 1961. Effective Sept. 1, 1961. *Coverage*: Sale of homes in developments of ten or more houses located on contiguous land; rentals in buildings with three or more housing units, except those in owner-occupied three-family houses; commercial space; activities of real estate operators in transactions involving commercial space and housing covered by the statute; activities of mortgage lenders in transactions involving *any* housing or commercial space; advertising. *Enforcement* by the New York State Commission Against Discrimination, 270 Broadway, New York 7—BA 7-1616.

MINNESOTA. Signed Apr. 17, 1961. Effective Dec. 31, 1962. *Coverage*: Sale or rental of all housing accommodations, with the following exceptions: 1) rental of an apartment in an owner-occupied duplex; 2) rental of rooms in private residences; and 3) single-family houses which are not defined as "publicly-assisted housing." All houses with outstanding FHA- or VA-insured mortgages or which have received other forms of public assistance are covered by the law. Also covers commercial space; vacant land; activities of real estate operators and mortgage lenders in transactions involving property covered by the statute; advertising. *Enforcement* by the Minnesota State Commission Against Discrimination (now State Fair Employment Practices Commission), 200 State Capitol, St. Paul 1, Minn.—CA 2-3013.

NEW HAMPSHIRE. Signed June 30, 1961. Effective Aug. 29, 1961. *Coverage*: Bars discrimination "in the matter of rental or occupancy of a dwelling in a building containing more than one dwelling"; provides that violations are punishable by fines of from $10 to $100; bars civil actions for damages. *Enforcement*: No administrative machinery is provided.

NEW JERSEY. Signed Sept. 13, 1961. Effective the same date. *Coverage*: Sale or rental of houses in developments of ten or more located on contiguous land, and sale or rental of apartments in buildings containing three or more units, exempting owner-occupied three-family houses. Also excludes rental of rooms in private residences. Covers vacant land and commercial space. Previous statute covering all publicly-assisted housing, including FHA and VA, remains in force. Applies to real estate brokers and mortgage lenders in the handling of transactions involving property covered by the statute. Bars discriminatory advertising. *Enforcement* by the New Jersey Division on Civil Rights, 1100 Raymond Blvd., Newark 5—MA 4-1414.

National Committee Against Discrimination in Housing
426 West 58 Street, New York 19, New York

☐ I enclose $2.00 for a year's subscription to TRENDS IN HOUSING.
☐ To help support the fight for a free housing market, my contribution of $________ is enclosed.

(Contributors of $10.00 or more receive a year's subscription to *Trends* without charge.)

*NAME*________________________________
*ADDRESS*______________________________
____

(*Please include postal zone number.*)

FEB 6 1964

URGENT

FOR STRONG RENT CONTROL - OPPOSE $250 DECONTROL

Monday, February 3, 1964 - 10:00 A.M.

MEETING AT CITY HALL

Write or wire Councilman Eric J. Treulich for time to speak - both individuals and organizations. Bring your members. Get to the hearing room early!

METROPOLITAN COUNCIL ON HOUSING

METROPOLITAN COUNCIL ON HOUSING

5TH ANNUAL CONFERENCE

ON THE

FREEDOM

... TO LIVE ANYWHERE

.... IN DECENT HOUSING

... AT FAIR RENTS

SATURDAY NOVEMBER 16, 1963

McBURNEY Y.M.C.A.; 215 W. 23RD ST,
NEW YORK 11, N.Y.

Panel I - URBAN RENEWAL
Freedom from Minority Removal

Panel I - URBAN RENEWAL
Freedom from Minority Removal
Action for Integrated Communities

Chairman: Rev. Arthur Simon,
Chairman, Tompkins Square
Housing Committee

Speakers: Thelma J. Burdick, Chairman,
Cooper Square Community
Development Committee

Robert Curvin, Chairman,
Newark CORE

Hon. John Lindsay,
U.S. Congressman

Reporter: Frances Goldin, Chairman,
Legislative Committee,
Metropolitan Council on Housing

* * * * * *

Panel II - PUBLIC HOUSING
Fight for Public Housing Funds
Build 500,000 Apartments NOW!

Chairman: Jacob Volkman, Senior Manager,
New York City Housing Authority

Speakers: Ruth Beinart, Chairman,
Tenants Committee, RENA
(Riverside-Edgecombe
Neighborhood Association)

Jorge Rodriguez, Chairman,
Tenants Association,
Carver Houses

Hon. Leonard Farbstein,
U.S. Congressman

Reporter: Herbert Hines, Jr.,
1st Vice-Chairman,
Metropolitan Council

Discrimination takes many form
it is being conducted on many
education, and the right to vo

Particularly acute in New York
discrimination in housing. Al
Negro and Puerto Rican people
hits us all--those in low-wage
fixed incomes, and even middle-
between the housing shortage a

Therefore, in a very real sens
this Conference concerns us al

PROGR

9:30 - 10:15	-	Registra Coffee a Metropol
10:15 - 10:20	-	Welcome - Stanl Natio Amalg -
10:20 - 10:45	-	Keynote Oliver Brookl
11:00 - 1:45*		Panel Di
2:00 - 4:30		Plenary - Jane Voting Adjourn

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* Box lunches are availabl
and will be delivered to e
so that there may be more
discussion.

y forms. Today the fight against many fronts--for jobs, housing, to vote.

w York City is the problem of g. Although it affects the eople first and hardest, it w-wage brackets, those on middle-income families squeezed tage and spiralling rents.

l sense, the subject matter of us all.

GRAM

gistration
ffee and Danish Pastry
tropolitan Council Exhibits

lcome to Delegates
Stanley Aronowitz,
National Representative,
Amalgamated Clothing Workers
- Conference Chairman

ynote Address
liver Leeds, Chairman,
Brooklyn CORE

nel Discussions

enary Session
Jane Benedict, Chairman
oting on Resolutions
djournment

ailable on order,
d to each Panel,
more time for

Panel III - CODE ENFORCEMENT
Freedom from Building Violations
Action for Code Enforcement

Chairman: Helen Harris,
Chairman, Bronx Council
on Rents and Housing

Speakers: Granville Cherry,
Harlem Education Project

Richard L. Levenson,
2d Vice-Chairman,
Metropolitan Council

Hon. Theodore Weiss,
New York City Councilman

Reporter: Hy Bershad, Chairman,
Tenant Welfare Committee,
Parkway-Stuyvesant Community
Council

* * * * * *

Panel IV - ACCIÓN PARA VIVIENDAS DECENTES

Presidente: Mario Abreu,
Organisador, Distrito 65

Oradores: Victoria Cirilo, Presidenta,
Tompkins Square Site Tenants

José Fuentes, Presidente,
Casa de la Comunidad,
Asociatión de Inquilinos

William Stanley, Presidente,
Concejol de los Inquilinos,
Barrio Alto
Hon, Frank Torres,
Asambleista, Estado de N.Y.

Reportero: Será anunciado

METROPOLITAN COUNCIL ON HOUSING
215 WEST 23 ST. NEW YORK 11, N.Y.

BULK RATE
U. S. POSTAGE
PAID
NEW YORK, N. Y.
Permit No. 6383

METROPOLITAN COUNCIL ON HOUSING - 215 West 23 Street, New York City 10011

I plan to attend the FREEDOM CONFERENCE on Saturday, November 16, 1963.

We are sending _____ delegates to the FREEDOM CONFERENCE.

Payment for ______ registration(s) at $1.00, and for ______ box lunches at $1.00 each are herewith enclosed.

I (we) plan to participate in Panel I - II - III - IV. (Please circle the panel(s) in which you are interested)

☐ Please send more calls.

Name (PLEASE PRINT)	Address	Phone No.
Organization	Address	Phone No.

Hon. Robert F. Wagner,
Mayor of the City of New York

We are deeply disturbed by the newspaper stories which have been threatening that the Rent Control Law will be wiped out, because the landlords say that it is not needed any more.

WE NEED RENT CONTROL. WE NEED A STRONGER RENT CONTROL LAW. WE URGE YOU TO USE YOUR POWER TO MAKE SURE THAT WE KEEP THIS PROTECTION UNTIL THERE IS ENOUGH NEW HOUSING BUILT, AT RENTS WE CAN AFFORD:

Name	Address

Metropolitan Council on Housing
215 West 23d Street, NYC 11

ME
215

METROPOLITAN COUNCIL ON HOUSING
215 WEST 23 ST. NEW YORK ~~11, N.Y.~~

BRONX, N.Y.
SEP 11
8-AM

BULK RATE
...GE
...DALE
...ATION
N.Y.
63

5¢ U.S. POSTAGE

James Farmer
CORE
38 Park Row
NYC 38

file

METROPOLITAN COUNCIL ON HOUSING
215 West 23 Street, New York 11

For further information:
Jane Benedict, SP 7-8900

TENANTS CLAIM REHABILITATION WILL RAISE RENTS

A warning against big rent increases and weakened rent control was sounded today in a report on Rehabilitation idsued by the Metropolitan Council on Housing, city-wide federation of tenant groups. The Warning was contained in a statement analysing the City Planning Commission's program for rehabilitation of substandard housing in five neighborhoods.

The Council's statement pointed out that under the City's plan the total cost of rehabilitation would be passed on to tenants. The cost would include construction, profits to landlord and contractor, and interest charges. The Council attacked the proposed increases of $15 to $40 per month, holding that tenants could not afford such large increases.

According to the Metropolitan Council on Housing, the City's plan would cause extreme hardship to Negro and Puerto Rican tenants, raise rents above 25% of income, and unddrmine rent levels in the entire City. Rent Administrator Gabel's proposal using 25% as the proportion of income which should be paid for rent was also attacked. The Council contrasted the 25% figure with the 16% figure used by the Community Council of New York in its "Family Standard Budget".

Rejection of the City Planning Commission's Rehabilitation Report was urged by the tenant group. An alternative proposal for rehabilitation with government subsidy to hold rents down was offered. The complete statement, "REHABILITATION--WHAT DOES IT MEAN TO TENANTS?" is available from the Metropolitan Council on Housing, 215 West 23 Street, New York 10011.

-30-

November 1, 1963

Mrs. Charlotte Schwab
Box 460 Cooper Station
New York 3, New York

Dear Mrs. Schwab:

We have read carefully the plans developed by the Middle Income Cooperators of Greenwich Village and are impressed by the initiative taken by residents of the community to organize themselves to secure decent housing, at moderate rentals.

CORE is in full support of this and other efforts by citizens themselves to see that Urban Renewal takes place on a basis that insures renewal and rehabilitation truly responsive to the needs of the people involved.

Sincerely,

Norman Hill
Director
PROGRAM & TRAINING DEPT.

NH/ss

EXECUTIVE DIRECTOR
Roger Starr
ASSOCIATE DIRECTOR
Marian Sameth
CONSULTANT
Elizabeth Wood

CITIZENS' HOUSING AND PLANNING COUNCIL

CITIZENS'
HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.
ESTABLISHED 1937

Willkie Memorial Building • 20 West 40th Street • New York 18, New York • LOngacre 3-5990

November 2nd, 1962

Mrs. Charlotte Schwab
Box 460 Cooper Station
New York 3, New York

Dear Mrs. Schwab:

I have read your letter of September 17th, discussing the history of Mi-Cove and its plans for constructing a large development of moderate rental apartments in the area south of Houston Street in New York.

I think the sloth demonstrated by the city in deciding how this part of Manhattan is to be treated cannot be defended. The time has long since past when a decision could have been made as to whether this area should be continued in industrial use, or made available for residential redevelopment.

It is my personal impression that residential use is highly desirable in part of this area, and that the proposals made by your group deserve immediate, serious, and sympathetic consideration.

I hope that the city administration will come to some conclusion, and promptly. When a specific proposal has been presented for serious consideration, the Citizens' Housing and Planning Council will, I am sure, study it and make a formal recommendation to the city.

In the meantime, you may be interested in my personal views which are expressed in 2 marked articles in the copies of the Housing and Planning News which accompany this letter.

Cordially,

Roger Starr

Executive Director

RS:b

THE PROTESTANT COUNCIL of the CITY of NEW YORK
475 Riverside Drive • Suite 456 • New York 27, New York
RIverside 9-1214

REV. DAN M. POTTER
Executive Director

June 13, 1962

Mrs. Charlotte Schwab
MI-COVE
Box 460, Cooper Station
New York 3, N.Y.

Dear Mrs. Schwab:

The activities of the Middle Income Cooperators of Greenwich Village has just recently come to my attention.

It is impressive indeed when a group of interested citizens are able to organize themselves and through an intelligent and well thought-out program bring such an interesting and worthwhile plan forth for the consideration of our city officials. This is an outstanding example of responsible action by interested and public-spirited citizens. From all that I can read about the proposed development, it appears to be one which handles many of the problems of relocation and redevelopment intelligently and with planning and foresight.

Within the framework of the program and interests of The Protestant Council, it would appear that we would most certainly endorse this proposal. One of the great "barren spots" in housing circle thinking in recent years has been the complete lack of adequate housing for the middle income groups in our city.

We send you our best wishes and our congratulations, and shall look with continuing interest on the program of "MI-COVE".

Cordially,

Dan M. Potter

Dan M. Potter

DMP:rr

SHRINE CHURCH OF ST. ANTHONY
FRANCISCAN FATHERS
151 THOMPSON STREET
NEW YORK 12, N. Y.

January 16, 1961.

Mrs. Charlotte Schwab
Chairman MICOVE
54 East 8th Street
New York City, NewYork

Dear Mrs. Schwab:

It is with deep interest that I have been following your untiring efforts in trying to have MICOVE, a Middle-Income Housing Development, approved. May I sincerely congratulate you on your civic spirit.

Having been pastor in St. Anthony's Church for the past Thirteen years, and having observed how my parishioners are being pushed out of the Village by the erection of high income housing, I realize the urgent need for moderate-priced housing. Most of my parishioners have spent the adult part of their lives in the Village and are lost when they are compelled for financial reasons to move elsewhere. Our Civic Leaders have held numerous meetings to discuss their cause but nothing has been done to aid them. Are they the forgotten citizens of our city?

Rest Assured that you have my support, as you have had in the past, in trying to get an approval for a true middle income housing development in the West Houston-Broome Sts. area. Please feel free to call upon me for any aid I may be able to give you in this respect.

With prayers and good wishes for success in your work,

Sincerely,
Fr. Arthur Lattanzi ofm.
Fr. Arthur Lattanzi, O.F.M.
Pastor.

THE BROTHERHOOD COUNCIL

VILLAGE PRESBYTERIAN CHURCH
THE BROTHERHOOD SYNAGOGUE

REV. JESSE WILLIAM STITT, *Minister*
RABBI IRVING J. BLOCK

139 West Thirteenth Street, New York 11, N. Y.

Church . . . . . WA 9-4868
Synagogue . . . . AL 5-7081

March 9, 1962

Dear Mrs. Schwab:

At the last meeting of The Brotherhood Council, the question of MICOVE was discussed.

It was the consensus that there is need in Greenwich Village for middle income housing and that MICOVE should be given the support of the Council.

It is our pleasure to send you this letter telling you that we are in agreement with your endeavors.

Sincerely,

Jesse William Stitt
Rev. Jesse William Stitt

Irving J. Block
Rabbi Irving J. Block

Mrs. Charlotte Schwab, Chairman
Middle Income Cooperators of Greenwich Village
Box 460, Cooper Station
New York 3, N. Y.

BOARD OF EDUCATION OF THE CITY OF NEW YORK
THE GREENWICH VILLAGE SCHOOL
PUBLIC SCHOOL 41, MANHATTAN
116 WEST 11TH STREET
NEW YORK 11, N. Y.

IRVING KREITZBERG
PRINCIPAL

JOAN D. ABRAMS
ASSISTANT PRINCIPAL

February 9, 1962

Mrs. Charlotte Schwab
Chairman, MI-COVE
54 East 8th Street
New York 3, N. Y.

Dear Mrs. Schwab:

I was pleased to hear of the recent progress achieved by the hard-working members of the MI-COVE Committee.

It was most heartening to learn that Borough President Dudley received positive action on his request when the Board of Estimate referred the MI-COVE proposal to the City Planning Commission and Housing Redevelopment Board.

I certainly know the dire need for housing in the Village in general and specifically for many families of children attending P.S. 41.

You and your committee have my complete support in your efforts to obtain low cost housing for the Village area. If there is anything I can do to help, please feel free to call on me.

Very truly yours,

Irving Kreitzberg

Irving Kreitzberg
Principal, P.S. 41

MI-COVE

PRESENTS

A HOUSING PROGRAM

! PUBLIC INVITED !

WEDNESDAY, JUNE 5 — 8:00 PM

ST. PATRICK'S YOUTH CENTER
268 MULLBERRY STREET

PRESIDING : CHARLOTTE SCHWAB, CHAIRMAN MI-COVE

HEAR.......

1 **JOHN H. BEYER**
VICTOR GRUEN ASSOCIATES

"CREATION OF A NEW COMMUNITY"

2 **FRANKLIN DANIELS**
ASSISTENT COMMISSIONER FOR MULTI-FAMILY HOUSING OPERATIONS
F.H.A. WASHINGTON, D.C.

"POTENTIAL OF 221 (d) (3) IN URBAN RENEWAL"

3 **REV. HENRY BROWNE**
PRESIDENT : STRYCKER'S BAY CO-OP

"A HAPPY ENDING FOR ONE WESTSIDE STORY"

FUND RAISING RAFFLE DRAWING
FOLLOWING PROGRAM
RAFFLES MAY BE PURCHASED AT DOOR

MI-COVE NEWSLETTER

Middle Income Cooperators of Greenwich Village VOL. 1 NO. 1 June 1960

CHURCH MEETINGS

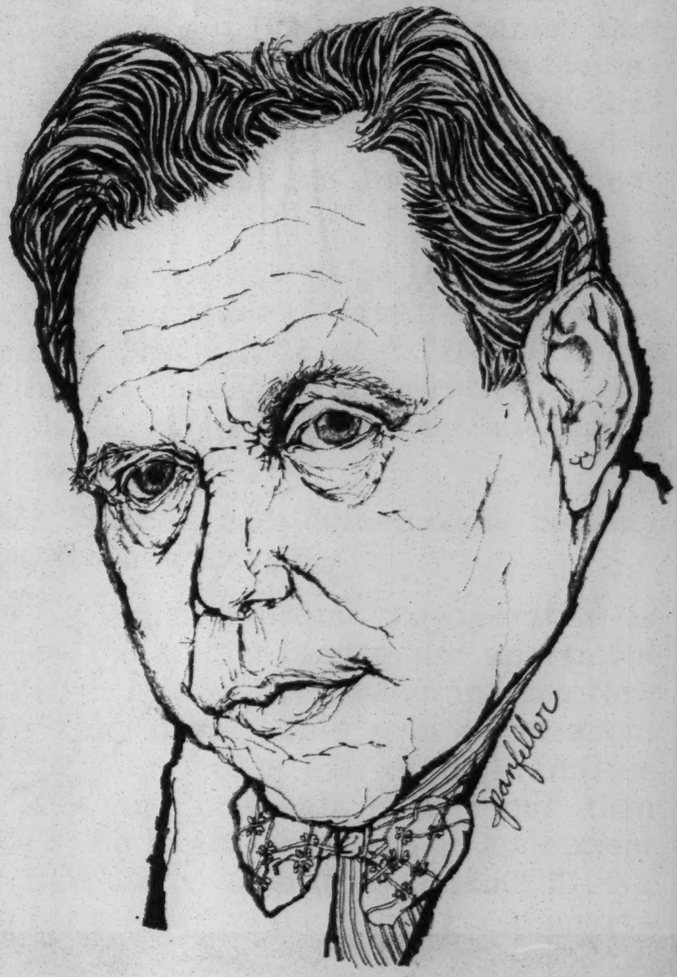
On Tuesday, June 7, Charlotte Schwab, MI-COVE's Chairman, spoke at St. Patrick's Old Cathedral, 263 Mulberry Street, at a meeting of the P. T. A. This was arranged by Jean Ciccatelli, whose husband is a zone captain for MI-COVE. This was the fourth in a series of talks at neighborhood churches. Others so far have been:

1. Church of Our Lady of Pompeii, 25 Carmine Street, arranged by Mrs. Viola Milano, West 4th Street.
2. St. Anthony of Padua, 151 Thompson Street, arranged by Mrs. Eleanor Guiffra, Bleecker Street.
3. St. Alphonsus Church, 308 West Broadway, arranged by Mrs. Mildred Augresani, Thompson Street, President of Mothers' Sodality.

ATTORNEYS SET FOR MI-COVE

MI-COVE's attorneys in developing the cooperative will be the firm of Szold, Brandwen, Meyer, & Blumberg. This firm was attorney for: (1) the first non-profit cooperative to be developed under New York's Limited Dividend Housing Law in the 1920's; (2) the first non-profit sponsored co-operative to be developed under the Redevelopment Companies Law in the 1940's; (3) the first Title I middle-income co-operative in

(continued on page four)



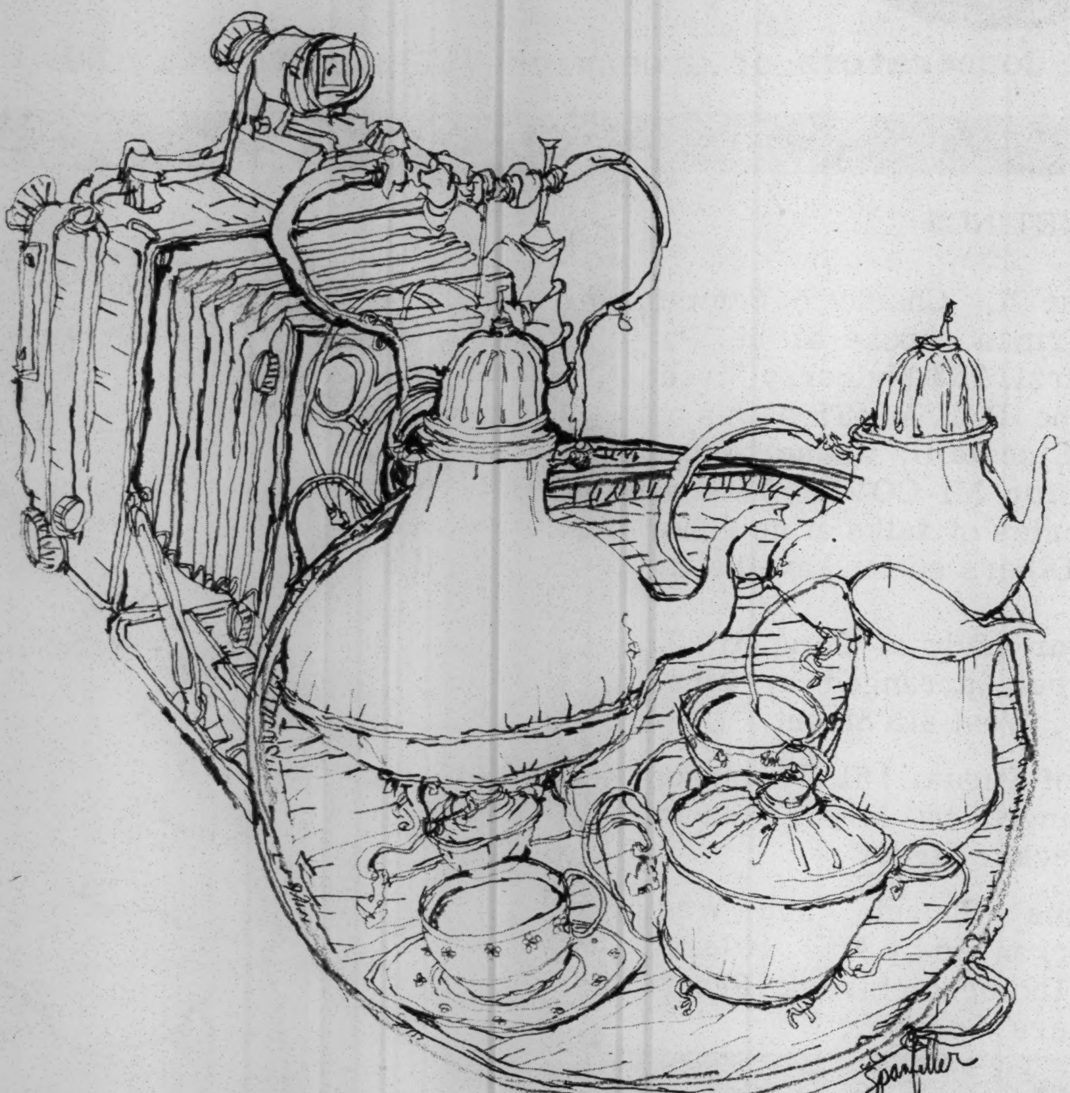
VICTOR GRUEN, MI-COVE's ARCHITECT

MI-COVE has chosen Victor Gruen, of Victor Gruen Associates, 2 West 13th Street, as the architect and planner of its proposed cooperative. Whether the number of Village families who want and need genuine middle-income housing is suffi-

(continued on page eight)

HOUSE MEETINGS

On Tuesday, April 5, Mrs. Connie Robertelli, Thompson Street, held a meeting in her house to explain about MI-COVE to her neighbors. Since this meeting proved so successful and was written up in the New York World-Telegram & Sun, and a press photographer "shot" all the ladies present, MI-COVE plans to continue these meetings. Anyone who would like to have her neighbors in should get in touch with Flonnie Musso, Recording Secretary, at CH 2-7799 and she will arrange for a speaker.



MI-COVE COMMITTEE

Charlotte Schwab, Chairman
John Piccoli, Treasurer
Eloise Litman, Secretary
Florence Musso, Recording Secretary
Ann Sewell, Mailing Captain
Pat Spanfeller, Zoning Captain
James J. Spanfeller, Artist

MI-COVE

SPEND WISELY SAVE FOR HOUSING

CHARLOTTE SCHWAB HAS ANNOUNCED THAT APPLICATION FORMS ARE STILL AVAILABLE. WRITE TO MI-COVE, BOX 460, COOPER STATION, NEW YORK 3, NEW YORK. PLEASE ENCLOSE A SELF-ADDRESSED STAMPED ENVELOPE.

MI-COVE PACKS CHELSEA AUDITORIUM

On Tuesday, April 26, the Chelsea Vocational High School was filled to overflowing – 100 standees – by MI-COVE applicants anxious to hear Roger Starr discuss co-operative housing. Mr. Starr is Executive Vice-President of Citizens' Housing and Planning Council of New York. He stressed the need for citizens groups like MI-COVE to press the City for more middle income housing. "Delegations of citizens who ask for the moon are easy to dismiss", he said. "When you ask for something which is within the administrator's power to grant and when you show that you know it is within his power, your strength and effectiveness are immeasurably increased. A well organized, well led, determined group of prospective co-operators like yourselves pose an immense challenge to the City. You are asking for something that the City wants to give you. You are taking a positive not a negative approach."

Prior to Mr. Starr's talk, Irving Katz, a co-operator at Queensview West, showed slide films of many of the co-operatives built in New York City since the war.

Charlotte Schwab, Chairman, discussed MI-COVE's purpose and future plans. John Piccoli, Treasurer, spoke of the need for proper financing during the organizational period.

The audience wrote in a number of questions they wished answered. MI-COVE WILL SOON ISSUE A SPECIAL BOOKLET ANSWERING EVERY QUESTION ASKED. In the meantime we will touch on the most important:

1. Q. What is a housing co-operative?

A. Essentially a co-operative is home ownership apartment style. It is the only way a city resident can have a feeling of private ownership at a moderate price.

4. Q. Are there income limitations?

A. MI-COVE's co-operative, whether it is built on a small site (or sites) acquired from the City, or on a large piece of condemned land, must be governed by either the Redevelopment Companies Law or the Limited Profit Housing Companies Law. As the administrator, the Comptroller of the City of New York has been limiting incomes in Redevelopment Companies to 8 times the annual rental plus utilities. In the Limited Profit Housing Companies Law the statutory restriction is 6 times the annual rental plus utilities if there are less than 3 dependents and 7 times the rental plus utilities if there are 3 or more dependents.

As a matter of policy, MI-COVE will give preference to families where the income is $7,500 or less. MI-COVE has tabulated the incomes of the first 1000 families who have applied and the median is under $6,000.

2. Q. What is a middle-income housing co-operative?

A. A middle income co-operative is one where the median family size apartment is priced at a level the median income New Yorker can afford. This man earns about $6,000 a year. (One half of the families earn less and one half earn more than $6,000.) He is able to afford an apartment in MI-COVE's co-operative at about $100 a month for a 2 bedroom, 4-1/2 room apartment.

3. Q. Will there be apartments for single people?

A. Yes. Although the average 2 bedroom apartment is aimed at the median income family man, there will be larger and smaller apartments. We expect to have 2-1/2 room efficiency apartments ranging $50 to $65 a month, and three bedroom apartments ranging from $120 to $156 a month. In all cases down payments will be approximately $650 a room.

ATTORNEYS

(continued from page one)

New York City; (5) the first cooperative development under the Mitchell-Lama (Limited Profit Housing Company) Law.

In addition, the firm is attorney for Morningside Gardens, a co-operative backed by a group of educational institutions in the Morningside Heights area, and for the G-R Housing Corp., a small co-operative being developed in the West Side Urban Renewal area by the Goddard Riverside Community Center.

MI-COVE

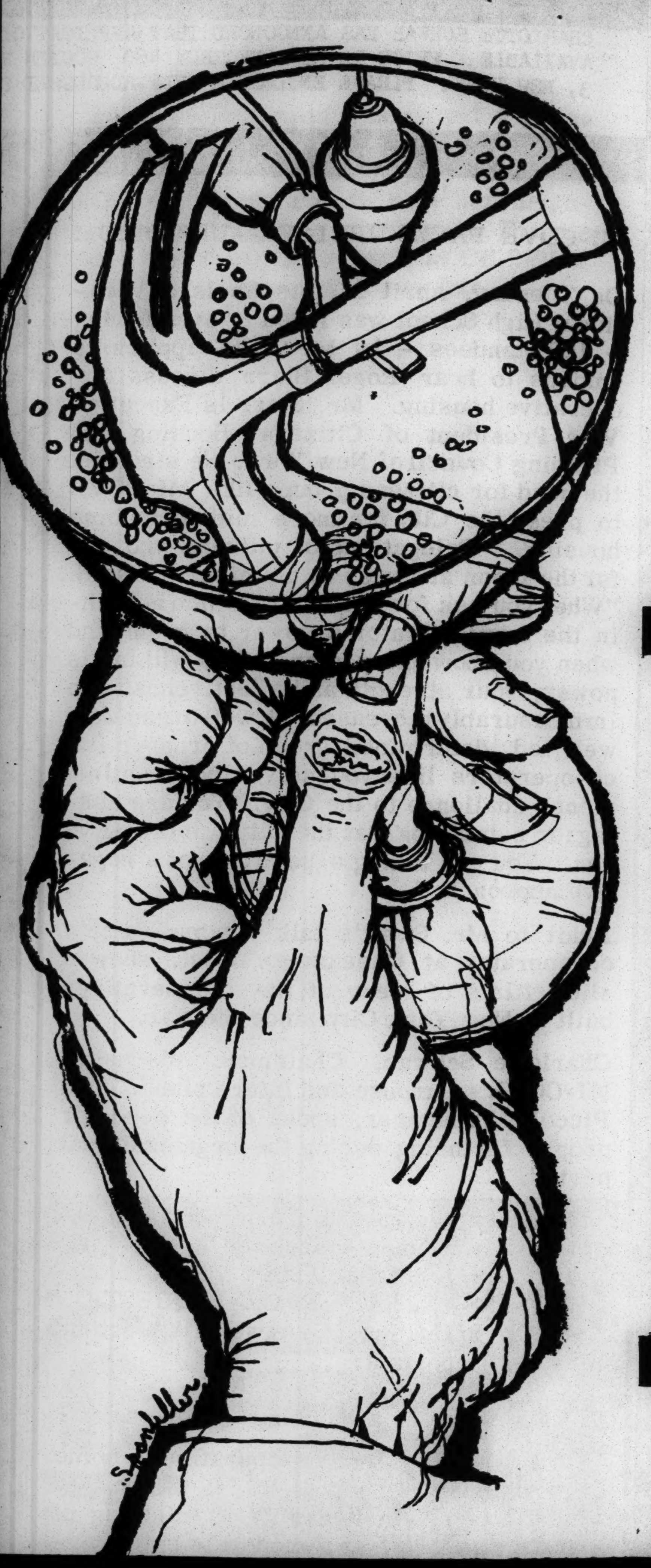
SPEND WISELY/SAVE FOR HOUSING

PARTY RAISES FUNDS

Under the direction of Ann Sewell and Pat Spanfeller, Zone 4 gave a fund-raising party on Wednesday, May 25. The party, held at the Stoliar's on Jane Street, was a smashing success. Our thanks to all those who helped make this affair so enjoyable.

As a side note, at the election meeting of April 4, the village was divided into 9 zones or areas. Each zone has a representative and an assistant representative in charge of getting in applications for his area and answering questions. Pat Spanfeller, Bethune Street, is in charge of all zone captains.

At the same meeting Ann Sewell was elected Mailing Captain. Ann has the responsibility of answering all requests for information and applications received by MI-COVE. With the help of the volunteer mailing committee Ann has been doing a big job and doing it very well.

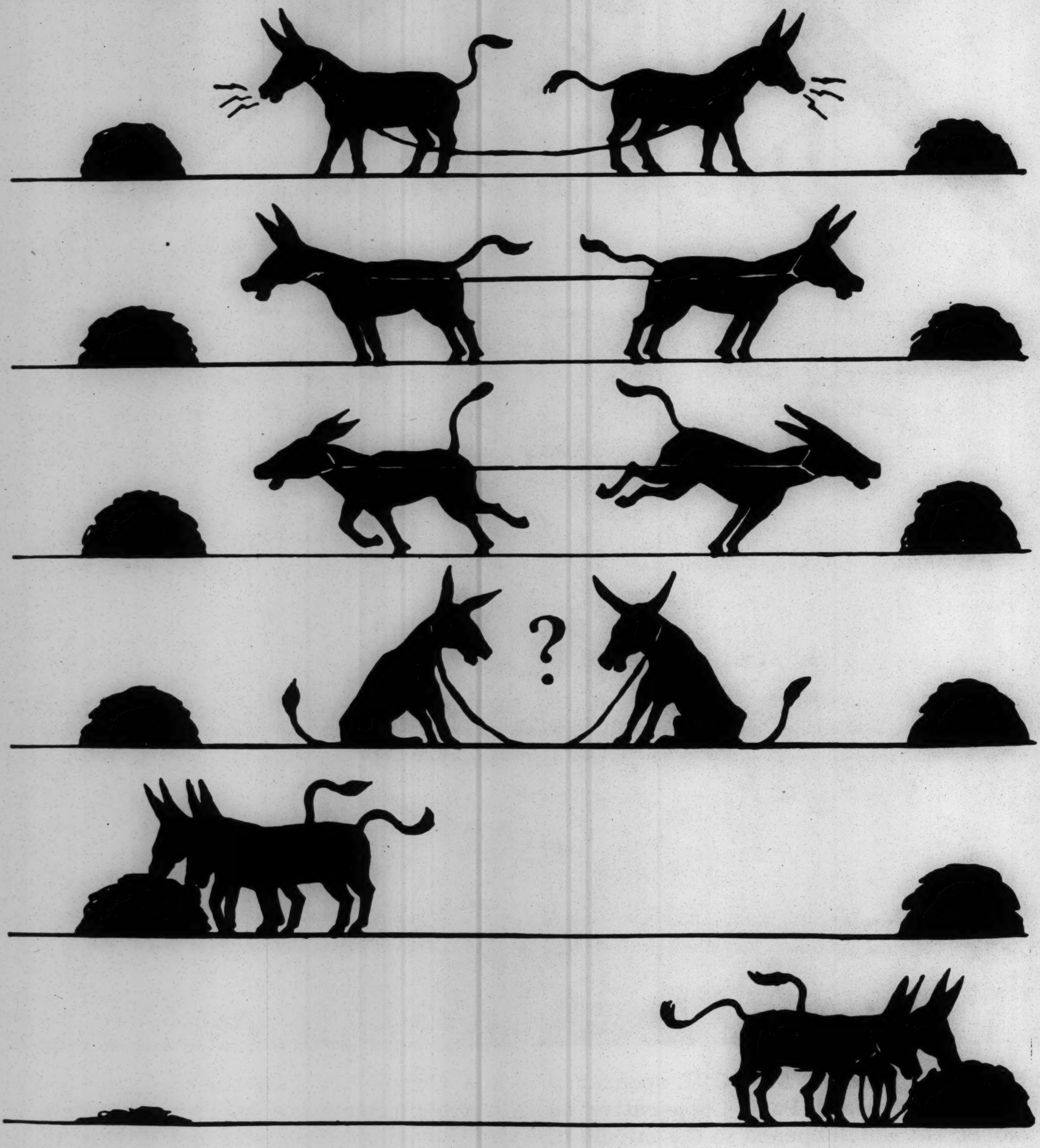


MI-COVE HOUSING TOUR

CHURCH
Being Decor
D'AMBR
ECCLESIASTIC
Art Stud
NO

On Saturday, June 4th MI-COVE sponsored a tour of the Seward Park Cooperative on Grand Street which opened in the middle of May. Those who met in front of St. Alphonsus' Church are Lisa and Jack Giresi, Lena Lambert, Bertha Lennon, Ann Sewell and Baby Cornelius, Charlotte and Morton Schwab and Baby Rachel. Others not in the picture met at the Cooperative.

CO-OPERATION



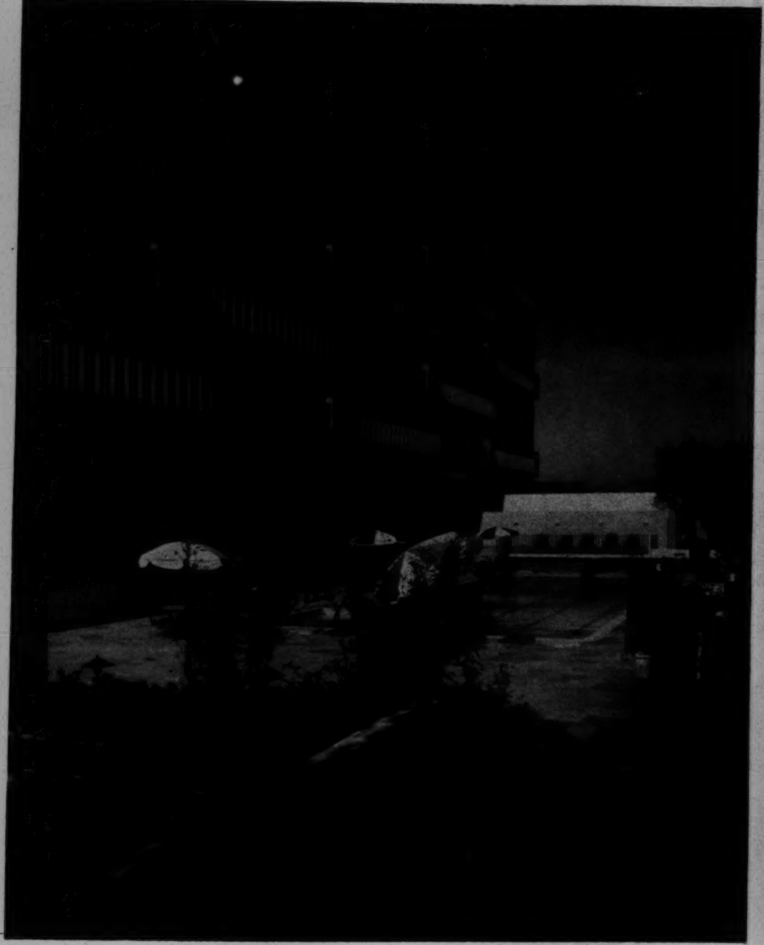
THIS IS COOPERATION

Esther Glenn, Sheridan Square, placed 100 applications in the Co-op Supermarket on 6th Avenue, and within 48 hours they were all gone and Esther was requested to bring in another 100!

Did you know that Newsletters don't print themselves, mail doesn't take itself to the post office, and, despite those advertisements of the Bell System, telephones have to be answered by human beings! In every issue of the Newsletter, MI-COVE will list some of the hardest-working Co-operators:

MI-COVE's BOUQUET TO:

Millie Augresani
Wm. Ciccatelli
Lisa Giresi
Esther Glenn
Eleanor Guiffra
Daphne Houghan
Ilse Landsberg
Bertha Lennon
Al Litman
Ida Luizzi
Viola Milano
Betty Petherbridge
Paul Quaranta
Alice Seitlin
Joseph Somple
Marion Spencer
Jack Stein
Joan Stoliar
Bill Tolsch



Wilshire Terrace Cooperative, an imaginative luxurious design by Victor Gruen in Los Angeles. This Cooperative is specifically designed for the West Coast climate and pattern of living.

"Neither Religion nor Education will make any way, in this nineteenth century of Christianity, until a Christian government shall have discharged its first obligation, and secured to the people Homes, instead of polluted dens."

Charles Dickens
Saturday, October 7, 1854

VICTOR GRUEN

(continued from page one)

ciently small to make feasible the purchase from the City of abandoned City property (schools, markets, etc.) or whether large-scale redevelopment is needed to meet the needs, we are convinced that Mr. Gruen will bring talent and imagination to the task.

In discussions with Mr. Gruen, he has said that he has always wanted to work with a non-profit citizens group which needed co-operative housing at a modest price level (average 2-bedroom apartment about $100 a month). Mr. Gruen is anxious to accept the challenge of working out an imaginative, creative design within the restrictions imposed by the supervising governmental authorities. "We hope to be able to achieve something that will be in harmony with the traditions of Greenwich Village and at the same time demonstrate that good design need not be expensive."

Mr. Gruen has been the architect for a wide variety of residential and commercial developments all over the United States. Those MI-COVE applicants who are interested in seeing one of his latest designs, for which he received an award citation, should get the January 1959 issue of Progressive Architecture. On page 112 are his plans for Charles River Park, a residential community now under construction in Boston.

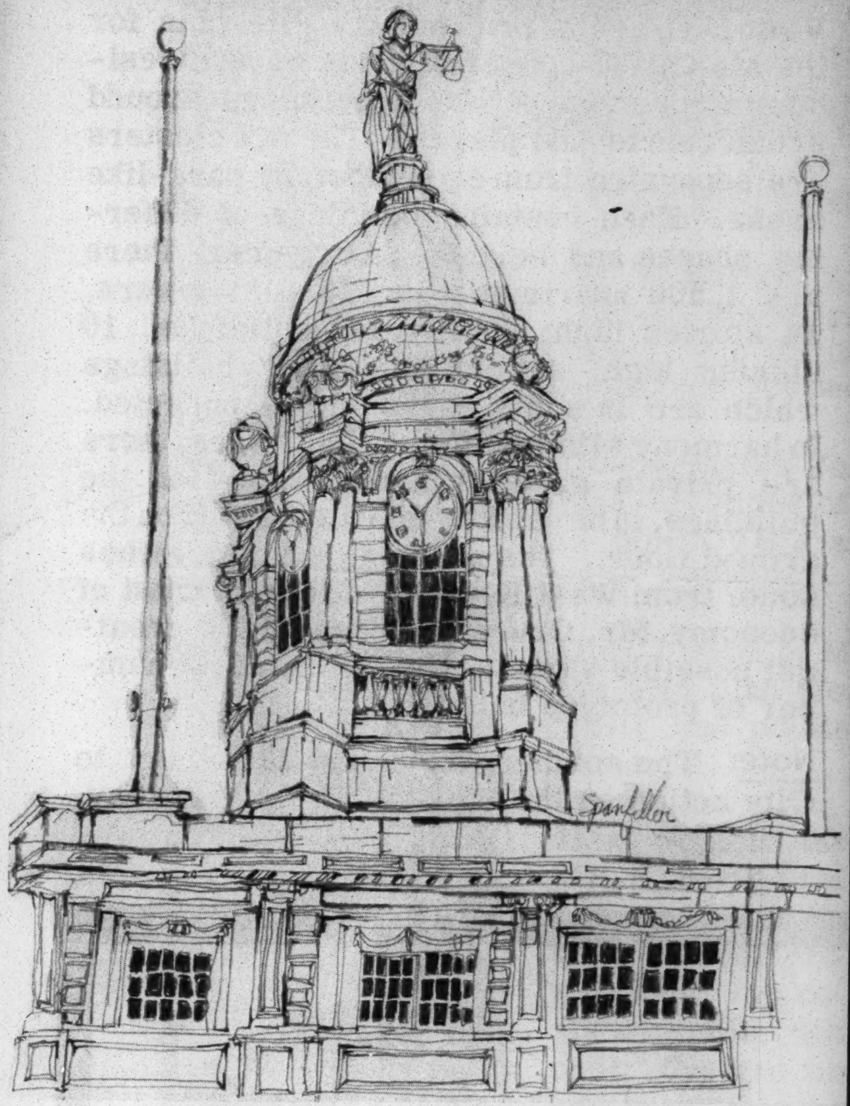
MI-COVE

SPEND WISELY SAVE FOR HOUSING

MIDDLE INCOME CO-OPERATORS OF GREENWICH VILLAGE

MI-COVE NEWSLETTER

VOL. I NO. 2 August 1960



MI-COVE MEETS THE MAYOR

On the afternoon of June 20th, MI-COVE Chairman Charlotte Schwab and Treasurer John Piccoli officially presented to Mayor Wagner their proposal for a middle Income co-operative in Greenwich Village.

At the formal hour-long meeting in the Mayor's private office at City Hall were Louis A. Cioffi, Acting Borough President of Manhattan; Jacob Lutsky, legal aide to the Mayor; and Tom Lawless, aide to the Borough President. Mayor Wagner and his staff received the MI-COVE proposal with favor and expressed positive interest in the plan.

CHURCH MEETING

Father Natalicchio of St. Patrick's Old Cathedral has made arrangements with the Borough President's office for Father Lattanzi, St. Anthonv of Padua; Father Clerkin, St. Alphonsus Church and Father Albanesi of the Church of Our Lady of Pompeii to meet with Louis A. Cioffi, Acting Borough President.

At the meeting the clergymen will express their official approval of MI-COVE's plans for a non-profit middle income cooperative.

Stanley Rose, assistant to the Borough President, will contact MI-COVE as to the definite date for this appointment.

AN IMPORTANT STEP FORWARD

J. Clarence Davies Jr., newly appointed chairman of the City Housing and Redevelopment Board, met with MI-COVE Chairman Charlotte Schwab on the morning of July 16.

After listening to MI-COVE's proposals, Mr. Davies and his two board members Walter Fried and Robert Weaver agreed that there is a desperate shortage of apartments for families in the middle income bracket, and that MI-COVE's plan, which involves virtually no residential relocation, would get their serious consideration when further Title I funds became available.

MI-COVE

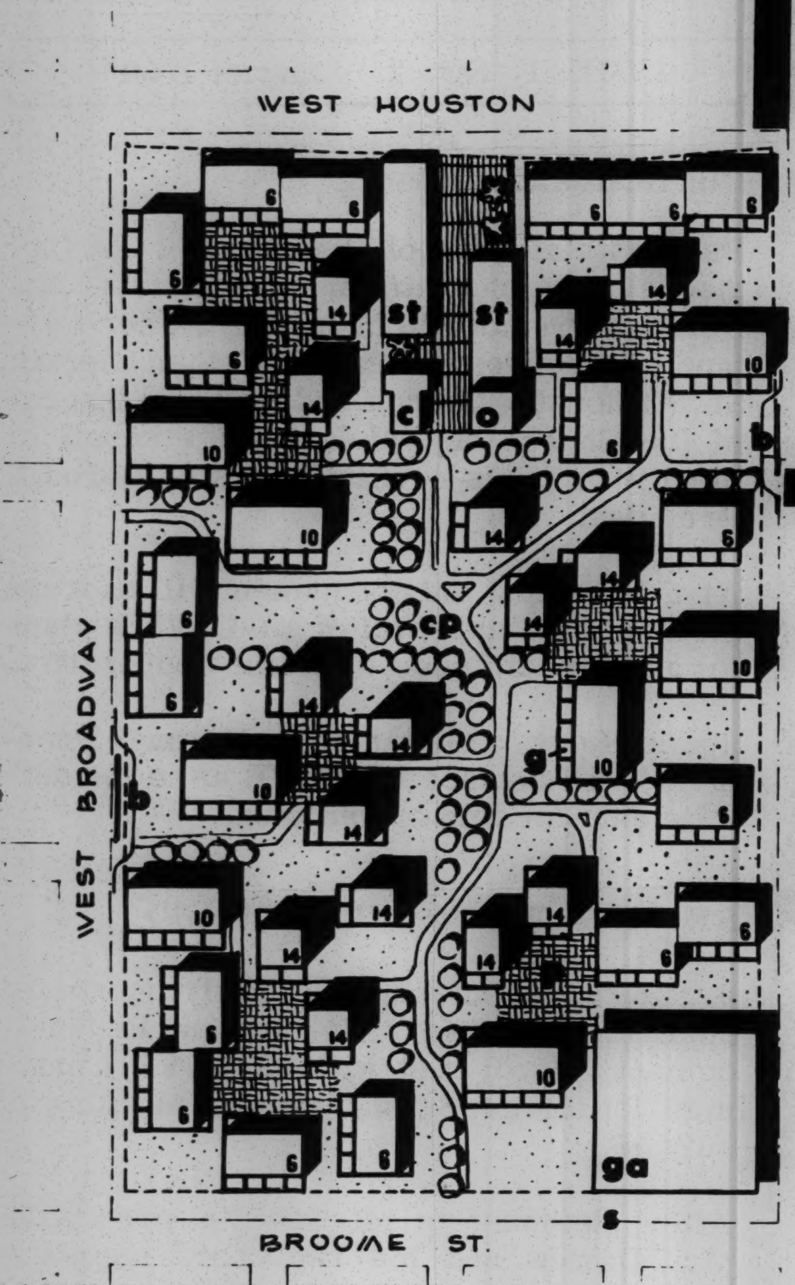
SPEND WISELY

SAVE FOR HOUSING

MI-COVE'S SITE PLAN

Victor Gruen's preliminary site plan for the MI-COVE cooperative shows six residential clusters of 5 to 8 buildings around urban courts and plazas. The six clusters are separated from each other by park-like areas. Each contains buildings of differing shapes and heights. Altogether, there are 2,500 apartments in: 15 slim towers, 14 stories high; 8 elongated buildings, 10 stories high; and 18 six-story buildings which are in some cases inter-connected. In harmony with existing Village uses, there are private gardens around most of the buildings, to be used by families living on the ground floor. The shopping mall stretches south from West Houston. In the interest of economy, Mr. Gruen has created the greatest possible variety with the smallest number of prototype buildings.

Note: The southern boundary is subject to City action on the Broome St. Expressway.



Legend

st	STORES & SHOPS
o	OFFICE BLDG
c	COMMUNITY BLDG
ga	MULTI-LEVEL GARAGE (500 CARS)
g	PRIVATE GARDENS
p	PAVED & LANDSCAPED PLAZAS
cp	COMMUNITY PARK
b	BUS STOP
s	SETBACK

0 100 200 300 400 500 600 FT.

MI - COVE DEVELOPMENT

Greenwich Village New York

VICTOR GRUEN *architect a.i.a.*

CO-OPERATORS MEETING

On Thursday, August 11, MI-COVE held its second Report-to-Members meeting. The auditorium of the New School for Social Research was filled to overflowing - more than 500 people, and latecomers had to be turned away.

Co-operators Jack Stein and Jack Giresi showed and explained slides of the site as it is now followed by samples of MI-COVE's architect Victor Gruen's work in Boston and California.

Dick Joseph of MI-COVE's executive committee discussed the site plan (reproduced in this issue of the NEWSLETTER) and pointed out its many unique and exciting features.

Mrs. Schwab then touched upon some of the high points of Mr. Gruen's plans: the building designed for working parents with its own nursery school, school guide service, after-school program and low-cost cooking and cleaning services; the co-operative office building for professionals complete with switchboard service and stenographic pool; the two block promenande providing stores for the small shopkeeper; and the co-operative loft space.

John Piccoli, Treasurer, gave his report, stressing that MI-COVE's only source of income was through contributions. After an appeal for support, the rostrum was again turned back to Mrs. Schwab.

In her closing speech, MI-COVE's chairman discussed those city agencies concerned with housing. She read a letter from J. Clarence Davies Jr., Chairman of the new Housing and Redevelopment Board, reporting the status of the co-operative. Mrs. Schwab then explained the financial arrangments of MI-COVE.

Our project is planned to help the median income family with earnings of approximately $6,000. With this in mind MI-COVE proposes a monthly carrying charge of $22.00 - $23.00 per room per month. Down payments will be $650.00 per room. With the co-operators putting up $8,000,000, or about 20% of the total cost of the housing, a combination of low interest mortgage money, Title I write-down funds and temporary partial tax abatement will make these low carrying charges possible.

THE HISTORY OF MI-COVE

February 3, 1960

Charlotte Schwab, a Village housewife, put an ad in local newspapers asking all who were interested in a "reputable middle income co-operative to be built in Greenwich Village at $21.00 per room" to please write.

February 17, 1960

As a result of the enthusiastic interest aroused by the ad, The Villager ran a front page story on MI-COVE.

March 20, 1960

A feature story by Tom Ennis who lives in the Village appeared on the first page of the Sunday real estate section of the New York Times.

April 1, 1960

900 Villagers mailed in their applications. Approximately 2500 requested information and application blanks.

April 4, 1960

At an open meeting at the Lower West Side Children's Aid Society four officers were elected. This executive committee appointed working chairmen and committees.

April 26, 1960

MI-COVE held a meeting at Chelsea Vocational High School for the public. A full

MI-COVE

SPEND WISELY

SAVE FOR HOUSING

MI-COVE COMMITTEE

Charlotte Schwab, Chairman
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Ann Sewell, Mailing Captain
Pat Spanfeller, Zoning Captain
James J. Spanfeller, Artist

house - plus 100 standees - jammed the auditorium to hear Roger Starr, executive vice president of the Citizens' Housing and Planning Council of New York, Inc., MI-COVE Chairman Schwab and Treasurer Piccoli.

May 5, 1960
State Commissioner of Housing James William Gaynor discussed tentative allocation of a $25, 000, 000 mortgage for MI-COVE.

May 27, 1960
City Board of Estimate Meeting at which Mrs. Schwab stated MI-COVE's position about the controversial third parcel of land originally contracted for by Washington Sq. Village. Subsequently several City officials reported approval of MI-COVE's position.

June 16, 1960
Official announcement that MI-COVE has chosen as its architect Victor Gruen, award-winning designer of nation-wide residential and commercial developments.

MI-COVE Chairman Schwab and staff met with J. Clarence Davies Jr., Chairman of the City Housing and Redevelopment Board and his associates.

In the first issue of the MI-COVE NEWSLETTER the executive committee announced the attorneys for the proposed co-operative: Szold, Brandwen, Meyer & Blumberg. This firm has been, since the 1920s, attorney for many successful non-profit-sponsored co-operatives.

June 20, 1960
Mayor Robert Wagner received the MI-COVE proposal in a formal meeting with Charlotte Schwab and John Piccoli, Treasurer.

July 28, 1960
Under the sponsorship of the Citizens' Housing and Planning Council of New York, Inc., MI-COVE met with seven other civic groups actively working for middle income housing.

August 11, 1960
MI-COVE held a Report-to-Members meeting in the auditorium of the New School for Social Research. A detailed account is in this issue of the MI-COVE NEWSLETTER.

STATE AID FOR MI-COVE

James William Gaynor, State Commissioner of Housing, informally approved on May 5 a tentative, preliminary mortgage allocation of $25, 000, 000 for the MI-COVE project under the provisions of the Limited Profit Housing Companies Law.

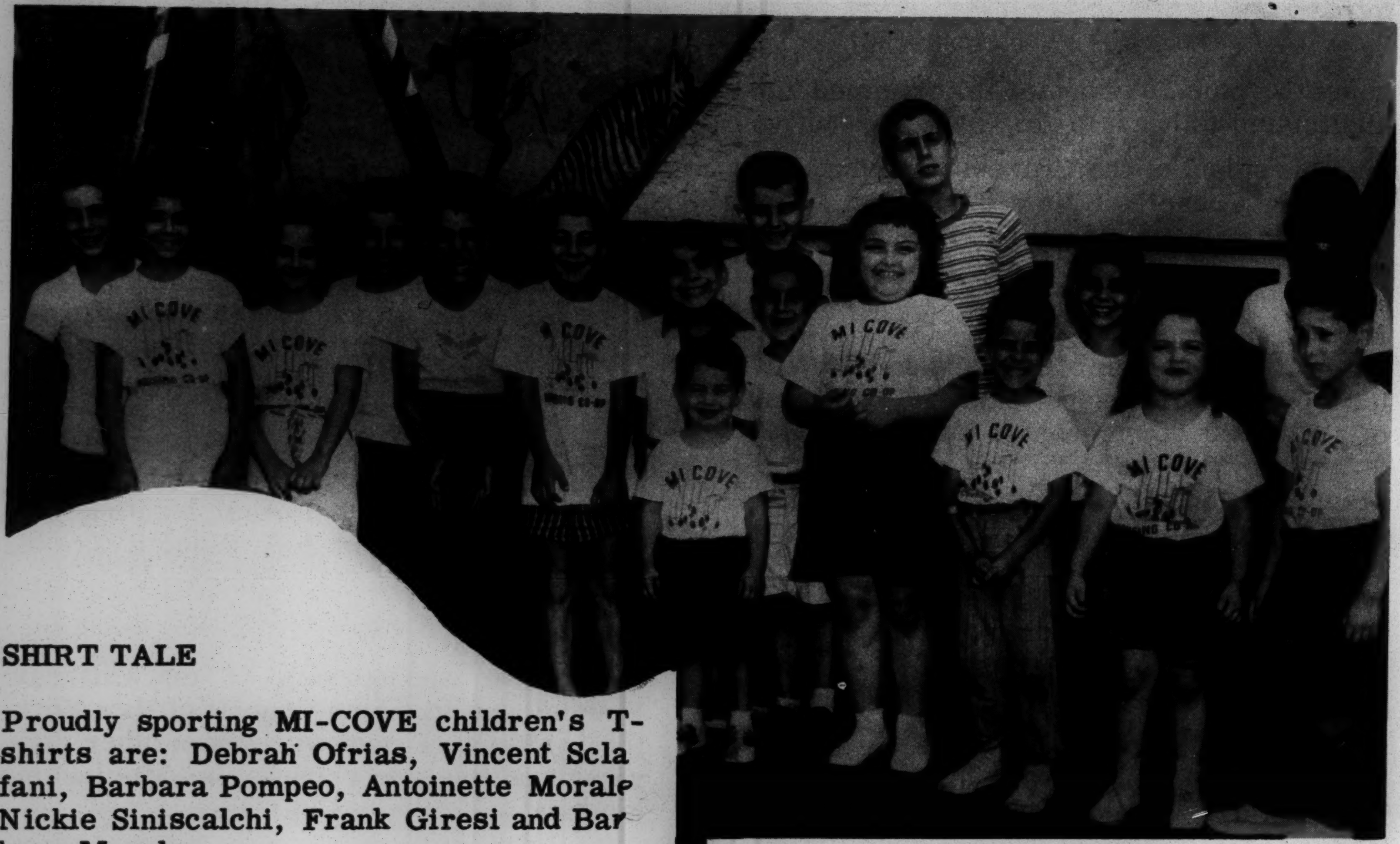
He urged prompt action to process the cooperative through City and Federal agencies and warned that the project would have to meet the requirements of, and gain approval from the new State Housing Finance Agency when that body was officially organized.

MI-COVE MEETS WITH CITY CIVIC GROUPS

The Citizens' Housing and Planning Council of New York, Inc., sponsored a meeting on July 28 to which the leaders of civic groups interested in housing, planning, renewal and redevelopment were invited.

Charlotte Schwab, speaking for MI-COVE, reported on what we have done to date and how our progress has been accomplished.

Among the audience were representatives of the Warbasse Houses of Brooklyn who recently achieved the victory of having their plans approved by the New York City Board of Estimate after a two-year struggle.



SHIRT TALE

Proudly sporting MI-COVE children's T-shirts are: Debrah Ofrias, Vincent Sclafani, Barbara Pompeo, Antoinette Morale Nickie Siniscalchi, Frank Giresi and Barbara Morale.

These shirts, available at $1.00 apiece in children's sizes small, medium and large, can be purchased at Flair Interiors, West 3rd and Sullivan Sts. And remember - your dollar buys not only a MI-COVE shirt but a share in helping to make MI-COVE a reality.

Your body feels rhythm
Your ears hear sound
Your brain controls both

Put them all together and you hold the key to a quick and joyous of the mysteries of musical language and expression.

Classes for Children and Adults
Rhythmics, Ear-Training, Improvisation, and Theory . Catalogue on Request

THE MUSIC WORKSHOP

300 West 12th Street . ALgonquin 4-6744

$$$ $$$ $$$ $$$ $$$ $$$

MI-COVE shirt sales, NEWSLETTER advertising, contributions after public meetings and the money hard-working co-operators take out of their own pockets, make up the only sources of MI-COVE's organizational income.

Please help insure our continued success by becoming a MI-COVE DONOR. Contributions of $1.00 and more may be sent to MI-COVE, Box 460, Cooper Station, New York 3, N.Y. Make checks or money orders payable to MI-Cove.

MI-COVE'S BOUQUET

Our thanks to the following hard-working co-operators:

Phyllis Bynum
Josephine Chalcroft
Stanley Fein
Jack Giresi
Ann Joseph
Richard Joseph
Terry Levine
Frances Morale
Frances Sclafani
Louise Watts

MI-COVE PRIORITIES

By direction of J. Clarence Davies Jr., Chairman of the Housing and Redevelopment Board, MI-COVE has dropped its former priority list. With the exception of the 36 families on our site, applications are now on a first come first serve basis. In keeping with this we sent out in June questionnaires to all out-of-Village applications.

The words questionnaire and application have been up to the present time used interchangeably. You will note that this issue of the MI-COVE NEWSLETTER has only used the word application.

Formal applications with $500.00 deposit will be called for in the near future. All those who have filled out a questionnaire/application will be notified.

NOTICES

APPLICATION BLANKS

Flair Interiors at West 3rd and Sullivan Sts., now stocks a permanent supply of MI-COVE application blanks.

MI-COVE'S NEW ADDRESS

Please note that henceforth all correspondence addressed to MI-COVE must be sent to Box 460, Cooper Station, New York 3, N.Y.

SUPPORT OUR ADVERTISERS

You will notice that this issue of the NEWSLETTER carries advertising, as will all subsequent issues. These Village businessmen are supporting MI-COVE too - they deserve your patronage, they're helping to get you a home.

WORKERS WANTED

MI-COVE has not attained its sixth month of very active life by dreams and ideals alone. Application blanks, letters, notices, posters do not write themselves. The day has not yet arrived when electronic devices answer telephones, take photographs, ring doorbells, sell advertising and plan meetings.

We of MI-COVE who have devoted numberless hours to the above tasks have enjoyed the satisfaction of working together for what we want. Won't you join us and help to make our castle in the air into a very tangible co-operative in Greenwich Village?

Please read the coupon below, fill it out and mail to MI-COVE, Box 460, Cooper Station, New York 3, N.Y. Thank you.

Name . . . .
Address. . . . .
Phone . . . . I am available
the following days . . . .
from . . . . to. . . . .
I would be interested in doing the following:
Fund-raising . . . . . Mailing . . . .
Advertising . . . . . . Typing . . . .
Office work . . . . . . Other . . . . . (please
state preferences, if any) . . . .
. . . .

PATRONIZE OUR MI-COVE ADVERTISERS

THE WILLOW

Gifts for the home . Jewelry

182 West 4th Street . New York 14, N.Y.
WAtkins 4-9220 Weekdays 1 - 9 p.m.

FLAIR INTERIORS, INC.

241 Sullivan Street . New York 12, N.Y.

GRamercy 5-8930

FREE: New / **SCHAPIRA COFFEE COMPANY**
20-Page /
Gourmet / 117 W. 10th St., New York 11
Recipe / Coffee Roasting and
Booklet / Tea Blending since 1903

J. BRIGNOLE . Fancy Groceries

Delicatessen . Fruits and Vegetables

171 West 4th Street . CHelsea 2-8232
Phone Orders Delivered

THE WORKBENCH

Contemporary
Furnishings

46 Greenwich Avenue . New York 11
ALgonquin 5-1270

252 East 51st Street . New York 22
PLaza 3-1173

BASIL & ANITA . Hairstylist

Hotel Carteret, 212 West 23rd Street

Bleaching and coloring, Haircutting,
Styling our specialty . CHelsea 3-1712

LEON COIFFEURS

Modern Hairstyling
Continental Haircutting
54 East 8th Street . New York 3, N.Y.
GRamercy 7-4710, 4711

In the Village, it's

KOLTNOW GALLERY
for interesting
originals, prints, tiles, and framing.
192 West 4th Street . CHelsea 2-1340

"THE TAILORED" SHOP

Cleaners . Tailors

312 Bleecker Street . New York 14, N. Y.
CHelsea 2-6649 We Call and Deliver

ADVERTISING RATES

On display ad page, SINGLE UNIT:

1 Time	3 Times	6 Times
$10.00	$9.00	$7.50

Same page, DOUBLE UNIT:

$18.00	$16.20	$13.50

All other positions on editorial pages, add 20%.

MI-COVE NEWSLETTER, a bi-monthly publication, reserves the right to reject any ad not considered suitable or unreproducable by the photo-offset process.

Ad positions on the display page considered on a first come, first served basis. Checks must accompany all advertising copy, which must be clearly typed.

Housing - NYC

BOX 460 • N.Y. 3, N.Y.

MI-COVE NEWSLETTER

MIDDLE-INCOME COOPERATORS of GREENWICH VILLAGE
VOLUME 4 • NUMBER 1 NOVEMBER, 1963

We've met the Mayor solutions near... Now— the next step is YOURS

File

WRITE TO MAYOR ROBT. WAGNER today

standing behind Mayor.. l to r:
R. Szold, J. McNamara, G. Coleman, C. Schwab, A. Blumberg, R. Dormer

On Thursday, November 7, 1963, MI-COVE met with Mayor Robert F. Wagner to plan how to proceed with the development of a portion of Hell's Hundred Acres with a community for 2500 families.

Main problem now: relocation of businesses on the site, bounded by Houston, Broome, W.Broadway, and Mercer Streets, to adequate quarters which they can afford. Since some of the businessmen and employees on the site are MI-COVE applicants, MI-COVE wants to make doubly sure their needs are met.
The Mayor directed Chairman Milton Mollen of The Housing & Redevelopment Board to convene a group representative of the City Agencies, including Commerce Commissioner Louis Broido, to discuss how to expedite the situation. On November 11, altough it was a holiday, MI-COVE met with Chairman Mollen, Commissioner Broido, et al in Mr. Mollen's office at 2 Lafayette Street. MI-COVE presented details of the survey it has been making on the MI-COVE site, showing that many of the businessmen would be only too happy to move from this terribly hazardous area if they could get their moving expenses, which average between $1500 and $3000.

Government now allows up to $25,000 moving expenses....
Since this is true, MI-COVE does not anticipate too much of a problem in moving the businessmen.

Real Estate Board survey results revealed......
On November 3, the Real Estate Board of Manhattan published the results of its 1963 survey revealing 25 million vacant square feet of loft space in Manhattan alone! Since the total MI-COVE site is less than 4 million square feet, again, there would not be too great a problem in finding comparable space for all the businessmen so that no jobs need be lost.
As we go to press, the Mayor is about to meet with his staff to discuss the new developments concerning the loft situation in the City, which puts a whole new light on the picture.

MI-COVE schedules meetings with City officials.....
These problems will be worked out! You must back us up — show that you are behind your Committee!
WRITE MAYOR WAGNER TODAY!
Turn to Page 4 for details.

This Newsletter costs MI-COVE almost $700

(If you want an actual breakdown of costs, please write, enclosing self-addressed, stamped envelope.)

We now need Newsletters to keep you informed as to the rapid, important developments on MI-COVE.
We will not be able to do this for one simple reason: MONEY
This is why we may sound like a broken phonograph record when we keep requesting your contributions.
Your moral support is wanted...
but it is not enough! We cannot exist without your contributions. Telephones, supplies, stamps all cost MONEY. Please mail your check, to the order of MI-COVE.

Enclosed find my contribution of $________ for the continued work toward MI-COVE VILLAGE.

Check one of the following:

☐ Send me _____ cards.

☐ Do not send any cards.

name . . . .
address. . . . .
borough. . . . .
phone number . . . .

P.S. Please enclose 10 cents mailing costs.

Mayor announces new housing conference....
Leading community organizations to participate. MI-COVE receives invitation.
"...housing is one of the major and most complex problems confronting our City today...I have directed my Housing Executive Committee to set up a series of five evening conferences so that you or your designated representative may hear directly from the Commissioners of City Departments involved with housing."
Chairman Charlotte Schwab will attend for MI-COVE.

MI-COVE

announces
a new card

CREATED BY KRIENSKY FOR MI-COVE
AN UNUSUAL AND MEANINGFUL CHRISTMAS CARD . . .
BEAUTIFUL NOTE PAPER . . . AN ORIGINAL GIFT.
AVAILABLE ONLY WITH MINIMUM DONATION OF 2.50 FOR 10 CARDS, PROCEEDS TOWARD WORK FOR CREATION OF MI-COVE VILLAGE

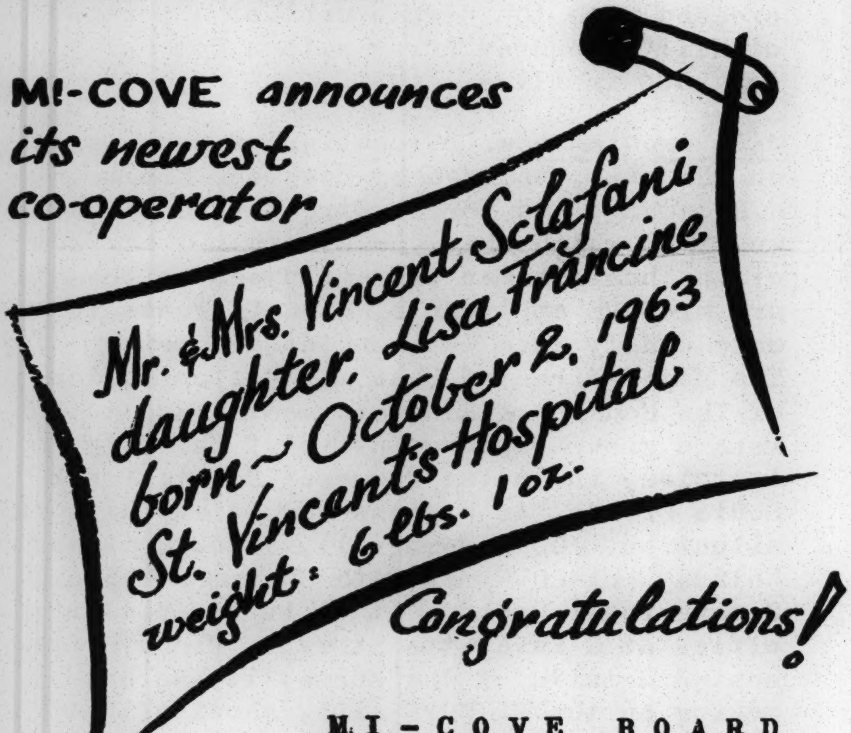
pick up your cards today at . . .
RANDALL HOUSE COIFFURES — B'way bet. 9th & 10th Sts.
SIEGLER BROS. MOVING — 62 Greenwich Ave.
GREENWICH HOUSE LOBBY — see Fred — evenings.
ACE BANNER AND FLAG — 680 B'way at W. 3rd St.

these lovely notes, on fine, quality paper may be obtained ONLY from MI-COVE with a minimum donation of
$2.50 for ten cards
$5.00 for twenty-five
$9.00 for fifty cards

this is an exclusive design...published in a limited edition

you may also obtain cards at:
ST. PATRICK'S OLD CATHEDRAL RECTORY: 263 Mulberry Street
or, by writing to:
MRS. LILI HAGAN
Fund-Raising Chairman
BOX 460, N.Y. 3, N.Y.
Be sure to enclose 10¢ for postage and handling

MI-COVE *announces its newest co-operator*



Mr. & Mrs. Vincent Sclafani daughter, Lisa Francine born ~ October 2, 1963 St. Vincent's Hospital weight: 6 lbs. 1 oz.

Congratulations!

M I - C O V E B O A R D

Charlotte Schwab, Chairman
James J. Kirk, Treasurer
Esther Glenn, Secretary
Aldona Mikolaitis, Recording Secretary

MI-COVE ON TELEVISION*

CHANNEL 13

30-MINUTE PROGRAM

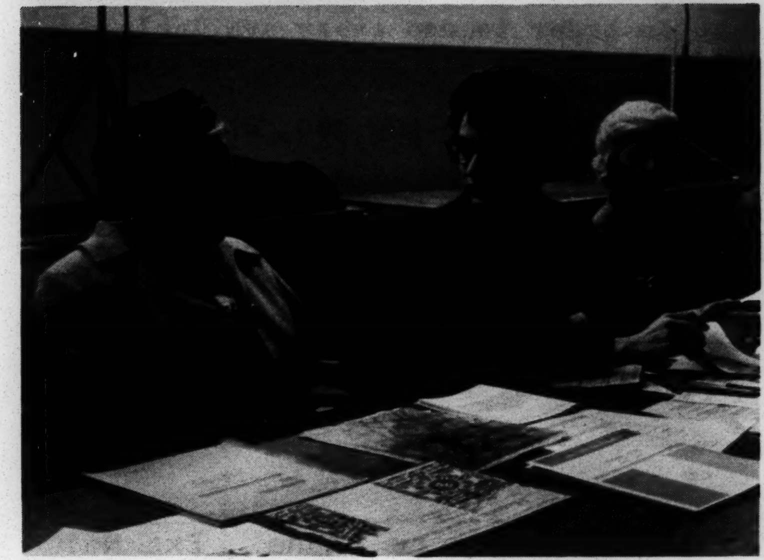
Architect Gruen describes plans...

News release on series of programs called "Metropolis" by National Educational Television (Channel 13 locally) which will be presented nationally:

"SHOW #5: HOW TO GET THINGS DONE (The story of MI-COVE) — This is the story of an extraordinary housewife possessed by the ideal of initiating a middle-income housing project in the south Houston Street district of New York City, As she sets about her task, motivated by the idea of improving but preserving her neighborhood, she encounters the whole range of persons involved in getting things done. A noted architect, Victor Gruen, an architectural critic, Ada louise Huxtable, the president of the city club, and members of the housing and planning authority, union heads, business men, artists, and others, join the chorus. All contribute to the discussion of conflicting values in using urban space."

*

WATCH FOR OUR NOTICE OF SHOW DATE AND TIME.
The filming is not yet complete.
Release is estimated at early next year.

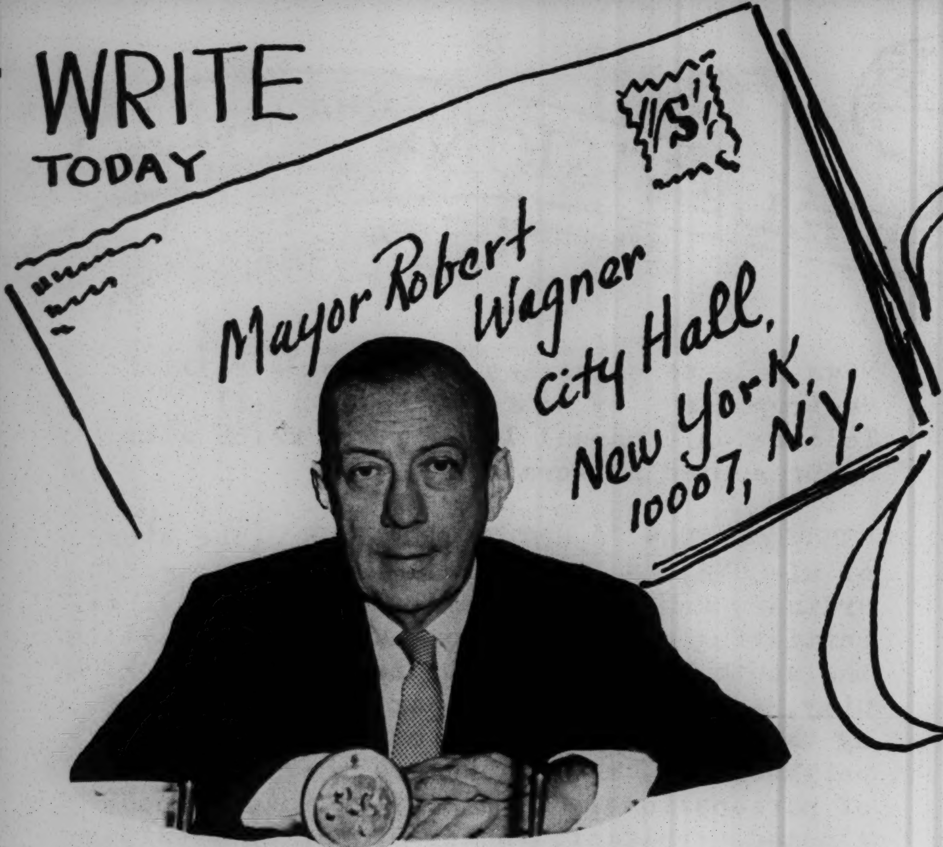


Chairman Schwab answers questions...

Informational meeting...

If you have moved....
please notify us of your new address.
If you have solved your housing problem.......
please let us know so that we may drop your name from the list. Many thanks.

WRITE TODAY



Here's a sample letter:

"Dear Mayor Wagner:

MI-COVE has proposed a community for Hell's Hundred Acres. We know that no one will lose his livelihood because there is much vacant loft space in the city. This fact was published in The New York Times, Nov. 3, 1963. It is impossible to rehabilitate this area for the tenants who occupy it. The area is ideal for housing. It lies in the core of Manhattan where the best mass transit exists to take these people to work and wherever they need to go. Industry brings trucks to the heart of the city, clogging it up and making it impossible to move. Please give this project your support by urging the City Planning Commission to designate the MI-COVE site for urban renewal.

Sincerely yours,"

NOTE: Do not copy this letter word for word. Express your own ideas. Try to include some of the above facts.

MI-COVE COMMITTEE CAMPAIGNS!!!!

Your committee is carrying on a telephone campaign to get EVERY MI-COVE applicant to write to the Mayor. Your voice does count.

WRITE...WRITE...WRITE...NOW...NOW...NOW

MI-COVE'S bouquet to..... Ann Halsall, Jenny Copeland, Lili Hagan, Ann Ozol, Sam Giglio, Ruth Lovinger, Dorothy Resnikof, Eva Kaplan, Jim Kirk, Irene Slosser, Aldona Mikelaitis, Sylvia Maselson, Jess Silberstein, Sylvia Corwin, Norma Potter, Gertrude Herbert, Ann Kelber, Irene Badi, Bea Frank, Claire Hawtin, Esther Glenn and all our friends too numerous to mention.

Everyone can be a volunteer on the MI-COVE COMMITTEE. Even if you have filled out this slip before, please fill it out again.

In order to use every available talent, we are bringing our list up-to-date.

FILL OUT AND MAIL TO BOX 460, N.Y. 3, N.Y.

Print Last Name First Name

____

____

Address

__________ __________ ______

Home Phone Office Phone Ext. No.

CHECK YOUR SKILLS:

Fund Raising ____	Type Stencils ____
Stenography ____	Entertaining ____
Adjusted Typing ____	Mimeographing ____
Varityping ____	Telephoning ____
Typing ____	Other Skills ____

UNIVERSITY of PENNSYLVANIA
PHILADELPHIA 4

Institute for Urban Studies

file

APR 7 1964

April 6, 1964.

Mr. Norman Hill
New York Chapter
Congress of Racial Equality
38 Park Row
New York 38, N.Y.

Dear Mr. Hill:

At Morris' suggestion, I am sending you a copy of my letter to Jim Farmer. If you would like to receive your own copy of the Rapkin report, please let me know. I would be glad to send it to you.

Sincerely,

Grace Milgram

(Mrs.) Grace Milgram
Research Associate

GM/hi

UNIVERSITY of PENNSYLVANIA
PHILADELPHIA 4

Institute for Urban Studies

April 6, 1964.

Jo - please note

Mr. James Farmer, Director
Congress of Racial Equality
38 Park Row
New York 38, N.Y.

Dear Jim:

I was watching an educational TV presentation of a discussion on the South Houston Redevelopment Area several days ago, and was amazed to hear CORE listed among the organizations supporting Mi-Cove's request for this land for a middle-income housing project. It wasn't clear whether this was the national office or the New York chapter, so I am sending a copy of this letter to Norman Hill.

I don't know whether you are familiar with Dr. Rapkin's report on the area prepared for the Planning Commission. I did a little work on it myself, so I can vouch for the care which went into its preparation, the reliability of its statistics and other data, and the concern with which the recommendations were made. There are 12,700 workers in the area, of whom 20 percent are Negro and 40 percent Puerto Rican. I need hardly call to your attention the incidence of unemployment among both these groups, and the unlikelihood of these jobs being replaced if they are destroyed. It is true, as the Mi-Cove people said, that there are 4,000,000 square feet of empty loft space in Manhattan. But aside from the question of the suitability of its location and rent as a place in which these firms might relocate, there are 5,500,000 square feet in use in the area. It has been the experience of all redevelopment areas that a substantial number of firms go out of business rather than move or move to suburban locations, where these workers would have difficulty in continuing to work; there is no reason to suppose that this would be an exception.

The second question revolves around the use of available funds. The land write-down alone would amount to some $6,000 a unit, if Mi-Cove's plans are carried out, taking almost the entire redevelopment funds for the City of New York for a year, aside from the continuing subsidy in tax remission. If the people moving into the development were low-income families, unable to obtain decent housing otherwise, there would still be a question of whether this was the wisest location to use. But again experience has shown that middle-income housing for

/Continued.....

Mr. James Farmer, Director
Committee on Racial Equality

April 6, 1964.

the most part is occupied by people who can afford to rent and could obtain good housing if they went to Queens or Brooklyn, rather than Manhattan. I have no objection to people living in Manhattan if they don't like the trip to the other boroughs and they can afford it, but I do object to taking money which should go to helping real and involuntary slum-dwellers, in effect from people who do live in other boroughs, in order to make it possible for a favored few to live in downtown Manhattan. It would seem to me that CORE also should be more concerned with obtaining low-cost housing for people now living in Harlem, East or West, or Bedford Stuyvesant, or any of the other areas where people require new housing rather more than those living in Greenwich Village semi-luxury apartments.

I don't want to make this into a lengthy letter, with all details. Under separate cover I'm sending a copy of the Rapkin report which gives all the figures; the last chapter summarizes the findings and policy considerations. I should just like to point out that the Board of the Citizen's Housing and Planning Council, a group whose concern with housing cannot be doubted, after careful consideration just last week adopted a resolution turning down the Mi-Cove proposal, by a vote of 18 to 3. I would hope CORE would re-consider its position.

My best to Lulu.

Cordially,

(Mrs.) Grace Milgram
Research Associate

GM/hi

c. c. Mr. Norman Hill
New York Chapter
CORE

-$500 - expenses

M I - C O V E
MIDDLE INCOME COOPERATORS OF GREENWICH VILLAGE
BOX 460, COOPER STATION . NEW YORK 3, N.Y.
CHARLOTTE SCHWAB, Chairman JAMES J. KIRK, Treasurer

Dear MI-COVE Applicant:

We are happy to report on recent work done by your Executive Committee, as well as by individual Committees, on the final stages of planning MI-COVE VILLAGE.

PRESENT STATUS

MI-COVE expects the City Planning Commission to designate the South Houston site for URBAN RENEWAL, and to call a public hearing. Before this takes place, the results of the $25,000 study authorized by the Board of Estimate must be announced. Every MI-COVE applicant, as well as all those interested in seeing MI-COVE VILLAGE built, will be notified of the time and place of this hearing and will be expected to appear to show their support.

SURVEY OF MI-COVE APPLICANTS MADE

A Special Committee has made a survey of the MI-COVE applications to obtain information necessary in the final stages of planning MI-COVE VILLAGE. The survey was planned and the results analyzed by our Chairman, with the help of professionals in the fields of statistics, urban sociology and architecture. A large part of the tabulations were done by the following MI-COVE members: Jennie Copeland, Anne Halsall, Mary Pantaleo, Paul Quaranta, Jane Sklar, Lillian Stewart, Lillian Sykes, Dolores Volini, and Aldona Mikolaitis.

RESULTS OF INTEREST TO US BASED ON A 5% SAMPLE

Artists

1. (A) 5% of the applicants are creative artists needing studios.
   (B) 10% are in other Arts.

Incomes

2. (A) 75% of families make under $8,000 yearly income.
   (B) 15% additional families make under $20,000 per year.
   (C) 10% need fully tax-paying units. These include families with children where both parents work, necessitating the special service type building with Nursery, walk to School Service, Simple House Cleaning, etc.

Apartment Sizes

3. (A) 8% need Two Room Apartments (primarily one adult).
   (B) 34% need Three Room Apartments.
   (C) 30% need Two Bedroom Apartments.
   (D) 22% need Five Rooms.
   (E) 5% need Six Room Apartments.
   (F) 1% need more than Three Bedrooms.

The above figures are based on a community of 2,500 units, subject to change.

The study of MI-COVE applicants will continue because of additional information necessary in planning MI-COVE VILLAGE to best serve the needs of the MI-COVERS. The questions to be asked of every applicant are: ages of adults; ages of children; plan to use public, private, or parochial school; specific occupation(s) of wage earner(s); where they work; how they get to work; own a car; would they pay to garage it; religious affiliation; race; do both parents work.

VARIED COMMUNITY REFLECTS CHARACTER OF GREENWICH VILLAGE

Since MI-COVE is not a stratified one-layer development but a varied, colorful community, there can be no set formula for construction into which people are fitted. The wide variety demands a formula which will fit the needs of the people. The new aids under federal law for middle income co-ops can be quite valuable here; co-op and rental units can be combined; a variety of financing tools can be utilized. (See December, 1961 and June, 1962 Newsletters)

In this part of the tabulations the researchers were struck by the varied number of adults and children in families as well as by the varied occupations. The next part of the study, we are sure, will bear this out even more. This is, of course, true to the character of Greenwich Village itself from where the majority of MI-COVERS come.

There have been many applications for shops in the area, and MI-COVE is still considering the type of shops which will be needed as well as the recreational facilities (indoor and outdoor).

ART GALLERY

The MI-COVE Committee has been considering all suggestions for establishment of characterizing landmarks and "crystallization points" for MI-COVE VILLAGE, patterned after the philosophy of our architect, Victor Gruen. The one suggestion so far unanimously desired has been that of an Art Gallery in MI-COVE VILLAGE, which would exist for the exhibition of the work of artists living in MI-COVE VILLAGE. This Art Gallery would also provide lectures, movies, and the like, for which there would be a small charge, making it self-operative.

A FEW WORDS OF NEWS!

For those who haven't been at recent meetings:

Mr. James Felt has resigned as Chairman of the City Planning Commission. Your MI-COVE Chairman sent a letter to him expressing our regret and to say we enjoyed working with him in the past. Happily, we have not lost his services altogether, as he will continue as a Member.

Father Richard Natallicchio of Old St. Patrick's Cathedral has been working to organize a committee to run a raffle. As soon as it is formed we would like everyone to pitch in and help out. The expenses of running MI-COVE remain but we still maintain our policy of donations in order not to create hardship for our applicants. However, the burden should not rest with those who have unceasingly dug into their pockets and given of their services, with a great many riding along doing nothing. Let's all chip in - CO-OPERATE WE WILL SOON BE NEIGHBORS!

A FEW WORDS OF NEWS! (continued)

The Board of Directors of MI-COVE, INC., formally elected Esther Glenn to the position of Secretary upon the resignation of Eloise Litman, at a meeting held at the Fifth Avenue Hotel. Eloise and family are leaving Sullivan Street to move to Rockland County but will be back with us in MI-COVE VILLAGE.

We would like to announce our new Mailing Chairman, Anne Halsall, who took over for the new year, and has been doing a great job. It is impossible to give enough thanks to Liz Chipura and Jennie Copeland, who did a magnificant job for over a year.

In closing, we would like to take this opportunity to thank all of the volunteers who have been working very hard on individual committees and to say that this letter was necessary to keep our applicants informed without calling a large general meeting for which we have no funds.

Sincerely yours,

Charlotta Schwab

Charlotte Schwab
MI-COVE Chairman

James Kirk

James Kirk
MI-COVE Treasurer

CH:ah

LATE BULLETIN !!!

The Raffle Committee is organized!!! Richard Rinaldo is Chairman. MI-COVE IS A VOLUNTARY ORGANIZATION, and requires no payment of dues by its member-applicants. We are grateful to those persons who have contributed their time, effort and dollars.

YOUR HELP IS NEEDED NOW.

Raffle Books can be obtained from Old St. Patrick's Cathedral, a MI-COVE Committee Member, or Write Box 460, New York 3, N. Y., enclosing a self-addressed Stamped Envelope. (Raffle Books cost $1.00 Each and contain five chances at 25¢).

SEND YOUR CHECK TO-DAY!
CUT OUT THE COUPON BELOW AND SEND IN WITH STAMPED ENVELOPE

Enclosed is $....... for....... Raffle Books.

Enclosed is $....... for my donation to MI-COVE.

I still need housing and wish to remain an applicant.
(check one _____ Yes _____ No)

NAME......................................

ADDRESS...................................

Reprinted from the
December 1958 issue of **House & Home**

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SEGREGATION:

Major study raps industry practices

Commission on Race & Housing asks Eisenhower to name committee to root out federal props to housing bias

The biggest study yet attempted of housing segregation has ended with a report accusing the building industry of helping to thwart the nation's efforts to overcome race discrimination in housing.

A three-year investigation by the Commission on Race & Housing*, financed by $400,000 from the Ford Foundation's Fund for the Republic, singles out realtors, builders and mortgage lenders as leading roadblocks toward realizing what it calls "public ideals in regard to race."

The language of the 77-page report is temperate, its ideas crusading. It says: "The group prejudices of the white population provide a basis and support for the segregation of minority groups, but the actual controls and sanctions are administered largely by the housing industry. It is the real estate brokers, builders and mortgage finance institutions which translate prejudice into discriminatory action . . . in the main, the services of brokers, builders and mortgage financiers are extended to nonwhites only in limited measure and under special conditions. Spokesmen for the housing industry usually disclaim responsibility for their discriminatory practices, asserting that their actions are dictated by the prejudices of their clientele or the general public, or the imperatives of profit and loss. There is unquestionably some basis for this defense, but it is also true that members of the housing industry often lead rather than follow the public in housing discrimination . . . the unwillingness or inability of the housing industry to make its services fully available to the members of minority groups has had the effect of creating, for those groups, a separate housing market in which only a limited quantity and quality of merchandise is offered for sale."

Federal, state and local governments come in for sharp criticism, too. The commission estimates that one-sixth of the US population (27 million people) is now subjected to housing restrictions because of race, color or ethnic origin. Yet it notes pointedly that the 1949 Housing Act makes "a decent home and a suitable living environment for every American family" a goal of national policy. The very existence of such a law, says the study, when taken with the fact that minorities are largely confined to slum ghettos, creates "an expectation that government will act to help remedy the situation."

Instead, says the report: "Realization of these goals of national policy is seriously hampered by racial segregation and discrimination in the distribution of housing facilities and benefits provided under federal laws. Moreover, the policies of the federal housing agencies which encourage or permit racial distinctions in distribution of federal housing benefits are inconsistent with the US Constitution and the spirit of the housing acts of Congress . . ."

Life—Leonard McCombe

AMERICAN DILEMMA: Robert Herndon, a Negro aircraft engineer, house hunting in the Los Angeles suburbs, looked at this house, but was told by the lady realty broker: "The owners just won't sell to you," which was what the owners had told her.

What the Commission says about industry

REAL ESTATE BROKERS, "with occasional exceptions, will negotiate sale or rental of property to minority persons only in areas considered appropriate for minority residence, usually in areas where minorities are already living. To do otherwise is considered among brokers an unethical practice . . ."

NAREB has substituted "some ambiguous statements" for its former ethical prohibition against introducing inharmonious occupancy into neighborhoods, "but from all indications the re-statement has made little change in actual practice."

"Real estate men are typically convinced that to 'break' white neighborhoods would bring serious harm to their business. Damaging reactions are expected both from neighborhood residents and from colleagues. It is the latter which serves to maintain a high degree of uniformity in practice . . . on occasion, members who violated the racial code have been expelled from real estate boards." Even if a home owner is willing to sell to a minority buyer, "brokers generally will refuse to participate in transactions they consider improper . . . there is no record of any real estate board's having announced that introduction of a minority buyer into a white neighborhood was permissible if the seller were willing."

Real estate boards have admitted such a tiny number of nonwhite members that "their exclusion testifies to the racial attitudes of the real estate fraternity." Result: "Absence of communication between white and nonwhite interests in real estate" which "removes nonwhite real estate agents from the scope of ethical practice controls."

BUILDERS—Except where local laws limit them, "the vast majority in all sections of the country maintain a strict policy of racial segregation." Because the modern developer builds not just houses but whole communities, his powers to segregate have been "magnified" in the last 20 years. This helps explain "the paradox of increasing residential segregation during a period of generally weakening racial prejudice." Most builders "are convinced" that too few whites will live in the same neighborhood with nonwhites to provide enough market for a

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[*] Earl B. Schwulst, president of Bowery Savings Bank, chairman; Gordon W. Allport, professor of psychology at Harvard; Elliot V. Bell, editor and publisher of *Business Week;* Attorney Laird Bell of Chicago; The Rev John J. Cavanaugh, director of the University of Notre Dame Foundation; Peter Grimm, chairman of William A. White & Sons, New York; Contractor Charles Keller Jr of New Orleans; President Clark Kerr of the University of California; Builder Philip M. Klutznick of Chicago; Henry R. Luce, editor-in-chief of TIME INC publications; Merchant Stanley Marcus of Dallas; President Ward Melville of Melville Shoe Corp; Attorney Francis T. P. Plimpton of New York; President R. Stewart Rauch Jr of the Philadelphia Saving Fund Society; Designer Henry Dreyfus; Col Campbell C. Johnson, assistant to the director, Selective Service System; President John H. Wheeler of the Mechanics & Farmers Bank, Durham, N C.

Builders urged to open all tracts to all races

tract. Builders argue that "to admit nonwhites would be a fatal handicap to sales." But "few builders have tested their assumptions" that builders of inter-racial tracts will be stopped by lack of mortgage money or obstacles thrown up by local authorities.

LENDERS "have provided major support" for segregation by their "common policy" of lending to nonwhites only in nonwhite areas. Not only does this "sustain segregation" but it also "disadvantages nonwhites" because property in nonwhite areas is usually "inferior." The "racial areas" policy is upheld inside lending institutions by 1) a weakening belief that nonwhites depreciate property values and 2) an unweakening "desire to avoid the wrath of property owners, brokers, depositors, policy holders and other lenders for helping 'break' a white neighborhood."

FHA, PHA criticized

The commission tags "policies and actions" of federal agencies and officials as "among the principal influences sustaining segregation in housing." Minority groups for years have been trying to persuade the President and federal housing agencies to forbid racial segregation in sales of FHA and VA homes, it notes. But "this step the government has not been prepared to take. Officials offer various explanations but unquestionably one of the principal reasons is the power of the segregationist bloc in Congress. By endowing private business and local authorities with unprecedented power to determine the racial pattern in housing, and then taking no steps to control the use of this power, the federal government indirectly gives major support to intensification of racial segregation. It is fair to say that the segregationist group, through its power in Congress, is able to enforce its views upon the whole country."

FHA, the report complains, makes no attempt to control racial segregation by builders, although it has abandoned its earlier doctrine that "mingling of racial groups in residence areas was socially undesirable."

And public housing, even though "far in advance of the private field . . . has served, on the whole to sustain and probably intensify racial segregation." Reason: federal authorities, mindful of attitudes in the South, have left the question of segregation up to local housing authorities.

"Only government and law can be directly effective on a large scale" to curtail race discrimination in housing, asserts the commission. But at another point, it admits: "No single measure can produce a major change."

Rights commission study set

The new Federal Civil Rights Commission will dig into racial segregation in housing and urban renewal next year.

It has called a hearing February 2 in New York City to delve into such items as the quality and amount of housing occupied by minority groups, what difficulties they are having in finding adequate housing and the effect of federal housing laws and programs on their problems.

Housing will play a big, but not dominant role in the commission's deliberations, predicts its Staff Director, Gordon Tiffany, 45, former attorney general of New Hampshire. The commission is due to report by next September on denials of voting rights, denial of equal protection of the laws and how federal laws prohibiting racial discrimination are being carried out.

Its No. 1 recommendation turns out to be that President Eisenhower should name a high-level committee of federal officials and private citizens to purge US housing programs of what support for segregation remains in them. It also offers 33 other suggestions. These range from the advice that more publicity for inter-racial subdivisions would be helpful to a demand that state governments repeal all laws requiring segregation. These recommendations involve the industry:

1. Realty boards should proclaim that "realtors should offer listed residential properties to any qualified purchaser or renter without regard to racial or religious distinction unless the principal has in writing directed limitation of a particular transaction to certain groups."

2. Housing trade groups should "drop color bars to membership."

3. Lenders should drop their "racial areas" policies.

4. NAHB and its locals should "take the lead in effecting an industry-wide policy" to declare all new tracts open to all buyers of whatever race or religion. This would, explains the commission, lessen the "disadvantage" builders feel they will suffer in taking individual action to admit nonwhites.

5. Builders, brokers and lenders should study the experience of financially successful inter-racial developments.*

The commission also calls for adoption of state and city laws banning discrimination in housing built with any form of public aid (such as FHA). It cites New York City laws against bias as models for the nation.

It calls for more emphasis on rehabilitation in renewal areas undergoing racial transition, more public housing projects on open land, fewer public housing ghettos and more projects on scattered sites "away from slums." It also advocates higher income limits for over-income public housing families so they won't have to move.

State agencies enforcing anti-bias laws, says the commission, should be empowered to: 1) act on complaints, 2) investigate and start compliance proceedings without complaints, 3) make public results of complaints involving discrimination and 4) have authority and money enough to promote open occupancy via research, information, education.

Industry & federal reaction

Most of it has been pained, fumbling and—to anybody who had read the report—inept. At NAREB's 51st annual convention in San Francisco, reporters regularly braced dignitaries at press conferences with embarrassing questions about the findings, which were, by rare coincidence, announced the very day the realtors opened their sessions. "NAREB has no policy in this field . . . never has," said President H. Walter Graves after admitting he hadn't read the report.

H&H staff

INTER-RACIAL TRACTS, like this one in Milpitas, Calif, now number about 75, report experts George and Eunice Grier. Prices range from $6,250 to $25,000. Major hurdles are still sites and financing. This $11,750 home is part of tract backed by United Auto Workers to help house Negro workers at Milpitas Ford plant which opened in 1953. Now, it has only 10% nonwhite occupancy.

"We were among the first to comply with the Supreme Court's decrees against restrictive covenants." Asked if he could name any realtors who sell property on an open occupancy basis, Graves hesitated then said: "I've never studied that. Never considered it any of our business."

FHA Commissioner Mason, conceding he had read only part of the report on an airplane, insisted "I did not feel it was extremely critical of the government." He added that there had been "material changes" since the data was gathered "some time ago." HHFAdministrator Al Cole was blunter. Federal housing agencies, he said, have "no responsibility" to prevent race segregation in private housing, even if it is financed by FHA or VA." *(See Roundup for more detail.)*

At the US Savings & Loan League's convention the next week in San Francisco, Sen John J. Sparkman, said he agreed. Sparkman, who is first a Democrat from Alabama, second the chairman of the Senate housing subcommittee, and who was Democratic vice presidential candidate in 1952, looked unhappy. "I don't feel the question should enter the housing program at all," he said. "Interjecting race will have a disastrous effect both in the field and in legislation." If compulsory integration is written into housing laws, he conceded, public housing "would dry up."

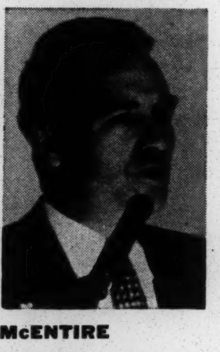
NEWS continued on p 61

How the study was made

The costly study, titled "Where Shall We Live?", is the result of three years research by social scientists at a dozen universities under the direction of Prof Davis McEntire, professor of social welfare at the University of California.

The report made public last month is only a fraction of the evidence the commission amassed. What Commission Chairman Schwulst calls "a comprehensive report of the research," to be titled "Residence & Race," is scheduled to appear next year. Backing this up are some 30 studies and research memoranda, most of which have been, are being or will be published. All are listed in an appendix to the first report. For copies: University of California Press, Berkeley 4, Calif. Price $1.50.

H&H staff



McENTIRE

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*There are only a handful and the report presents no hint in refutation of the probability that inter-racial tracts make smaller profits.

Distributed by National Committee Against Discrimination in Housing, 35 West 32nd Street, New York 1, New York

office copy

IMMORALITY OF THE GHETTO

By Dr. Frank S. Horne

The City of New York

1664

COMMISSION ON INTERGROUP RELATIONS

The following is a reprint of an address by Dr. Frank S. Horne, Executive Director, City of New York Commission on Intergroup Relations, at presentation ceremonies of the James J. Hoey Award for Interracial Justice, October 25, 1959.

The Hoey Award is presented annually by the Catholic Interracial Council.

THE VERY AIR is so disturbed by myriad tongues babbling about racial and ethnic relations in this city that I had resolved to be still and work harder at the basic causes of the trouble. However, when Father La Farge and George Hunton and the Interracial Council asked me to talk with you today, my respect for their goodness and devotion translates their request into a command. In this humble way, I offer my tribute to their leadership and the twenty-five years work of the Catholic Interracial Council in the vineyard of racial justice and fair play.

I should like also to cite the work of Father Fitzpatrick of Fordham, including his recent statement on delinquency excerpted last week in the New York *Post.* I hope the Council and the New York Diocese will find a way to make this required reading throughout the clergy and laity of the Church, the parochial and public schools of the city. I would cite also Father Mc Peak's "Prescription for Harlem" in the current issue of the *Crisis,* and Archbishops Hurley and McCann in Cape Town's *Southern Cross* proclaiming racial integration in South Africa as the way to save Christian civilization. I pay deference to President Hulan Jack's citation of the neighborhood work of the New York City Commission on Intergroup Relations as we seek to carry forward the promotion of neighborhood councils projected years ago in the "New York Plan," by Father La Farge and George Hunton.

It is in this spirit that I shall speak to you briefly on the "Immorality of the Ghetto" as my tribute to this year's recipients of the James J. Hoey Awards for Interracial Justice. Since I have neither the goodness nor the scholarship of those saintly men I have cited, I am afraid that I shall sound at times like an angry man. But if I do, it will be in the spirit of Him who drove the money-changers from the temple. It will be my indulgence in the old-fashioned and now apparently outmoded virtue of moral indignation. But it will come from a heart that tries to beat with Him who, when pinioned on the Cross, cried: "Father, forgive them; they know not what they do."

It is highly popular today to sound off about juvenile delinquency. Everybody is getting into the act with his own personal script. And, parenthetically, we have just witnessed the most brazen moral debauchery perpetuated upon the public in television's so called quiz programs. This is certainly delinquency wholesale. Just as certainly we cannot blame this on juveniles nor Negroes nor Puerto Ricans nor the ghetto. We have all been concerned recently by criminal actions by young people, some of them with Spanish names. Some angry voices have labeled them "wild animals." These individuals certainly are and they must be caged. But I went out recently to visit our wild animals in the zoo. Most of the large cages are occupied by only one or two lions or tigers or hyenas. Their cages open out upon patios where they can romp or sleep in the sun and fresh air. At feeding time, we serve them well with carefully selected viands. If their stomachs or teeth ache, we supply professional care of a higher order. Then I walked again through some houses in East Harlem and Central Harlem and the West Side and the lower East Side and Bedford-Stuyvesant in Brooklyn and saw 4, 5 and 6 adults and children caged up in one room with something called a toilet serving 4, 6, 8 and more families on a floor. Who is treating whom like wild animals? Who is making whom wild? While we apply the night stick and the polite concentration camp to ghetto escapees, who is cleaning up the ghetto swamp where the wildness is bred?

Over and over, as I visit settlement houses in the ghetto areas, I hear workers in despair describing the wide and deep involvement of these young victims in narcotics and dope. As we send in added police, are they to give added attention to the dope pusher? Who is responsible for the exploitation of these young caged lions with "grass" and heroin? Who makes fantastic sums of money out of this while young people are plied with poisons whose thrall is so terrifying as to make a killer out of a gentle farmer's son? Where is the moral indignation of the nice people of the community? Where is the insistence upon protection of these youngsters from this vice? Who is to take up the lash of public opinion to drive out the money changers who desecrate the temple of beings made in the image of God? Who will touch the leper or extend his hand to protect Mary Magdalen from the barrage of death dealing stones?

Other angry men would go out into New York Bay and throw a shroud over the Statue of Liberty and douse the light that welcomes the world's huddled masses to our shore. They would turn her back upon United States citizens from Mississippi or the Caribbean until we "clean up the ghetto." As Father Fitzpatrick points out, we have welcomed into those same slums Irish, Italian, Jew, Greek, German—every conceivable strain—subjected them to ghetto living, and, out of the brawling, competitive streets seen them build the towers that challenge the sky. Who has gotten afraid of American adventure? Who will suffer little children and the heavily burdened to come unto Him? Are we to continue to blame our problems—our slums and ghettos—upon the latest newcomers? Who is to clean up the Augean stables? Who will realize that it is the newcomers of each wave who have contributed so largely to the muscle, the brain and the determination to help solve the problems? Who built this city anyway—was it the Indians, the original settlers, or the newcomers who came in later?

Then there are some who would discourage the newcomer and slam the door of relief in his face. They say to him—if you've been here 366 days, we shall not let you and your children starve. But if you have been here only 364 days, you can grovel for your crusts with the dogs. What kind of arithemetical morality is this? Where is the spirit of Him who lifted up the afflicted and fed the multitude with loaves and fishes and walked the streets with the poor and lowly?

The immorality of the ghetto breeds the immorality of the segregated school. Five years ago responsible studies revealed that 70% of our public elementary and junior high schools are segregated. The Supreme court reminded us that modern psychological knowledge indicates clearly that segregated, racially homogeneous schools damage the personality of minority group children. White children are also damaged—whether this segregation occurs by law or by fact. Our Board of Education rose to the challenge and in December of 1954 proclaimed its interpretation of the May 17th decisions of the U. S. Supreme Court as a "legal and moral reaffirmation of our fundamental educational principles," declared that "racially homogeneous public schools are educationally undesirable" and committed itself to "approach more closely the racially integrated school in all localities."

The flesh is so often weaker than the spirit. The moral drive that produced the policy lags in its implementation. People in high places say, "after all, the segregated schools are only a little sin, and since we've been sinning more or less comfortably for so long, let's don't clean it up too fast." "Let's be practical" is substituted for "let's be moral." The ghetto pattern and ghetto thinking degrades us all—those in the ghetto and those outside. When He said "Suffer little children to come unto me," did He mean for them to march up in separate *phalanxes*—black and white, Jew and Gentile, Irish and Puerto Rican? In this issue psychology and morality are hand maidens. We can run but "there ain't no hidin' place down there." Sinners may attain heaven if they are purged, but the ghetto is malignant immorality that eats into the soul and man cannot wait too long or even purgatory cannot redeem him.

Many of us have come to see that a large measure of delinquency, school segregation and racial tension is grounded in the racially restricted residential pattern—the root of the immorality of the ghetto. The President of the United States has vigorously and repeatedly called our attention to the depressed countries and nations of the world. (He has said that they will not rest content in their poverty while other nations nearby are fat and privileged). He predicts conflict and explosion unless the rich and powerful nations (of East and West) increasingly share their resources and knowhow with the poor and weak.

Certainly we have our depressed areas and districts in this (RICH) city, increasingly restless and discontent. Just so surely will there be spreading conflict and explosion within our city unless we find ways—more rapidly—to increase the share of these districts in the full stream of our community life. Business and industry seem content to employ the labor of these people but take little responsibility for their existence in crowded tenements and stinking slums. They and government must share the moral and "realistic" responsibility for increases in the housing supply at costs these workers can afford, for enforcement of housing codes and laws as vigorously as policing the streets, and for opening up the total housing supply to all people on the same terms regardless of their race, religion or national origin.

Every landlord or real estate operator or mortgage lender who turns his back on one of these families contributes to the sharpening resentment and tension. So does every housing inspector who "looks the other way" at code infractions, every court that penalizes housing lawlessness by slaps on the wrist, any policeman with his hand in the "back door" of numbers gambling or prostitution or the dope traffic. The ghetto is to be recognized for what it really is—a stinking cancerous blot upon the morality of the entire community. There are devils to be cast out; there are money changers to be whipped out of the temple; there is high need for moral indignation, not at the victims but at the perpetrators and exploiters of the ghetto.

And even those of us now confined to the ghetto pattern are not without our moral responsibilities. We are responsible to do all in our power to preserve the integrity of our family life, to condemn lawlessness by black and white alike, to educate our children, to knock on the door when opportunities are opened, to organize, to vote, to fight despair, to join with the forces in and out of the ghetto who are fighting to eliminate the ghetto itself. Respect comes not to those who whimper or whine but to those who stand on their own feet and do all they can with what they have, little as it may be.

Fortunately, there are arising giants, in and out of Government, in and out of the Church, who cry out and labor against the injustice and immorality of the ghetto. We celebrate today people like James J. Hoey and the honored recipients of the award in his name. There are the Cardinal Spellmans, Father LaFarges, the George Huntons, the Catholic Interracial Council, and growing hundreds of leaders in the Protestant and Jewish faiths and in their lay organizations. Mayor

Robert F. Wagner, in proclaiming the policy of the "Open City," declared, "As a matter of morality as well as law, all New Yorkers must have the right to bargain for their shelter in a freely, open competitive housing market." The "Open City" as a moral city pervades the words and work of most of our leading city officials. The organization of increasing numbers of neighborhood councils of the type that Father LaFarge and George Hunton have advocated would provide a channel for citizens to support and develop the open city.

But our time is running out. Our national and international obligations are pressing on every side. Our leadership in the world must rest upon the morality of our way of life. Even the great Sir Lancelot could not find the Holy Grail because "his honor rooted in dishonor stood." The Lord has allowed us to develop a way of life based upon the everlasting sanctity of every human being. He will not permit us to be the custodian of that light unless our hands are clean. Civilizations that have failed this trust have gone down into the dust.

The Communists—and many of the darker uncommitted peoples—will not let us stand before the world in raiment of shining white which hides the cancers and sores and the cloven hoof of racial injustice and ghetto immorality. But important as our world role may be, even more vital is the cleanliness and sanctity of our own nation—its internal moral fibre.

They taught me an expression down South. When somebody said or did something bad, we chastized by shaking the head and saying, "God don't love ugly." Certainly, He doesn't love immorality and I would believe He doesn't love the ghetto. What he does not love, He may punish with hell-fire itself, but His compassion is great and redeems us when we reject the immoral and the ugly and embrace the true and the beautiful.

I plead for the moral indignation and the hard, tough work to be done to eradicate the immorality of the ghetto. In this spirit, I salute the honored recipients of the Eighteenth Annual Presentation of the James J. Hoey Awards.

The City of New York

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The New York Times.

SUNDAY, FEBRUARY 7, 1960.

ENTRY OF NEGROES STUDIED IN CITIES

Report on 8 Areas Asserts Realty Values in All-White Sections Do Not Fall

NO PATTERN DETECTED

But Study Says Non-Whites Often Bring a Stability in Prices to Neighborhoods

By THOMAS W. ENNIS

The widespread belief that real estate values fall when non-whites enter a previously all-white neighborhood has been rejected in a study of neighborhoods in eight cities across the country.

The study's major finding is that the entry of non-whites into an all-white neighborhood was much more often associated with price improvement or stability than with price weakening.

No single or uniform pattern of nonwhite influence on property could be detected, the study says. Rather, what happens to prices when non-whites enter a neighborhood seems to depend on a variety of circumstances which may influence prices upward or downward, or leave them unaffected.

Factors Are Listed

The influencing factors, the study finds are the following:

¶The strength of the whites' desire to move out of a neighborhood when non-whites come in.

¶The strength of non-whites' desire to move in.

¶The willingness of white families to purchase property in a racially mixed neighborhood.

¶The choice of housing available to white families.

¶Housing available to non-whites.

¶Relative levels of home prices.

¶The state of business conditions.

¶The long-run trend of property values.

The study, called "Property Values and Race" has just been published by the University of California Press. It was written by Luigi Laurenti, who has taught economics at the University of California in Berkeley.

The study reports the findings of one phase of a broad investigation of housing problems involving minority racial and ethnic groups which is being conducted by the Commission on Race and Housing.

The commission, formed in 1955, is an independent citizens' group headed by Earl B. Schwulst, president and chairman of the Bowery Savings Bank of New York. The commission's work has been made possible by a grant from the Fund for the Republic. An earlier study on discrimination in housing, called "Where Shall We Live," attracted wide attention when it was published by the commission in 1958.

Eight Cities Studied

Much of the new report is based on Mr. Laurenti's own studies in San Francisco and Oakland, Calit., and Philadelphia. He also evaluates similar studies made independently of the commission in Chicago, Kansas City, Detroit and Portland, Ore.

In San Francisco the sale prices of 5,417 homes in twenty formerly all-white neighborhoods which underwent some degree of non-white entry were compiled.

The sale prices of 4,495 additional houses in nineteen closely comparable neighborhoods which remained all-white were also tabulated. Neighborhoods were selected to give as much diversity as possible in price class, degree of non-white occupancy and other factors.

The fluctuation of prices in neighborhoods entered by non-whites — the test areas — was compared with price changes in the matching all-white neighborhoods—the control areas in the study.

For each pair of neighborhoods two types of price comparisons were made. These were the relationship of test prices to control prices before and after nonwhite entry, and the relative change in test and control prices.

Study of the comparisons yielded the following conclusions:

¶ In 41 per cent of the comparisons, test prices stayed within 5 per cent of the control prices, indicating no significant difference in price behavior.

¶ In 44 per cent of the comparisons, test prices were relatively higher than control prices by margins of 5 to 26 per cent.

¶ In the remaining 15 per cent of the comparisons, test prices were lower than control prices by margins of 5 to 9 per cent.

Relationships Varied

From the date of the first non-white entry at the beginning of the study period in 1943, 59 per cent of the comparisons showed larger percentage increases for test prices than for control prices. The remaining 41 per cent showed larger increases for control prices.

Neither the price class of the test neighborhood nor its percentage of non-white occupancy showed any steady relationship to the observed price movement. All ranges of price and non-white occupancy displayed both superior and inferior test price behavior as compared with control prices.

Mr. Laurenti concludes that price changes which can be connected with the fact of non-white entry are not uniform, as often alleged, but diverse. Depending on circumstances, racial change in a neighborhood may be depressing or it may be stimulating to real estate prices and in varying degrees.

The study finds that the odds are about four to one that house prices in a neighborhood entered by non-whites will keep up with or exceed prices in a comparable all-white area, particularly in a period of rising property values.

An analysis of mortgage financing data in the San Francisco area revealed the following:

¶Almost as many non-white buyers purchased for cash, plus a first mortgage, as did whites (48 per cent as against 53 per cent).

¶Resort to second mortgages was about the same for non-whites and whites—two out of five nonwhite buyers, two out of six white buyers.

¶For non-whites, cash down payments were 17 to 25 per cent less than those made by white buyers.

¶First mortgages extended to non-whites were as large or larger than those granted to whites, and involved the same loan-price ratios.

¶Recorded interest rates were the same for non-whites as for whites.

The findings for San Francisco, Oakland and Philadelphia are generally consistent with the neighborhood studies in Chicago, Kansas City, Detroit and Portland.

Demand Is Important

The study notes that discussions of race and property values assume that the demand for housing in racially mixed neighborhoods must come entirely, or almost entirely, from non-whites—that few if any whites will consider buying property in such areas.

This doubtless has been true in the past, the study says, and it means that the effect of racial changes in a neighborhood on property values depends basically on how rapidly white families dispose of their houses when demand on the part of non-whites appears.

The major threat to prices seems to be a too sudden and large addition to the neighborhood supply of housing available to non-whites.

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National Committee Against Discrimination in Housing

426 West 58th Street, New York 19, New York JUdson 6-3460

THE NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING is a non-profit organization devoted exclusively to combatting religious and racial discrimination in the housing market.

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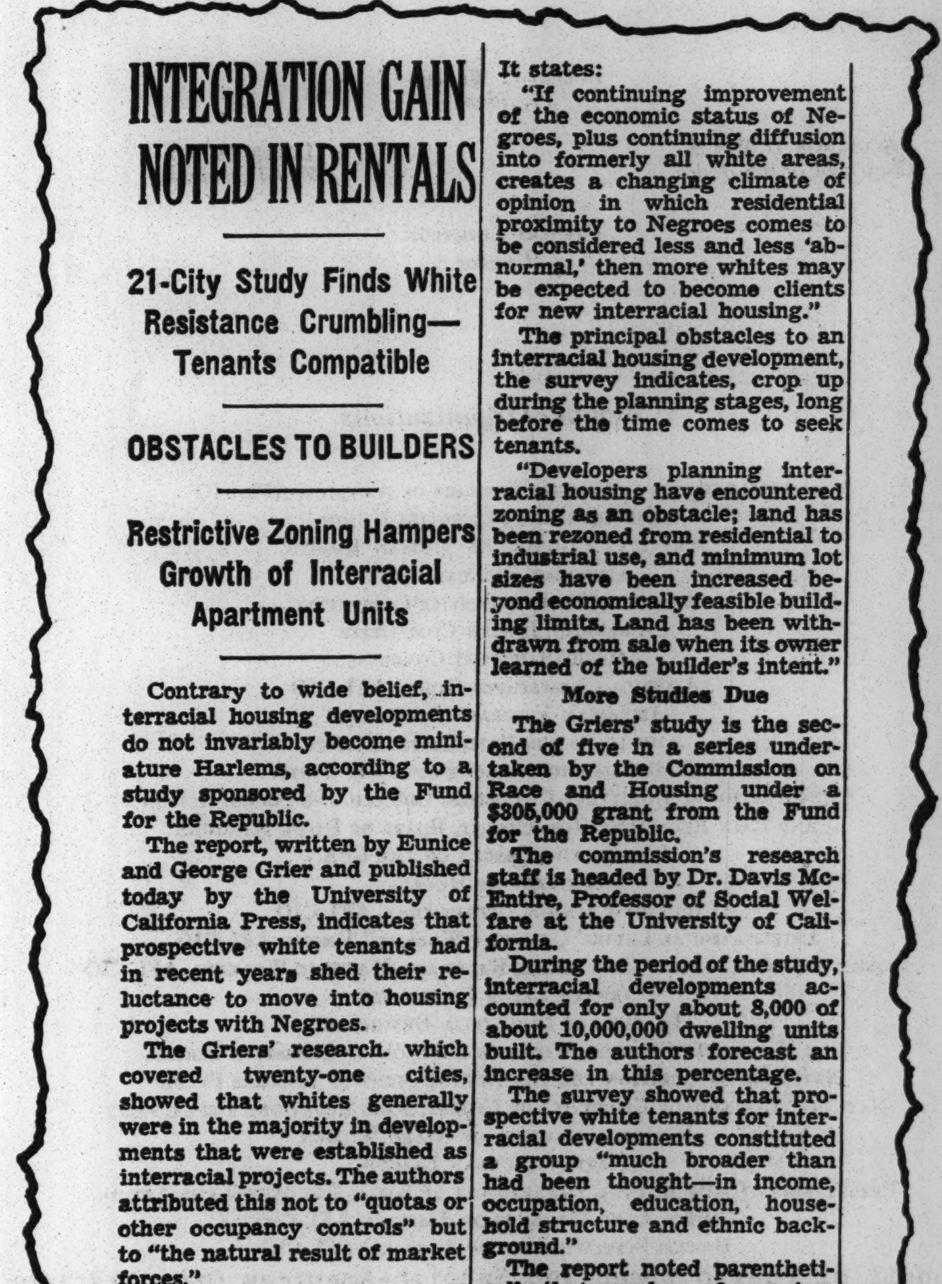
The New York Times

MONDAY, FEBRUARY 29, 1960.



INTEGRATION GAIN NOTED IN RENTALS

21-City Study Finds White Resistance Crumbling—Tenants Compatible

OBSTACLES TO BUILDERS

Restrictive Zoning Hampers Growth of Interracial Apartment Units

Contrary to wide belief, interracial housing developments do not invariably become miniature Harlems, according to a study sponsored by the Fund for the Republic.

The report, written by Eunice and George Grier and published today by the University of California Press, indicates that prospective white tenants had in recent years shed their reluctance to move into housing projects with Negroes.

The Griers' research. which covered twenty-one cities, showed that whites generally were in the majority in developments that were established as interracial projects. The authors attributed this not to "quotas or other occupancy controls" but to "the natural result of market forces."

Antagonism Fades

In a broader context, the book describes this trend as symptomatic of a growing tendency away from racial antagonism. It states:

"If continuing improvement of the economic status of Negroes, plus continuing diffusion into formerly all white areas, creates a changing climate of opinion in which residential proximity to Negroes comes to be considered less and less 'abnormal,' then more whites may be expected to become clients for new interracial housing."

The principal obstacles to an interracial housing development, the survey indicates, crop up during the planning stages, long before the time comes to seek tenants.

"Developers planning interracial housing have encountered zoning as an obstacle; land has been rezoned from residential to industrial use, and minimum lot sizes have been increased beyond economically feasible building limits. Land has been withdrawn from sale when its owner learned of the builder's intent."

More Studies Due

The Griers' study is the second of five in a series undertaken by the Commission on Race and Housing under a $305,000 grant from the Fund for the Republic.

The commission's research staff is headed by Dr. Davis McEntire, Professor of Social Welfare at the University of California.

During the period of the study, interracial developments accounted for only about 8,000 of about 10,000,000 dwelling units built. The authors forecast an increase in this percentage.

The survey showed that prospective white tenants for interracial developments constituted a group "much broader than had been thought—in income, occupation, education, household structure and ethnic background."

The report noted parenthetically that members of organizations dedicated to promoting interracial harmony were not noticeably better prospects as tenants than the white population at large.

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INCONSISTENCIES IN ATTITUDES TOWARD NEGRO HOUSING

ARNOLD M. ROSE
University of Minnesota

Much of the research on attitudes has assumed that a person has a single attitude toward a given object. This is probably because most of this research has been guided by behaviorist theory, which considers behavior a specific response to a given stimulus. On the other hand, both psychoanalytic and symbolic interactionist theory would expect many attitudes to be ambiguous and/or inconsistent. By "inconsistent attitudes" I mean that a given individual may hold a number of attitudes toward the same object, perhaps applicable in different settings, but logically incompatible if they should be confronted with each other in the same setting.

The study of race attitudes has been partially an exception to the tendency of attitude researchers to ignore the inconsistency of attitudes. An early study by LaPiere[1] showed that proprietors of hotels and restaurants manifested one set of attitudes toward the Chinese (openly hostile) when asked by mail to hold reservations for them, but another set of attitudes (formally polite) when confronted with a Chinese customer in the flesh. Levinson and Sanford[2] discovered several interesting inconsistencies in their study of stereotypes. They found that there was one stereotype of the Jew as cliquish and clannish, but another stereotype of the Jew as "pushy" and seeking integration. In a fascinating field experiment, Saenger and Gilbert[3] found that there was no relationship between a customer's expressed willingness to be waited on by Negro sales personnel and their actual tendency to select or avoid a Negro sales clerk when confronted with a choice. Aurbach, Coleman, and Mausner[4] recently demonstrated that different forms of a questionnaire will elicit markedly different proportions of people in favor of "fair housing" legislation: one form presented the law as a device which "enforces integrated housing"; the other form presented the law as a protective device assuring the rights of individuals to seek housing in a free market regardless of race or color. Gunnar Myrdal[5] raised this matter of inconsistency of attitude to a principle in the study of race relations. He held that there was a fundamental dilemma in American whites' attitudes toward Negroes, that whereas they believed in repressing and segregating them, they also believed in dealing with them in terms of justice and democracy.

I suspect there is ambiguity and inconsistency in all but the most superficial attitudes, that we do mingle love and hate (as Freud said), and that we do respond to the varied and diverse aspects of experiences and situations (as the interactionists would have it). Yet so much of contemporary research

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Assistance in carrying out some phases of the research on which this article is based was provided by my students Frank Caro and Samuel Wallace.

[1] Richard T. LaPiere, "Attitudes Versus Actions," *Social Forces,* 13 (December, 1934), pp. 230-237.

[2] Daniel J. Levinson and R. Nevitt Sanford, "A Scale for the Measurement of Anti-Semitism," *The Journal of Psychology,* 17 (April, 1944), pp. 339-370.

[3] Gerhart Saenger and Emily Gilbert, "Customer Reactions to the Integration of Negro Sales Personnel," *International Journal of Opinion and Attitude Research,* 4 (Spring, 1950), pp. 57-76.

[4] Herbert A. Aurbach, John R. Coleman, and Bernard Mausner, "Restrictive and Protective Viewpoints of Fair Housing Legislation: A Comparative Study of Attitudes," *Social Problems,* 8 (Fall, 1960), pp. 118-125.

[5] Gunnar Myrdal, with the assistance of Richard Sterner and Arnold Rose, *An American Dilemma,* New York: Harper, 1944.

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still assumes that an individual can have only one attitude toward a given object, and so much of contemporary practice still assumes that attitudes are consistent. Even in the field of race attitudes we are likely to do surveys showing that such and such a proportion of whites are against desegregation of schools, or that a majority of whites think that Negroes are dangerous. Yet by probing just beneath the surface, one can find marked inconsistencies and self-contradictions in race attitudes, as I shall demonstrate by using crude statistical comparisons of responses elicited in an interview survey in Minneapolis.

TOPIC OF RESEARCH, PROCEDURE AND SAMPLE

Although the Negroes of Minneapolis comprise only 2 per cent of the total population of the city, they share with Negroes in other urban areas of the United States the problem of finding adequate housing. Among the causes of difficulties which Negroes experience in finding housing are objections of white residents to having Negro neighbors. Northern whites' resistances to living near Negroes are a composite of many attitudes. It was the original purpose of our survey to measure the extent of the opposition to mixed racial residence, and we sought to approach the matter with many different questions. The chief finding that emerged from our questioning was that we could not, in fact, measure the extent of the opposition, as we got almost as many different results as we had approaches to the question. In other words, attitudes (and behaviors reported in answers to questions) are inconsistent.

Construction of the Interstate Freeway System has provided an opportunity for studying restrictive attitudes under unusually realistic conditions. A freeway will cut a swath, one block wide and thirty blocks long, through a large Minneapolis residential area, and those living in the area face the necessity of finding new housing. Some of the neighborhoods crossed by the area studied are racially mixed. What makes the attitudes toward Negro housing of this population interesting is the fact that it is, of necessity, sensitized to the whole question of housing. For the families forced to find new homes, questions concerning the acceptability of Negro neighbors assume an unusually pertinent and present meaning. The study attempts to discover the reactions of this group to its own housing in the presence or absence of Negro neighbors, the manner in which attitudes toward Negroes affects its preferences for future housing, and the way in which the group views Negroes' problems in finding housing.

The area to be taken by the Freeway had a population of about 650 families, and it was planned to reach half of these in the study. Using a prepared questionnaire and following instructions on interviewing procedures, students in a sociology class interviewed respondents in every second housing unit in the area. One adult member of each household was interviewed. Of the original sample of 325, 28 could not be reached in the interviewing conducted between October 17 and November 21, 1959, even though the interviewers were instructed to try on three different occasions. A validity check by comparing answers within the questionnaries eliminated three interviews. The sample included 16 Negro households which were excluded from the present analysis.[6] The final sample size was 278.

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[6] The small number of Negro households found in the original sample does not indicate much about the extent of racial mixture in the neighborhood, as the area studied was a long, narrow strip, and there could be Negroes living across the street from our households without having a chance of getting into the original sample themselves.

In addition to being tabulated as a whole, the data were analyzed separately for those who owned their own homes and for renters, and for those who had and those who did not have Negro neighbors. The criterion for having a Negro neighbor was an indication by the respondent that a Negro family lived within half a block on any side.[7] The sample included 96 home owners with no Negro neighbors, 60 home owners with Negro neighbors, 87 renters with no Negro neighbors, and 35 renters with Negro neighbors.

In order to assess the generalizability of the findings, we shall report some characteristics of the sample. The area is predominantly one of single family homes, with some scattered duplexes and small apartment houses. The median age of the respondents was 42 years, and 78 per cent of them were married. While the typical home owner was in his early fifties, the renters as a group were much younger, having a median age in the low thirties. No attempt was made to interview an equal number of men and women, and almost two-thirds of the respondents were women. Seventy per cent of the women in the sample listed their occupations as housewife; the remainder were employed outside their homes on a full- or part-time basis. Those with occupations, both male and female, were located most frequently in clerical, skilled, and semi-skilled jobs. Both the highest (professional) and lowest (slightly skilled and laborer) occupational groups were only lightly represented (4.3 per cent and 6.4 per cent of the respondents respectively). Satisfaction with current career, including that of housewife, seems reasonably high, with two-thirds indicating they would choose the same career if they were 18 years of age again.

Most respondents were high school graduates, and approximately one-third reported additional education. Three-fourths of the respondents reported that they had attended church in the four-week period preceding their interview. The majority were Protestants (67.5 per cent) with Lutheran being the most strongly represented single denomination (32.4 per cent).

On a six-level social stratification scale, the respondents generally rated themselves as either upper-middle class or lower-middle class (46.4 per cent and 41.4 per cent, respectively). Some support is given to the economic class-self ratings by the fact that they correlate closely with a furniture rating made by the interviewer. The very low relationship between class self-ratings and educational level reflects the presence of college students of low current economic status among the residents as much as it may indicate any inadequacy of the self-ratings. Home owners rated their class positions higher than did renters (chi square = 13.32).[8]

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[7] This is not a thoroughly reliable criterion since some whites are not aware of the presence of Negro neighbors. C.f. A. M. Rose, F. Atelsek and L. McDonald, "Neighborhood Reactions to Isolated Negro Residents," *American Sociological Review*, 18 (October, 1953), pp. 497-507. But conscious nonawareness of Negro neighbors might be considered as equivalent to the subjective absence of Negro neighbors. There may also be some cases of respondents who were aware of Negro neighbors but lied to the interviewers. However, since the total of those reporting no Negro neighbors is about two-thirds of the whole sample—a proportion which coincides with our impressions of the proportion actually without Negro neighbors—the number reporting no Negro neighbors and actually having them must be small. We doubt that there are any cases of white persons reporting Negro neighbors who actually do not have them.

[8] Unless otherwise indicated, all reported chi square values will be for 2x2 matrices. All tests are two-tailed. The 5 per cent level of significance was arbitrarily selected. Critical value for a two-tailed chi-square test at the 5 per cent level, with one degree of freedom, is 3.84.

Home owners reported their homes as having a median value of about $15,750. Those in all-white neighborhoods reported a median value of $17,300 while those with Negro neighbors claimed a substantially lower value of $13,500. Median rental payment was between $85 and $86 with no apparent difference between the two kinds of neighborhoods.

FINDINGS INDICATING INCONSISTENT ATTITUDES

1. *Spontaneous attitudes vs. invited statements of preference regarding Negro neighbors.*

When asked a general open-ended question regarding the respects in which they were dissatisfied with their present neighborhood, only 7.7 per cent of those with Negro neighbors mentioned these neighbors. Similarly, when asked a general open-ended question regarding the characteristics they would look for in a future neighborhood, only 11 per cent said they would look for an all-white neighborhood. However, when asked specifically how they felt about neighborhoods with regard to racial composition, 74 per cent expressed a preference for an all-white neighborhood. On the other hand, when asked a loaded (but not unrealistic for Minneapolis) question about whether they would object to living in a neighborhood where there were one or two Negro families who kept up their homes and tried to be good neighbors, only 19 per cent gave negative answers. Obviously, the proportion of people who express antipathy to having Negro neighbors depends greatly on the way the question is put.

2. *Present behavior and future preference.*

Those who live in mixed neighborhoods are no more likely to mention a racial factor as one of the three main considerations in the selection of a future neighborhood than are those who live in an all-white neighborhood (11 per cent of both groups mentioned their preference for an all-white neighborhood). That is, no relationship was found between the present behavior of having or not having a Negro neighbor and preference for an all-white neighborhood in the immediate future. This is comparable to Saenger and Gilbert's finding of no relationship between behavioral selection of a white or Negro salesperson and expressed preference for avoiding Negro salespersonnel.

3. *Status self-evaluations and presence of a Negro neighbor.*

Fear of loss of status, in the eyes of others, seems to be a major reason for opposing having Negro neighbors. (Thirty-two per cent of the respondents mentioned this when asked to explain why they preferred to live in an all-white neighborhood.) Yet when class self-rating was correlated with presence or absence of a Negro neighbor, the relationship was so low as not to be significant (biserial $r = .09$). This is in spite of the fact, noted earlier, that home owners with Negro neighbors had homes for which they reported a substantially lower value than did those who lived in all-white neighborhoods. Apparently subjective class self-rating does not suffer from the presence of Negro neighbors, although fear of loss of status is a major reason for opposing Negroes as neighbors.

4. *Fears concerning Negro in-migration and residential stability.*

While 66 per cent of the white respondents believe the presence of a Negro in their neighborhood reduces the value of the property, and 32 per cent believe the presence of a Negro in their neighborhood reduces their status, these and other negative beliefs did not make them move away. Those in racially mixed neighborhoods were at least as residentially stable as those in all-white neighborhoods. Eighty per cent of the white home-owners in both all-white and racially mixed neighborhoods reported that they had not moved within the past three years. Among renters, 40 per cent of those in racially mixed neighborhoods have not moved within the past three years, but only 32 per cent of those who live in all-white neighborhoods indicate this.

5. *Fears about intermarriage and objections to Negro neighbors.*

While a major reason given against living in mixed neighborhoods is the possible consequence of intermarriage when white children grow up in proximity to Negro children (33 per cent of those favoring living in an all-white neighborhood said this when asked why they gave this preference), those who have children themselves showed greater willingness to have Negroes live in the same building with them than did those without children (chi square = 10.79).

6. *Negro housing needs and solutions.*

While fewer than 20 per cent believed that plenty of housing is available to Negroes, and it is generally known that practically no more land for residential construction is available in the city of Minneapolis, the most popular choice (in a checklist of possibilities) for increasing the amount of housing available to Negroes (stated by 45 per cent) is to build more housing in Negro neighborhoods.

7. *Public positions concerning an "open occupancy" law and knowledge of these positions.*

While in fact the local newspapers and most clergymen have openly and strongly favored an open occupancy law for sometime, the great majority of the respondents said they did not know the positions of these groups. On the other hand, practically all the elected public officials have in fact avoided public commitments concerning the open occupancy bill, but a much larger proportion of the respondents ascribed positions to them than to the newspapers or clergymen. A majority of the respondents thought that the mayor and their ward alderman opposed the proposed law, and a plurality thought that the governor, their state senator, and state representative were in favor of such legislation.

8. *Neighborhood integration and the presence of Negro neighbors.*

Considering the extensive verbal expression of concern about having Negro neighbors, their presence makes little difference in the extent of neighborhood integration for the whites. The extent of neighborhood integration was measured by three indices (see Table 1), and while there are differences regarding these between owners and renters, they are little affected by the presence or absence of Negro neighbors. This finding, unlike those previously mentioned, is not reported to indicate inconsistency of attitude, but to support one implication of the finding of inconsistency—namely, that little is changed by the presence of a few Negro neighbors. Additional data along this line, which are especially interesting in view of the greater proportion of owners than of renters expressing antagonism toward having Negro neighbors (chi square = 12.06), are the following: two-thirds of the renters said that they had not gotten to know any Negroes in the neighborhood while only one-third of the home owners said the same (chi square = 8.71). Owners reported meeting Negroes at neighborhood meetings more often than did renters (chi square = 7.00). While it appears that neighborhood integration of renters in this area is basically very low, what little there is, is not inhibited by the presence of Negro families.

SOME ADDITIONAL FINDINGS

A few additional findings from the

TABLE 1

NEIGHBORHOOD INTEGRATION AS MEASURED BY NUMBER OF NEIGHBORS' NAMES KNOWN, NUMBER OF NEIGHBORS EVER VISITED AND NUMBER OF NEIGHBORS CONSIDERED GOOD FRIENDS

	Home owners with		Renters with	
Median number of:	No Negro neighbors	Some Negro neighbors	No Negro neighbors	Some Negro neighbors
Neighbors' names known	10.1	9.2	3.6	3.2
Neighbors ever visited	6.2	4.2	1.6	1.7
Neighbors considered good friends	4.4	2.6	1.0	1.1

survey will be summarized here for the light they shed on attitudes toward Negro housing, recognizing how unstable these attitudes are.

Fear of depreciation of land values, "don't like Negroes," the possibility of intermarriage, and fear of what friends think of one who has Negro neighbors (interpreted as "status"), are, in order of importance, the reasons listed by respondents for their preference for an all-white neighborhood. Beliefs that Negroes are dirty, or that they make bad and dangerous neighbors were not frequently mentioned. Owners tended to give depreciation of land values as a reason significantly more often than do renters (chi square = 15.29).

When asked their opinion of Negro families who live in neighborhoods in which they are the only Negroes, respondents gave no clear reaction pattern. Some expected that the Negroes would feel uncomfortable. A number saw the situation as one in which the Negro was trying to advance himself socially, while a larger proportion preferred to judge on the basis of the particular persons involved. A majority (57 per cent) felt that in such a situation Negroes would encounter unfriendliness from white neighbors. Renters suggested this difficulty significantly more often than did home owners (chi square = 5.98).

More than a third of the respondents thought that only a low status white family would live in a neighborhood otherwise completely Negro. Over 40 per cent expressed the opinion that Negroes would cause some kind of trouble for such a white family.

Some indication of variation in expressed willingness to associate with Negroes was sought by asking two social-distance-type questions. Response to these indicate that 86 per cent of the respondents were not opposed to integrated schools, and that approximately 42 per cent thought that Negroes should be permitted to live in the same building with white persons.

Partially to indicate the respondents' conception of Negro mobility and also to get opinions on the future of racial integration, questions were asked about the future composition of most Minneapolis neighborhoods. Thirty-nine per cent thought that most Minneapolis neighborhoods would be mostly white in the future, and 18 per cent predicted that most neighborhoods would probably be evenly mixed white and Negro. These realistic and "tolerant" answers are to be compared with those of the 15 per cent estimating that most neighborhoods would be all white, and the 6 per cent saying they would be all or mostly Negro. The latter answers are probably especially unrealistic in that only 2 per cent of Minneapolis' population is Negro today, and the rate of emigration from the Southern states is not likely to continue at the same high rate at which it occurred during the past 45 years because of the lower proportion of Negroes remaining in the rural South and because the migration has been increasingly westward rather than northward. Among the renters in the sample, it was those with Negro neighbors who particularly overestimated the future proportion of Negroes in the local population (chi square = 3.89).

For respondents who saw a trend to more racial mixture in local neighborhoods, the reason most frequently given was the current migration pattern of Negroes moving out of the South into the North. Those who foresaw less residential mixing in the future most frequently gave as their reason the notion that races prefer to remain segregated. It is noteworthy that those with Negro neighbors perceived a trend towards more racial mixture as a result of Negro migration from the South significantly more often than those in all-white neighborhoods (chi square = 8.20).

In attempting to explain why neighborhoods tend to be racially segregated, respondents most frequently (63 per cent) said that Negroes prefer to live with other Negroes. The second most frequent reason (53 per cent) given for segregated neighborhoods was that property owners refuse to see or rent to Negroes. The third most frequent answer (21 per cent) was that since Negroes can afford only the cheapest housing, they live together where housing is cheap: this was stated by respondents with Negro neighbors more often than those without Negro neighbors (chi square = 10.22).

When asked for their own opinion about the proposed open occupancy law, a majority (52 per cent) opposed the legislation. Thirty per cent were in favor while 18 per cent reported no opinion. Home owners were significantly more often opposed to open occupancy than were renters (chi square = 3.87).

CONCLUSION: THE INCONSISTENCY OF ATTITUDES

This survey of attitudes toward Negro housing problems among white residents of a Minneapolis area was conducted because they were faced with the specific problem of finding new housing for themselves (as a result of dislocation by the forthcoming construction of a freeway), and because some who lived near Negroes could be compared with others who did not live near Negroes. The findings show a mixture of ignorance and knowledge concerning Negro housing problems and what can be done about them, as well as a mixture of tolerance and prejudice toward having Negroes as neighbors. The most significant finding that emerged from the study was that most of the expressed attitudes were contradicted by other expressed attitudes or by reports of behavior. Since the inconsistencies are shown by averages and correlations, they are *not* characteristic of *all* respondents: certainly *some* of the anti-Negro and of the pro-equality respondents are consistent.

But these inconsistencies apply to many or most of the respondents, and reveal a good deal about the mental dilemma which these northern white people have concerning Negroes and their relations with them. They indicate that there is a good deal of psychological rationalization of traditional and purely "emotional" negative attitudes toward having Negro neighbors, and suggest that this propensity to rationalize could turn negativism into at least grudging acceptance if some outside force would oblige these people to live in mixed neighborhoods. They also indicate that most measures of opposition or willingness to live near Negroes, and of support for or opposition to any given policy with regard to Negro housing, cannot be regarded as having much reliability or validity.

CORE - Congress of Racial Equality
38 Park Row, New York 38, N. Y.

A HOUSING PROGRAM

developed by the 1961 CORE Housing Institute

written by William Fischer
Philadelphia CORE

Revised and distributed by the
PROGRAM DEPARTMENT

I. SUMMARY

A. CORE's primary role in integrating housing is in the use of direct action: testing, negotiating, and non-violent picketing or sit-ins aimed at bringing about a rapid abandonment of discriminatory practices.

B. CORE's secondary jobs are to promote the use of legal redress and to cooperate with other forces working to integrate housing.

C. A third function will be to obtain a list of bona fide tenants and/or buyers, and may include developing a list of available housing in all-white neighborhoods.

II. BACKGROUND INFORMATION

A. Housing discrimination is extremely widespread, and strongly entrenched. The North has moved backward in this area. Of all new housing built since World War II in the United States, only 2% has been available to Negroes, and more than half of that was in "all-Negro" areas.

B. Negroes do not apply for housing in "white" areas in sizeable numbers. In five years of house-building (while learning the business) Morris Milgram did not have any Negro applicants.

C. There is a reluctance to move in even when an area has been "opened up." Levittown, Pennsylvania has 4,000 houses and 10 Negro families; Levittown, New York has 15,000 houses and 3 Negro families.

D. White home owners entertain some strong fears, generally unfounded, which make housing discrimination different from other types:

1. Loss of status
2. Loss of investment value in home
3. Possibility of being only white family left on the block
4. Possibility of lowered school standards

III. DIRECT ACTION PROCEDURE

A. Choice of Targets

Testing for discrimination should be complete and thorough, in all types of housing. In reaching decisions as to a target for direct action the following should be considered:

1. Priority, in terms of the type of housing most in demand (sales, rentals, price range).

2. Value of housing -- it's very important to pick housing that's of a good investment value. It is easier to find Negro applicants and whites who are willing to move in.

3. Racial composition of area -- the best work can be done in all white areas, rather than pockets of discrimination in areas largely integrated.

4. Size and importance of Real Estate Operator -- When it is only possible to act on one company at a time, it may be best to select a large operator rather than a small one since a victory with a large concern will open up more units.

B. Testing

1. Negro Testers

a. An applicant need not be bona fide for the purposes of checking for the presence of discrimination. A couple is most desirable, but a single male or female is fine. The tester should have a detailed personal "story" about his occupation and employer, salary, present address, size of family, and the down-payment he can afford. A general rule-of-thumb is that a person can afford to buy a home about 2½ times his annual salary, or he can pay rent amounting to 20% of his salary.

b. The bona fide applicant is essential to the actual reversal of discriminatory policy, whether by CORE activity or by complaint under Fair Housing Laws. If possible, the applicant should bring his family with him when house hunting. The personal confrontation with flesh-and-blood human beings can help break down a real estate man previously determined to turn away Negroes. The applicant should be prepared to make the down-payment if the house is offered to him. The applicant must be persistent in the face of evasive tactics. (CORE should interview applicant carefully to ascertain his housing needs and outline an approach for him to follow).

2. White Testers ("Control")

White testers need not be bona fide applicants. They, too, should have a personal "story" to tell if questioned. This story should include lower qualifications than the Negro testers (lower salary, less cash for down-payment, more children, etc.)

3. Procedure

Both Negro testers and white controls should ask for the same type Housing, so results will be comparable. Inquiries should be made as to availability of present and future units. Information should be written down in the office (a perfectly natural thing for the house hunter to do). Be sure to get the name of the person talked to.

a) The white control group may test after the Negro test group to prove conclusively that the housing is still available.

b) If the management is likely to suspect white testers who follow the Negro group, it will be necessary to have the white team test first.

c) "Sandwich testing" may be used -- with a white control group both preceeding and following the test group.

d) Telephone testing can be used in certain cases. Give your needs and establish availability of units, then say "By the way, I am a Negro," and see what happens or go out for a personal inspection of the premises.

C. Negotiation

1. The appointment for the negotiation session can be made by phone or in person. One should identify himself from his CORE group. Be firm but polite.

2. The negotiating teams should be interracial, and depending upon the situation, the testers shoudl be included (sometimes the inclusion of the bogus white testers might be unnecessarily provocative. On the other hand, the presence of the Negro tester makes it difficult for the real estate operator to say that this particular Negro is unacceptable.

3. One of the negotiaters should take notes.

4. One should always enter negotiating session with real demands. First negotiation should leave the the manager's office to consider the matter further, assuming he's not ready to yield. Ultimatums should come only after a series of negotiations show that conciliation is hopeless.

5. In negotiating, if the manager is obstinate, stress the law and the climate of opinion rather than philosophical arguments for equal treatment. Use imagination in countering his excuses: when a realtor sayd "My tenants will be against it and will move out," Boston CORE polled his tenants to disprove him (after making sure beforehand that the poll results were likely to be good).

6. After negotiation session, write the manager a letter summing up what occurred, and stating CORE's desire to purse the matter further. If he claimed he doesn't really discriminate, be sure to get in "We were very pleased to learn..." This letter will serve as the record of the session.

D. Direct Action

1. Reason for: Builders may well fight the new law all the way to the Supreme Court. Even if they don't, few house seekers

will be patient enough to wait out the complaint procedure (if the operation of other state laws are any guide). If we want to get real results for families ready to move, we must act.

2. Picketing: should be effective on Sundays when most people hunt houses. An example of the pow*r of picketing is that Boston CORE couldn't even get to see the biggest slumlord in town for weeks, but when they arrived to picket, he was there ready to talk. New York CORE conducted a successful 80 hour-round-the-clock picket of a Brooklyn apartment house.

    a) Always send a delegation in to see the manager before starting the line. This gives him a chance to negotiate, if he is so inclined. Give him a leaflet, and tell him you are going to picket. Go in again when picketing is finished for the day, to tell him you are ceasing temporarily, will be back if nothing changes, but are willing at all times to negotiate further in good faith.

    b) Be sure to have neat, brief leaflets which clearly state the reason for your demonstration.

    c) Sometimes have petitions on hand for passersby to sign.

3. Sit-ins: If "nothing available," Negro applicant can sit down in office or in living room of model home, preferably with his family. Possible for CORE members to sit in and refuse to leave until policy changes. Picketing and sit-ins may be used simultaneously.

IV. USE OF FAIR HOUSING LAW

A. CORE can do the following:

1. Get valid applicants to file complaints.
2. Supply administrative agency with evidence of discrimination gained through testing, regardless of validity of applicants.
3. Take direct action while case is in progress to improve chances that the manager will yield to the State in conciliation.

B. While it is important for CORE groups to develop their own housing program, chapters should work cooperatively with other housing groups and agencies wherever feasible.

V. GETTING VALID APPLICANTS

A. Distribute handout on the law and on CORE's role.

Organizational mailings
Bulletin boards
Barber shops, bowling alleys
Street distribution (tried in New York without much success)

B. Newspaper ad in Negro papers -- either on real estate page describing type of house and giving CORE's name, or else large ad with information similar to handout, possibly with quotations from ministers.

C. Negro Real Estate Brokers -- some will help, but loss of their commission is a problem. One suggestion to overcome this is the establishment of a revolving fund to pay the referrer part (say 50%) of his lost commission. Placed families would pay back at $1 or $2 per week.

D. Other possibilities -- stage parade through Negro neighborhoods.

E. Factors which will reduce the number of bona fide applicants:

1. Security in ghetto vs. possible harrassment in all-white area.
2. Proximity to churches, services (beauty shops), friends
3. "Decent" housing vs. "integrated" housing --many Negroes may be far more interested in the former, and so would rather seek decent quarters in or on the fringe of the ghetto.

VI. OTHER GROUPS

A. "Fair Housing Practices Committees," as they are called around Boston. Have counterparts in Philadelphia (Friends Suburban Housing): Burlington County, New Jersey: Great Neck, New York.

1. Function -- to place Negro families in suburbs, mostly in long-established neighborhoods.

2. Limitation -- usually have more houses available for open occupancy in $20-30,000 range than in 10-15,000 range, and so will never answer the need of most Negro middle class house seekers.

B. Modern Community Developers -- private corporation dedicated to the building of integrated communities. One thing CORE members can do is to buy stock in it.

VII. OTHER THINGS CORE GROUPS CAN DO ON HOUSING

A. Write the State Human Relations Commissions and ask them to request F.H.A. and V.A. sanctions against respondents in housing discrimination cases. (Such sanctions are applied in Massachusetts and other states that have fair housing laws);

B. See that Human Relations Commission gets plenty of complaints, and put pressure on it to process them fast. Also, we should spread knowledge of the law (one possibility is the publication of testimonials from successful complainants);

C. Find out whether real estate offices are considered places of public accomodation under the Human Relations Act -- the Attorney General of Massachusetts has so ruled for his state.

D. Inform people who are having trouble getting mortgage money that the federal government has an agency which will help them: Voluntary Home Mortgage Credit Program.

E. Conduct educational program on integrated housing, including speakers and the showing of films. Best source of films on the subject is the Anti-Defamation League.

VIII. ACTION BY COLLEGE STUDENTS

A. Housing: colleges maintain lists of available housing as a service for their students and faculty. Students should demand that the college secure a pledge not to discriminate as a prerequisite to being listed. Also, the college should agree to remove housing from the list where the landlord refuses to sign such a pledge or continues to discriminate after signing it. CORE can run checks to determine the latter. (All of this has been done by students at Harvard and Boston University in cooperation with Boston CORE).

B. Educational: offer to send speakers to student groups on the subject of interracial housing and problems connected with it. Important to push this to students because they are probably future suburb dewellers, and community leaders.

Housing Inst.

CURRENT

905 Madison Avenue New York 21

YUkon 8-7900

June 26,1962

Send orig back to Mr Norman

JUN 27 1962

Norman Hill
CORE
38 Park Row
New York City 38

Dear Norman,

I'm not a "speaker," for one thing, and I don't "know" anything about city planning or housing, for another. Thirdly, I am going on vacation with my family the week of July 21-29 and will be working overtime the week before that because we really don't get vacations at Current, we just have to do a whole month's work in three weeks. These three reasons add up to a declination of your kind (?) invitation to come to Columbus in July.

I would like to pass on one message to the Employment-Housing Institute, and discuss it further with you and anyone else from national and/or New York CORE.

The only way that people can get the kind of renewal and replanning of their neighborhoods that they want is to DO IT THEMSELVES. Most of the time this has been tried it has been strictly defensive BUT OFFENSE IS THE ONLY DEFENSE. Once the city-wide groups have started thinking about the "potentialities" of a neighborhood, enormous interests vest in it. The planning and renewal boards see the possibility of making some progress toward their goals, which may include the provision of so much housing in such and such price ranges, or the upgrading of an area in terms of business activity and tax valuations, or provision of various facilities needed by the city at large or by certain institutions, or improvement of certain traffic and/or land-use patterns, or merely the spending of some Federal funds that are available only if spent. It doesn't matter, really, whether the planning or renewal board is racist or integrationist; a servant of the builders, bankers, and real estate interests or independent; sensitive or insensitive, dedicated or power-mad. What matters is that they will not, do not, can never start out with the needs and interests of the people in a particular neighborhood uppermost on their list of values and priorities. That is just plain NOT THEIR JOB. If they wanted to do it, they would (a) be unable to for sheer lack of intimate knowledge and time to acquire it and (b) be unfaithful to their real, legitimate duty to the city as a whole, which they represent.

Therefore, by the logical process of elimination, the inter-defensive. Too expensive? Maybe we can give a little. Not enough through traffic? Maybe we can give a little. Not enough middle-income housing? Maybe we can make room for a little more. It doesn't quite fit in their preconception of how our neighborhood should fit into the overall renewal pattern? Let THEM change their preconceptions; we live here. Maybe some of their demands and suggestions will be an improvement. Maybe our suggestion that they eliminate 2nd St. and 3rd St. and widen 1st St. and 4th St. right across town will appeal to them. If not, WE'll go back to the drawing board, and come up with something WE want and they'll accept--instead of something THEY want and we can't fight.

This isn't utopia. It's no harder, in principle, than the other way, the top-down conventional way. Small towns do it all the time--the function of most county planning boards is only to make sure that local planning doesn't interfere with neighboring towns' rights and overall traffic and land use patterns.

They did it in the Cooper Square Area--though not until the renewal board had designated the area, which is not a natural neighborhoods but a strip that takes in parts of two or three real neighborhoods. There, the coordinating agency was the Cooper Square Small Businessmen's Assn., or something, under the shelter of the Church of All Nations Settlement House. They got money, from residents, from friends, from foundations. They hired a planner--the residents were his client, not the city, not the developers. They had neighborhood meetings, block meetings, interest group and ethnic and religious group meetings. They ended up with a damn good plan. The city is going to carry it out, on the whole, it seems. In fact, the city is friendly to the plan--the Mayor, Mr. Felt, the planning board chairman, and others are glad that their work is half-done for them and that they will not have to fight the neighborhood as they usually do.

If neighborhoods can organize to fight a bad plan--the West Greenwhich Village succeeded, Woodlawn in Chicago is putting up a battle--it can organize to make its own plan. IF somebody has the vision and the vigor to get it started, to convince people that it has to be done and that conflicts and controversies have to be worked out in the neighborhood, not abandoned to a city-wide authority, to stick with it until it is done and done well and then fight for it.

If Negroes, or anybody else, are sick of being pushed around and relocated and reslummed; if they're sick of having the Rockefellers say 'Oh, Lincoln Square is too good, too valuable for those people to live in"; sick of being given a choice between projects like mammoth prisons--or nothing, then they are going to have to decide what they want and fight for it. That's a job for CORE.

est. of the neighborhood must be identified, developed, and promoted by the people of the neighborhood. They do not have the institutions to do this. They must therefore invent them. It is not hard, if there is a will, a recognition of the urgency of doing it. Too often, this recognition comes AFTER somebody else has a plan--the University, a profit or a non-profit or a limited-profit syndicate, the planning and redevelopment boards, etc. Then the people realize that something terrible is going to happen to them to advantage somebody else. Then they're already in trouble. Because the University *ought* to expand. Because the city *does* need more middle income housing. Because the neighborhood *is* a mess and in need of something. There are exceptions, but in general the purposes of a renewal plan are good. And all the people who need, want, have a right to try to get these good things become enemies of the neighborhood that fights the plan, and these people are backed by those who are going to make a lot of money--or a lot of reputation--carrying out the plan. The most that can be done defensively at this point is either to catch somebody redhanded in the act of graft and theft and blow up the plan in scandal (that sometimes works, for example in Robert Moses's last year in charge of renewal in New York), or to effect minor modifications in the plan (for example 2500 low-rent units instead of 400, as in the West Side 86-96th St., Manhattan, area just this year). But that is not good enough. You either get nothing, or something that isn't as bad as it might have been. And the rest of the city gets something at the expense of the poorest and most disadvantaged, by political means, just as it does through the normal operations of the profit system.

The alternative is to get there first with the plan. What do we need here? We need so much decent housing at these various rentals. We need to make these streets residential and these good, valuable commercial, and keep the through traffic over here and here because we know we can't altogether get rid of it and we don't want to be cut off from the city, anyhow. How can it be done? Here are some vacant or uninhabited lots. Here are some commercial and industrial buildings that are marginal or should be eliminated anyhow. So much housing can be built there. When it is built, it can take the people out of these houses which can then be torn down and replaced. Those houses then can take the people out of these houses, which can then be rehabilitated. Nobody gets thrown out, though anybody is free to leave. Now *we* have a plan, and we have a lot of interests vested in *it*--the people of the neighborhood, first, the stores and churches and other institutions, the prospective builders and real estate people who will profit. Maybe we have provided for expansion of a hospital or college, maybe we have invited one in. We have set aside good school locations, sites for cultural institutions--a couple of movie houses, a branch library, maybe a branch museum (who's tried that?). They too are backers of the plan.

NOW we go to the city-wide authorities, and THEY are on the

I hope you will give this message to the Institute in Columbus. Tell anybody who's interested to write to me for further advice about where to seek knowledgeable advice and assistance.

Sincerely and more,

Andrew E Norman

Andrew E. Norman

office copy

RESIDENTIAL INTEGRATION AND PROPERTY VALUES

ERDMAN PALMORE and JOHN HOWE
Yale University

There is a widespread fear among white home owners that when Negroes move into white neighborhoods property values fall. A recent survey of whites in interracial neighborhoods shows that 40 per cent thought their property value had decreased since Negroes had moved in.[1] Many realtors share this belief, although many others have challenged it since the 1940's.[2] In contrast, the systematic studies carried out in California, Oregon, Kansas, Illinois, Michigan, and Pennsylvania all agree that nonwhite entry was usually associated with rising rather than falling prices.[3]

However, as far as we know there has been no such systematic study in New England prior to the present study. This study measures the effects of Negro entry on property values in nine neighborhoods of a New England city: New Haven, Connecticut. It also describes the degree of Negro influx, the rate of turnover, and compares the occupational class of the Negroes with that of their white neighbors.

THE NEIGHBORHOODS

We restricted our study to those neighborhoods which were primarily residential, in which no Negro family had lived prior to 1950, and into which one or more Negro family had moved between 1950 and 1960. The Housing Committee of the Greater New Haven Human Relations Council provided an initial list of Negro families and their neighborhoods which they thought would qualify. This list was supplemented by the New Haven Relocation Agency, by Negro community leaders, and by some of the Negroes on our initial list. Each Negro family was then checked for date of entry and whether there had been any Negro family living within a three block radius prior to this date of entry.

We found nine neighborhoods into which Negroes first moved between 1950 and 1960. They were distributed among four towns in the greater New Haven area. Most of the houses in these neighborhoods were single-family, owner occupied, middle and upper class. Two or three neighborhoods were relatively new projects, but most had been built a decade or more ago.

INCREASE IN PROPERTY VALUES

Our method for estimating the trend in property values for each neighborhood since Negro entry is as follows. First, we compiled a list of the ten houses closest to the first Negro entering the neighborhood. We then checked these addresses in the Town Clerk's office which keeps a record of all property deeds and sales. If there were less than five sales among these addresses since the period beginning two years before Negro entry, we added more addresses of close neighbors until we had records of from five to ten sales on which to base the trend.

We examined the records of 165 properties and found 61 sales among them. The deeds do not usually state the exact sale price, but they do state the amount of mortgage involved, back taxes paid, and have tax stamps affixed at the rate of 55 cents for every 500 dollars cash paid. Adding all these items gives a close estimate of the actual sale price. It is true that some sellers may affix slightly more tax stamps than needed in the hope of

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[1] 28 per cent thought it had remained the same, 8 per cent thought it had increased, and 25 per cent had no opinion. Henry G. Stetler, "Racial Integration in Private Residential Neighborhoods in Connecticut" (Connecticut Commission on Civil Rights, Hartford, Conn., 1957).

[2] Luigi Laurenti, *Property Values and Race*, Berkeley: University of California Press, 1960, pp. 8-27.

[3] *Ibid.*, pp. 53-55.

TABLE 1

PROPERTY VALUE INCREASE, NEGRO INFLUX, TURNOVER, AND OCCUPATIONAL CLASS

Neighborhood	1. % Increase in Value[1]	2. No. Negro Families	3. No. Years Elapsed[2]	4. Turnover[3]	5. Negro Class[4]	6. White Class
A	0	1	5	19	2.0	4.4
B	3	1	1	14	1.0	3.6
C	4	1	5	9	1.0	2.0
D	5	4	10	20	2.5	4.0
E	5	1	11	11	1.0	3.2
F	8	2	4	12	1.0	2.4
G	13	1	4	8	3.0	4.4
H	15	3	5	17	2.0	4.2
I	15	1	4	28	1.0	2.0
Averages[5]	5	1.7	5.3	17	1.8	3.4

[1] Per cent annual increase in property values.

[2] Number of years elapsed since first Negro entry.

[3] Average number of years between sales per property.

[4] 1 is highest class, 7 is lowest class.

[5] Average for Column 1 is the median. All the other averages are means.

making their property appear to be worth more than it is. However, this error should not affect over-all trends such as those we were estimating because the error should occur as frequently at the beginning as at the end of the time periods involved.

Next we divided the sales price by the assessed valuation made by the Town Assessor in the year prior to Negro entry. This ratio of price to assessed valuation controls for diversity of type and size of house sold and yet reveals over-all price trends.[4] Then we plotted these ratios on a scattergram by year of sale and fitted a trend line. Finally we computed from this trend line the average annual per cent price change for each neighborhood.

There are at least three advantages to this method. First, it is based on actual market prices rather than on appraised values. Any kind of appraised value is necessarily based on the subjective standards of the appraiser which may obscure the very trends this study seeks to measure. Second, it is based on *all* the sales of houses close to the Negro rather than those sales which happen to be listed in a multiple listing agency or certain real estate agents.[5] Third, it is based on the property values of *close* neighbors rather than on those who may live several blocks away.

Column 1 of Table 1 presents the average annual per cent increase in property values for each of the nine neighborhoods. We see that in no case was there a decrease in property values. Neighborhood A shows no increase, but all the others show increases ranging from 3 to 15 percent per year.

How does this compare to the trend in home prices for New Haven as a whole? Data supplied by the New Haven Real Estate Board indicates that home property values in New Haven have been rising at about 3 per cent per year during the last 10 years. Thus our study shows that 8 out of our 9 interracial neighborhoods have kept up with or surpassed the general trend of increasing prices. The median annual increase for these neighborhoods is five per cent, which is well above the average increase for New Haven as a whole.[6] Apparently then, New Haven is similar in this respect to all the other cities studied.

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[4] This is the ratio used by Laurenti, *op. cit.*

[5] Laurenti used multiple listing files and individual real estate offices which yielded less than 50 percent of all area sales.

Many people find it hard to believe that property values usually go up after Negro entry. They point to the obvious fact that some whites do not want to live in integrated neighborhoods and therefore conclude that Negro entry should reduce the demand for houses in that neighborhood, which should reduce their price. What they fail to consider is the probability that Negro entry will open up a new market for those houses, the market of potential Negro buyers. In most cases, this new Negro demand apparently equals or exceeds the loss in demand from the white home owners.[7]

DEGREE OF NEGRO INFLUX AND RATE OF TURNOVER

Another fear of white home owners is that the entrance of one Negro in their neighborhood will shortly be followed by an invasion" of large numbers of Negroes until their neighborhood becomes predominantly Negro. Column 2 shows that this has not occurred in any of the neighborhoods studied. In most of the neighborhoods, no Negro families have followed the initial Negro entrant. The largest number of Negro families to enter any one neighborhood is four and this has occurred over a ten year period. On the average, less than two families (1.7) have entered over a period of more than five years. Thus it is clear that all these neighborhoods have remained predominantly white and that there has been only a low degree of Negro influx.

Regardless of the degree of Negro influx, some might expect that many of the white home owners would decide that they no longer want to live in the neighborhood since Negroes came in and thus would sell their house and move out. This would result in a high rate of turnover. We measured the amount of turnover in each neighborhood by multiplying the number of properties we examined times the number of years since Negro entry and dividing by the number of sales that occurred. This gives us the average number of years between sales for each property. Looking at Column 4 we see that this rate of turnover ranged from a low of 8 to a high of 28 with an over-all average of 17 years between sales. How does this compare with turnover in other New Haven middle and upper class neighborhoods? The New Haven Real Estate Board estimated that the average middle and upper class home is usually held from 10 to 15 years between sales. Thus it seems that these nine neighborhoods have roughly average or below average rates of turnover. Apparently few white home owners decided to sell out because of the Negro entry.

OCCUPATIONAL CLASS

The final fear we will deal with is the fear that the incoming Negroes will be from the lower classes and thus have inferior educations, occupations, cultural standards, health and morals. We were able to estimate the class levels of the Negroes and their white neighbors by rating their occupations as listed in the New Haven City Directory. We used the Hollingshead Occupational Scale which ranges from a score of one for the higher executives, proprietors of large concerns, and major professionals, to a score of seven for unskilled employees. Column 5 presents the average occupational scale score for the Negroes in each of the neighborhoods and Column 6 presents the average score for their white neighbors.

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[6] Using the one-tailed binomial test of significance, these higher rates of increase have a p of less than .04.

[7] This seems to be true despite the fact shown in the next section that few Negroes actually bought homes in these neighborhoods. The mere existence of this new Negro market apparently helps keep prices up, regardless of whether any additional Negroes actually move in or not. This is only a hypothesis. There may be other forces operating which our data do not reveal.

In each case the Negroes have a higher occupational class than the whites.[8] Thus not only is the fear of Negro entrants being from a lower class groundless, the exact opposite seems to be true. This is probably due to two factors. Negroes often have a lower income than whites in the same occupation. Thus, they may be able to afford homes only in areas where the average white class is a little below theirs. Secondly, they may find less resistance to their entry when their class is a little higher than the whites'.

DISCUSSION AND SUMMARY

To what extent are these neighborhoods typical of the rest of New Haven or of neighborhoods in other cities? Certain characteristics of these neighborhoods which limit their representativeness should be borne in mind. First of all, these are predominantly middle and upper class, owner-occupied neighborhoods. Thus they do not represent the lower class or renter-occupied neighborhoods found around the center of the city. It may well be that the latter type of neighborhood would experience heavier turnover and more Negro influx following Negro entry. Secondly, Negroes have been in these neighborhoods, on the average, only about five years. It is possible that the patterns would be different if Negroes had been there several times as long. But our data show no significant differences between the neighborhoods in which Negroes have been for ten years and the other neighborhoods.

There are several characteristics of New Haven that probably make it unrepresentative of many other cities. Obviously one would not expect to find such patterns in Southern cities. Second, although the Negro population in New Haven has more than doubled in the last ten years, there still seems to be a relatively small Negro upper class. This may have limited the amount of Negro influx in these neighborhoods. Finally, New Haven may have more tolerance toward integrated neighborhoods than many cities, perhaps due to the presence of a university and several colleges, perhaps due to the active work of several civic organizations promoting tolerance and integration.

On the other hand, all the previous studies in other areas agree in general with our findings that property values usually rise following Negro entry and that the class of the Negro entrants is usually higher than that of their white neighbors. As far as we know the rate of turnover has not been computed in previous studies. The one finding clearly different from most previous studies is the low degree of Negro influx in all the neighborhoods we studied. This low degree of influx may be due to any or all of the above special characteristics of these neighborhoods.

Thus, bearing in mind the above qualifications, we believe that the nine neighborhoods we studied are typical in most respects of most middle or upper class, owner occupied, and relatively tolerant neighborhoods.

In summary, our study of the nine New Haven neighborhoods into which Negroes have entered between 1950 and 1960 shows that: 1) the property values in all but one of these neighborhoods has increased as much as or more than average; 2) there has been a low degree of Negro influx; 3) there have been stable rates of turnover; and, 4) the Negroes have higher occupational class levels than their white neighbors. These findings agree in general with previous studies in other areas and should help to allay the fears of whites about the effects of residential integration.

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[8] Using the one-tailed binomial test of significance, p equals .002.

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CORE- Congress of Racial Equality
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1962 CORE EMPLOYMENT - HOUSING INSTITUTE SUMMARY

SECTION I EMPLOYMENT

This summary should serve as an outline and guide in efforts to eliminate discrimination in the specific communities throughout the United States.

I. BACKGROUND INFORMATION

Thoroughly explored during Employment-Housing Institute areas a comparatively new approach in employment. There is increasingly emphasis in terms of manpower needs and labor demands in the skilled occupations. Consequently, there is and will be rapid growth in the number of jobs available in white-collar jobs such as professional, technical, and sales workers, managers and proprietors and in skilled trades such as pattern makers, tool and die makers, lithographers, operating engineers, sheet metal workers, plumbers and electricians.

More widespread use of automatic machinery and new fabricating processes require more technical know-how and versatility. Nonwhites have historically been barred from the skilled occupations and the training programs which are a prerequisite for entrance into many of these jobs.

Higher rates of unemployment among nonwhites, particularly Negro and Puerto Rican youth, necessitate a program with demands designed to create substantial employment opportunities for minority groups in the skilled job categories.

Consequently, in Columbus, our demands with Kroger's were aimed particularly at higher-paying jobs and emphasized not just the token hiring of one or two Negroes, but the employment of a substantial number in managerial posts and executive training programs. In order for these demands to be effective, the burden of recruitment generally has to be placed on the employer, so that his hiring efforts are directed toward sources and areas in the community most likely to produce nonwhite applicants.

II. AIMS

turnover

A. Work for a change in attitude

B. Specific demands on firm or employer

1. Fair employment and hiring of nonwhites on all levels
2. Recruitment of Negroes through regular channels

   a) Negro Press
   b) Schools
   c) Urban League and State Employment Office

3. Equal opportunity clause in ads and applications
4. Contact Negro press to get them to solicit ads from all companies

national boycott

III. PROCEDURE

A. Investigation

1. Specific knowledge needed to determine which firm to choose and project

~~Monty's Int. Mo~~

   a) Size of operation from Standard and Poore: Directory of Corporations
   b) Number of nonwhites in various job categories

1. utilities (alternative

   c) Number of Negro clientele

   d) Power Structure-Chamber of Commerce Business Directory

2. beer

   e) Qualifications

3. recruit employer

   f) Labor Union's Power

2. Means of obtaining this knowledge

   a) Inspection (office and door count); whites especially effective
   b) Public channels

friends

      1. Urban League
      2. Labor Unions
      3. Jewish Community Organizations Anti-Defamation League, American Jewish Congress, Jewish Labor Committee
      4. Negro American Labor Council
      5. NAACP
      6. Local Committees on Human Rights; ie, Near East Side Committee on Human Rights
      7. City Mayor's Commission
      8. State Commission on Civil Rights
      9. Catholic Charities Employment Service
      10. City, State, Federal and Private Employment Services
      11. Employees
      12. Employer

building trades
local 6

   c) Private channels such as personal friends

strength - Demands
nature of community
kinds of jobs involved
turnover
percentage
nature of industry - expanding or contracting

B. Negotiations

1. Written request for negotiations is bes to insure record of attempt to secure confrontation. Appointment may be made by phone or in person. Make clear that you are asking for a meeting with CORE. Be firm. Try to obtain specific time and date.
2. Appoint leader of negotiating team. Select a note taker. Determine line of approach before confrontation, making certain every member of team understands the demands. Don't contradict each other during negotiations. If division or confusion become apparent in team, recess negotiations.
3. Make concrete specific demands placing major responsibility for resolving discriminatory situation upon employer.
4. Be prepared to deal with defenses and objections of employer with specific facts.
5. Maintain point of focus, which is the resolution of discrimination by the posing of the demands.
6. Written summary should be kept for record with copy being sent to employer.

C. Appeal to Wider Public and Demonstrations

1. Identify organization, tell what you are trying to do, how you are doing it, and why.
2. Use mass media -- press, radio, television, if possible and available.
3. Leaflet area in which firm is located.
4. Enlist support of other organizations for stand taken.

D. Direct Action Techniques

1. In action identify who you are (what organization), what you are doing, way you are doing it and what you want done by using device appropriate to action - eg. picket signs, leaflets, press releases and statements.

2. In using boycott:

   A. Choose firm carefully

      1) Consider how widespread and common a market there is for item sold
      2) Check to determine if there are purchasing alternatives to item and/or firm boycotted

   B. Have clear direct reason for boycott with termination point dependent on meeting of specific demands

   C. Boycott most likely to be effective when object of boycott is directly responsible for discrimination.

   D. Canvas to determine community reaction. Boycott more likely to be successful if firm has large nonwhite clientele and is located in or near area where group discriminated against lines

IV. KROGER SUPER MARKET -- Case Study

   A. Purpose of Kroger Project -- to break down institutionalized pattern of discrimination in hiring, not just to obtain job for one Negro.

   B. Investigation

      1. Checked with Urban League, NAACP and State Commission on Civil Rights to determine previous contact, if any, with Kroger's in regard to hiring policy -- a little or no contact.

      2. Talked with personnel, particularly Negro, in several Kroger stores, to obtain information about jobs held by Negroes -- Negroes mostly in low-paying categories -- some salesmen, no managers.

      3. Discussed Kroger's hiring policy with Retail Clerks International Association Local to determine union attitude toward non-discriminatory hiring and union influence over hiring; President of Local voiced opposition to discrimination, but union has little say in determining who is hired and when; more influence in cases of dismissal and promotion.

      4.. Sent Negro woman for job interview -- told no Negroes and no women in managerial posts.

      5. White checkers affirmed this by observing managerial training program, interviewing a trainee. Also verified by observation that no Negroes were in clerical positions in central office.

      6. Other facts obtained:

         3rd largest super market chain
         1,400 stores nationally
         40,000 employees
         26 stores in Columbus
         76 stores in Region or Ohio
         Competitor - Big Bear
         Kroger's employ some Negro clerks in Stores

C. Negotiations

1. Two interviews held - 1 each week

2. CORE demands - Negroes hired in office and in managerial staff

3. Acceptance of policy of change -- agreed to by Personnel Director, Dick Hepp of Kroger's -- by which Negroes hired as office workers and for training for management staff

   Time schedule accepted by company

   No agreement reached on actual substantial number to be hired

4. Means which Kroger agreed to use to obtain Negro applicants:

   Ohio State Employment Service
   Urban League
   Ohio Union of Ohio State University
   Negro Colleges
   Negro High Schools
   Community Talks to Negro Youth re: Food Industry Opportunities

* * * *

list ????

strategic - boycott
jobs
alternative
[illegible]
Kind of employment
employment - building of base
approach
civil movement

SECTION II HOUSING

I. INTRODUCTION

A. The aim of the Housing Institute is to train participants in the use of CORE techniques in combatting discrimination in housing and the development of new techniques leading toward the realization of an open occupancy policy. The achievement of open occupancy requires the turning away from approaches which have led to tokenism and the concentration upon methods which will place the responsibility for changing segregated housing patterns upon the property owners, financiers and realtors who have created them. This may mean that negotiation steps may be used without having an actual applicant once discrimination has been verified by Negro and white testors. Some of the objectives of such a negotiation would be to obtain a public statement of policy of nondiscrimination, removal of race from applications, and an advertising policy directed toward sources likely to produce Negro applicants. The housing activities of the Institute will be presented in the context of the five basic CORE techniques.

B. The Housing Committee's subcommittee on Testing began its research by familiarizing itself with the notes and materials in a folder supplied by Columbus CORE. These sources indicated that they had had a great deal of discussion and some exploration of the laws pertaining to housing, the direct action techniques possible and some work on locating community resources. They set up committees on obtaining Sellers and Buyers, Community Relations, and Financing.

The Ohio Student Civil Liberties Union invited CORE to help end discrimination in rooming houses next quarter. Columbus CORE decided against that at this time.

Recommendations from the Housing Committee of Columbus CORE include the following:

1. that apartment developments be tested
2. that results be referred to Coordinating Committee of Columbus CORE
3. that members speak at a Methodist and a Baptist Church
4. that one member visit with a member of the "Columbus Interracial Housing Group" and 15 industries who have agreed to an appointment
5. that negotiations be carried out, and initial stages of direct action be made in large apartment developments.

Direct Action recommended to the Institute:

1. To investigate apartments in vicinity of University
2. To investigate three apartment developments
   - a) University Arms
   - b) Beverly Arms
   - c) Westgate Manor

Report on these in accompanying form.

II. INVESTIGATION

A. Testing may be done by CORE members or applicants.

Obtaining of applicants:

1. Sources Used
   - a) realtists (Negro real estate brokers)
   - b) Churches
   - c) Projects: Operation Windowshop (See V)
   - d) Direct methods: first gain confidence through such means as a housing clinic
   - e) Public solicitation in areas of high mobility or relocation from public project using leaflets, tables on street corners, public address systems

2. Handling Process
   - a) Contact possible applicant and make appointment for interview; make sure to mention CORE, and that there may be a demonstration but that he does not have to take part in it if he doesn't want to.
   - b) Interview with form similar to APPENDIX I; note that personal information is needed to ascertain eligibility for dwelling and certainty of discrimination. See also Appendix II.

B. General Information

1. Specifics
   - a) from Negro community

1) % Negroes in neighborhood
2) general economc level
3) mobility

b) from white community

1) artificial barriers
2) property available

c) the law re: housing (ie. Fair Housing Law, etc.)

2. Means of obtaining specific information

a) Survey

1. of white community Teams surveyed the Beverly Manor Apartments posing as OSU students involved in a Sociology class practice survey on inter-group relations. Results generally indicated that while most persons would not object to working next to a Negro, many expressed reservations about living next to a Negro. However, it was pointed out that persons will often verbalize prejudice more readily than they are willing to act on it.

2. of Negro community: . It was found that 47 of 63 families had less than $3,000 annual income and 62 of 63 had less than $5,000 annual income. Approximately half of the families interviewed had been in home less than five years. 21 of 64 families expressed an interest in moving, this almost completely among younger families.

b) Public and Private Organizations

1. NAACP. No information obtained from visit

2. Urban League (Mr. Chester Jones) said that UL unable to directly support CORE because finances from the Community Fund. Negro community had received concessions and therefore fairly passive. Thought Beverly Manor good target for action.

Discussion of block busting legislation, Fair Housing Legislation. Discussion of Colonial Williamsburgh Project, which is in receivorship. Suggestion that CORE participate in Leadership Council, a body of Negro business and professional businessmen.

3. Anti-Defamation League of B'nai B'rith. ADL (Joel Ollander) gave leads to Urban League, two Human Relations Commissions, Mayor's Commission, Columbus Council of Human Relations, Ohio Bureau

of Unemployment Compensation, AFL-CIO COPE and Committee on Civil Rights, and to the Human Relations Conference at OSU from July 23-27.

4. Mayor's Commission on Civil Rights

5. Near Eastside Area Council of Columbus

6. American Freedom of Residence Fund
416 S. Franklin, Chicago 7, Illinois

7. National Committee Against Discrimination in Housing
426 West 58 Street, New York, New York

8. Family Relocation Bureau, (Mrs. Pryor) said that its purpose was to resettle families which move because of UR and expressways; suggested that get list of property managers from real estate brokers; suggested contact City Department of Urban Renewal for information regarding Advisory Board on Urban development.

III. NEGOTIATIONS

A. Negotiations become necessary only after proof of discriminatory practices has been established through the Investigation, and Testing procedures.

A negotiating team is appointed including one person who shall be designated as the main spokesman, one person to be the recorder and the applicant where possible. This team should become thoroughly informed on all facets of the case at hand and determine a list of demands to be presented.

The approach which seems most effective is one in which the focus of the demands rests on not only a statement and or a publication of a fair housing policy, but a demand that specific steps be taken to implement such a policy, responsibility for the implementation rests with the owner of the property in question. The presence or knowledge of an applicant may be helpful, but not necessary to these proceedings. In the development of community contacts and organizational contacts, a CORE chapter might well inform these sources of any housing problem on which it is working.

In the actual proceedings a few mechanical rules might be adhered to and these are the following: The spokesman should sit nearest the agent, and if there is an applicant, said applicant should sit on the far side of the spokesman away from the agent.

After introducing all parties the spokesman should then state the name of the organization and proceed to state clearly the specific evidence of discrimination Following this a statement of demands should be made. The purposefulness of the team will help the agent realize that he cannot maneuver around the point and make a personal or moral discussion of the proceedings. Endeavor to keep the session short. If it seems vital to consult over a point, the team can always step out a few moments for consultations. It cannot be reiterated too often that the purpose of the talks are around a drastic change in policy, and a clear and distinct evidence of this change.

B. Case Study

Negotiations - Beverly Manor

Tuesday 2:00 PM	Atty Strip	Angela McLinn
July 24, 1962	Mr. John Briar	Arthur Brooks
Atty Strip's Office		Tom Porter
		Eugene Martin

Quotations

"Beverly Manor has never had a policy of discrimination. There have been Negroes living here, however these Negroes moved because of much harassment from the white tenants."

"We would like mutual protection from other developments. We don't want to give our tenants the jitters."

"We are willing to make change as long as we can make money."

"We are not going to put an ad in the paper letting our tenants know of incoming Negroes."

Demands

1. Immediate acceptance of fair housing policy, ie, equal consideration given to all applicants regardless of race, color, etc.
2. A signed statement between representatives of Columbus CORE and Beverly Manor Properties Inc. covering all areas of verbal agreement.
3. A public press release indicating Beverly Manor's policy-to-be of fair housing.

Response

1. Beverly Manor asserts compliance with demand 1. and indicated its awareness of its primary responsibility in securing applicants without suggesting implementation.
2. No resistance to demand 2. was indicated, but may arise when specifics are to be discussed.
3. A draft of the release indicated in APPENDIX III was prepared by Columbus CORE and will be submitted to Beverly Manor's national offices. There is total rejection of applying this release to the white press and minimal acceptance of the notion of making such a statement to the Negro press.

Observations

Gene Martin ---1. Beverly Manor's representatives have verbally accepted the idea that their vested interest now lie in assisting city-wide housing integration to thus remove pressure from their properties.

2. Mr. Strip accepts or rejects argument solely on a money profit basis. Mr. Briar evidenced deep streaks of personal prejudice, but can be expected to respond to "business" arguments.

3. There appears to be a possibility of having Beverly Manor sponsor a meeting between housing agents and Civil Rights organizations. A careful discussion of the separation between this issue and our expectations of theri policy was made.

4. Mr. Strip is presently quite aware of the discrepancy between their recognition of their responsibility in securing applicants and their no implementation of policy. He is therefore somewhat receptive to specific suggestions that will remove CORE pressure by locating several Negro families without any attendant publicity in the white community.

IV. DIRECT ACTION -- The Sit-In

A. Decision should be made by group that sit-in will occur, and sit-in will continue until some satisfaction has been reached.

B. Investigation should be complete beforehand:

1) Who owns building
2) Where office located
3) Where owner lives
4) Other real estate holdings, etc.
5) Where sit-in is going to occur -- physical layout (water, toilet)
6) Plan to get into place of sit-in
7) Access to sit-in site after sit-in begins

C. Accessory Action - planned in advance

1) Picket Line
   a) how many
   b) where - should always be one at sit-in site, may be also owner's home, office building, etc.
2) Leafleting
3) Phone-in
   call owner's home and/or office to protest policy

V. APPEAL TO WIDER PUBLIC: "Operation Window Shop" or "Open Door"

A. Discrimination is widely practiced, and members of minority groups are often reluctant to face rebuff and discouragement in seeking housing . "Operation Window Shop"

1) may be directed at urging people to move out of ghettoes and familiarize themselves with housing market.
2) may be aimed at securing applicants
3) requires considerable publicity, leafleting (See Appendix IV)
4) urge large numbers of people to get out on same day or same week end and look at housing whether they plan to rent or buy immediately or not.

B. Purpose of "Operation Window Shop" in Los Angeles area of California was to help overcome this reluctance and accelerate housing integration.

It also acquainted people of minority groups with the types of housing available in other areas, so that by the hundreds and thousands, we would get the habit of exercising our right of free choice.

To accomplish this project, leaflets were distributed in all community areas and all neighboring cities. Other groups dealing with fair housing were solicited for help and the coordination was wonderful. People were asked to visit new areas and look at homes, even if they weren't ready to buy. Phone numbers were printed on leaflets if more information was needed.

The project was a great success, with over two hundred people actually taking part in the operation.

VI. SPECIALIZED AREAS

A. Civil Rights Law

The object of civil rights law in the field of housing, whether on the local, state of federal level, is the outlawing of discrimination in the sale of rental of dwelling. Eleven state and two cities now have some form of housing legislation. The scope of legislation has broadened since New York State passed the first law, prohibiting discrimination in public housing in 1950. The broadest law is that of Alaska, which prohibits all housing discrimination. But the Alaska statute lacks the power of enforcement. The law with strongest sanctions is that of New York City, which prohibits discrimination in all housing except in two-family houses in which the owner resides.

Federal and state courts have made decision leading to the elimination of discrimination in housing. Probably the two most significant rulings in this area are the 1947 decision making restrictive covenants unenforceable and a recent decision of the highest courts of New Jersey upholding that state's fair housing law in unequivocal terms.

B. The Real Estate Industry

Two Columbus real estate men addressed the Institute. They described the deep-rooted pattern of segregation which permeates the sale and rental of houses. Negroes are generally excluded from real estate boards. The lack of communication is so pervasive that white real estate salesmen are known as realtors, while Negroes in the same profession go by the name of realtists. Builders, lenders, and real estate salesmen work together to prevent Negroes from buying or renting houses except in certain specified areas. Segregation forces Negroes to pay excessively high profits. Frequently, a realtor would be jeopardizing his license and his business by selling to Negroes without the approval of the controlling real estate and financial interests.

C. Federal Housing

The Federal government has supported, condoned and aided housing segregation in the United States almost without exception prior to 1948. This pattern of segregation was actively supported by the federal government prior to 1948 through restrictive covenants contained in mortgages which were FHA and VA supported.

1) In 1948 the Supreme Court ruled that restrictive covenants were unconstitutional.

    a) 60% of mortgaged homes are FHA and VA supported
    b) Since this decision the Government has failed to take concrete steps to implement the Supreme Court decision.

2) 80 % of housing in the United States is federally supported, and racially segregated.

3. Urban Renewal

a) Urban renewal is a smaller part of the greater housing problem. 80% of the persons in the United States who have been affected by renewal programs are Negroes. Too often urban renewal has meant Negro removal from one ghetto to another. Regardless of how liberal or conservative city planning boards may be, such agencies seldom have the time to determine with sufficient thoroughness, neighborhood interest and must serve the city as a whole. Frequently neighborhoods are aroused after a plan is already developed by city agencies. The neighborhood is then placed in the position of expressing its interests from a defensive position. The interests of people in the area to be "renewed" would more likely be heeded if they were initiating the plan for redevelopment themselves and the city reacting. The lack of socio-consciousness and leadership in the area may make this difficult. Nevertheless, the attempt to encourage and develop neighborhood expression should be made.

b) Suggestion: The formation of grass roots organizations withing and of the Negro community for the purpose of formulating renewal programs which will serve their best interests.

****

APPENDIX I

C.O.R.E APPLICATION FOR PROSEPCTIVE HOUSING OCCUPANTS

Name________________________________Age________ time available________

Address______________________________Phone________ ________

Occupation______________________________________

Employer____

Length of time at present job _____years, _______months.

If married:

Spouse's name___________________________Age________

Occupation______________________________________

Employer____

Number of children__________________Ages____________

Total Monthly Income $_____________________________

Length of time at present residence ________years, _______months.

Length of time in Columbus _______________ years, _______months.

Location of desired housing: general area -- north, east, etc., and street ---

____

Present owner: _____yes, ______no

Present monthly payments: mortgage $___________; rent $_________.

For prospective renters, what monthly rent (including utilities) can be afforded (check one):

up to $40_____
up to $50_____
up to $60_____
up to $70_________
up to $80_________
up to $90__________
up to $100_______
up to $110_______
up to $120_______
up to $130________
over $130________

For prospective buyers, what can be afforded (check one):

price bracket:
up to $9,000_______
up to $11,000______
up to $14,000_______
up to $18,000_________
over $18,000______

down payment:
up to $500______
up to $750______
up to $1000________
up to $1250________
up to $1500________
over $1500________

monthly payments:
up to $40_____
up to $50_____
up to $60_____
up to $70_____
up to $80_____
up to $90_____
up to $100_________
up to $110_________
over $110_________

Can make down payment now_______; in 3 months________; in 6 months________.

APPENDIX II

CORE TEST FORM FOR HOUSING

1. Name of development or apartment ____________________

2. Address ____________________ Telephone ____________

3. Realty handling sale or rentals ____________________

4.

Name of tester	Telephone	Applicant	Control
____________	________	________	________
____________	________	________	________

5. Date ____________________ Time ____________

6. Type of housing: apartment building ____________
apartment development ____________
housing development ____________
other (describe) ____________

7. Name(s) of person(s) you spoke with ____________________

Their position: management ____________
real estate agent ____________
other (describe) ____________

8. Rentals:
   a. Monthly rent ____________________
   b.
   b. Who pays for utilities ____________________
   c. Size of apartment ____________________
   d. Furnished ________ unfurnished ________ Stove ______ Refrigerator _____
   e. Apartment number or letter you were shown ____________________
   f. How many vacancies now ____________________
   g. Date available for rent ____________________

   (Be sure to include other comments -- #10)

9. Sales:
   a. Price ____________________
   b. Financing: FHA & VA __________; what bank, insurance company or other agency is furnishing mortgage ____________________
   c. Mortgage terms ____________________
   d. Name of builder ____________________
   e. Size and description of house(s) ____________________

   (use other side to complete answers)

10. Other comments (include everything) ____________________

APPENDIX III

Beverly Manor Properties, Inc. today announced a reaffirmation of its 11 year policy of democratic fair housing. "All applicants for housing in Beverly are treated on the same basis and given equal consideration, regardless of race, color, religion, or national ancestry," said Mr. __________, Beverly's __________. Beverly Manor, a grouping of 1,340 apartments located in the eastern portion of Columbus, offers one and two bedroom, furnished and unfurnished facilities renting from $72.00 to $86.00.

APPENDIX IV

facsimilw of leaflet for Operation Windowshop, Los Angeles CORE

CORE invites you to join

OPERATION WINDOWSHOP

Saturday and Sunday, July 7 & 8, 1962

Whether you plan to move or not

WINDOWSHOP HOUSES AND APARTMENTS . . . with yourfamily and friends

IN AREAS THAT ARE NOT INTEGRATED.

WHY WINDOWSHOP?

1. To serve notice on those who rent or sell housing that discrimination will no longer be tolerated - that in housing (as elswwhere) . . . . . JIM CROW MUST GO!
2. To acquaint people of minority groups with the types of housing available in other areas, so that by the hundreds and thousands we will get the habit of exercising our right of free choice.

WHAT ABOUT THE LAW?

California laws prohibit discrimination in the sale or rental of houses and apartments, Buts, in spite of these laws, discrimination is still widely practiced, and members of minority groups are often reluctant to face rebuffs and discouragement in seeking housing.

The purpose of OPERATION WINDOWSHOP is to help overcome this reluctance and accelerate housing integration in California.

IS HELP AVAILABLE?

CORE and the organizations listed below, stand ready to help if you encounter discrimination in seeking housing. They can also direct you to areas where housing is available. Call one of these numbers if you need help or further information:

AT 4-7226 (West Valley)..	San Gabriel Valley Council on Discrimination
ED 3-6793 (East Valley)..	" " " " " " " " "
OR 1-3781................	Centinela-Bay Human Relations Council
PR 4-1395.(Anaheim)......	Orange County Fair Housing Practices Council
EM 9-0524................	San Fernando Valley Fair Housing Council
DI 3-6084................	" " " " " " " " "
GL 4-9354................	Santa Monica-West L.A. Fair Housing Committee
SY 8-1944................	Pasadena NAACP
VI 9-4842................	Burbank-Area
EX 6-6109................	Santa Monica CORE
DU 9-444 or DU 7-0213....	Los Angeles CORE

Let's MAKE FREEDOM A HABIT
Let's WINDOWSHOP FOR HOUSING

Let's exercise our RIGHT TO FREEDOM OF CHOICE
Let's SHOP WITH CORE, on Sat, 7/7 and Sun 7/8

Congress of Racial Equality, 1115 W. Venice Blvd., Los Angeles 15

labor donated

dialogue

fall 1962 twenty-five cents

UNIVERSITAS: INSIDE ACADEMIA
PAUL GOODMAN **HAROLD TAYLOR**
JAMES MYERS

SUMMER IN EAST HARLEM BOB BUCKLE
A Letter from the South JACK CHATFIELD

Review: JAMES BALDWIN'S *Another Country*

DIALOGUE is a journal of significant discussion pledged to stimulate a free clash of opinion. By reflecting thought of all persuasions, we are seeking to challenge the intellect and motivate active social concern.

Notes For A Centennial

Cornell University sits high upon a hill, overlooking an average, small town community. It is one of the leading educational institutions in the nation, and can rightly point with pride to many fine traditions and impressive accomplishments. The campus is beautiful. The Centennial fund-raising drive will insure that its beauty is matched by a modern educational system, "second to none." By and large there is an excellent faculty and alert student body. Cornell can be a beautiful and comfortable existence. But delights of the eye can also be the death of the mind.

The deeper problems that face Cornell are not hers alone. They are rooted in the society she seems dedicated to merely reflecting. If the critical commentary of men like Riesman, Whyte, Mills, and Gailbraith is disturbing as it applies to American society, their insights should provide even more alarm, since much of it is also applicable to the American university, the educator of society. Cornell, like so many of its sister schools, shares the assumptions of American society, worships its icons, and each year turns our graduates well prepared to play roles in life after Ithaca. Thus, it came as no surprise to us recently, when one administrative babbitt reportedly declared, "Cornell must uphold the standards of middle-class Ithaca." This matter-of-fact comment perhaps says it best; the quest for social acceptability and an unquestioning devotion to often valueless doublestandards, characterizes much of the thinking of those who direct the local administrative-academic complex.

To most students, Cornell exists externally as so many buildings, quads, and courses. It is something apart from themselves. Yet, without thousands of individuals in attendance, the university would be existing in name only. Cornell is primarily its student body. They are its soul and reason for being. But a barrier has been institutionally erected between student and school. It effectively excludes students vis-a-vis the decision making process and subtly underscores the tenable but hypocritically applied concept of freedom with responsibility with the sophisticated aura of paternalism.

The net result is a student body, acquiescent, en masse, unless the privacy of its morality is threatened. Its sense of ineffectuality breeds indifference and the "ivy room—play it cool" syndrome. Perhaps this pervasive attitude is justified because there are *no* decisions to be made. The university, seemingly, is only seeking to increase its status by adding so many books, or buildings or expedite its functions through the world of I.B.M. A University which has ceased to be fundamentally visionary can not excite imaginations or provoke real interest, concern and aspiration.

We cannot outline a program to breathe soul into this institution. There is no quick cure for blindness. Complex reform measures can never affect those, for example, who render ideas passionless by a passionate insistence on methodology. A structure "not geared to human idiosyncracy" can never mold real people or a more real world. Yet we can always hope that a fundamental reappraisal will be forthcoming, new structures with more creative potential designed, a new President with dynamic conceptions selected and that the Centennial discussion will break free from societal myths and cliches. Towards this end, DIALOGUE contributes three articles in this issue.

—D.S.

* * * * * * *

DIALOGUE welcomes letters and articles which should be sent to 125 Anabel Taylor Hall, Ithaca, New York. Subscriptions for the remaining issues to be published during the 1962-63 school year may be had by sending one dollar ($1) to the above address. Financial contributions will be greatly appreciated to aid our *overly* non-profit venture.

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CONTRIBUTORS

Paul Goodman, author of *Communitas, Growing Up Absurd* and other books is also a poet, critic, and socially concerned educator.

Harold Taylor is the former President of Sarah Lawrence.

James Myers, a former Cornellian, is now preparing for his next adventure.

Jack Chatfield has taken a leave from Trinity College to work with the voter registration projects of the Student Non-Violent Coordinating Committee (SNCC).

Robert Buckle, '62, author of *Not For Ourselves Alone,* spent the summer working in East Harlem. He lived on what the *New York Times* termed "the worst block" in the city.

DIALOGUE

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The Community of Scholars
A Critique of the Academic Establishment

By **PAUL GOODMAN**

A teacher is a veteran of an art, profession, or science who teaches because he ought to and must. By this standard, American college teaching, like the college presidency, suffers from an historical flaw. In the early days the poorly paid young tutors were usually marking time till they could begin in some profession. This situation is still not uncommon—a young fellow makes a poor living as an instructor until he can make pay what really interests him—but mostly, nowadays, the "profession" that he is waiting to begin is precisely to be a senior teacher. Is this a profession? What has he practiced?

The senior teacher, or headmaster, of early days, was a proper teacher: a mature man, probably a parson, who took over the school. But of course he was the President, responsible to his board and lording it over his tutors. In such a situation, the bother may not be that the board interferes but that the headmaster has been chosen according to their conception; he is safe. He is not a free master who attracts students or is chosen by students. And historically it worked out that this ambiguous president chose to go it alone, not as a teacher, but as an "Educator."

In the process of time, American colleges began to have strong and numerous faculties of older men. But these were not only subservient to a president who transmitted outside commands, but also they were usually only the former tutors grown older. They were "professional" teachers who had never known any other competence or sphere of life. Such a combination of circumstances has been disastrous for American college teaching and its ideology. It has led to its being timid, unworldly, lacking in community, and not confronting the extramural society with authority. In a word, our teachers are academic.

College Teaching Not a Profession

I do not think that *college* teaching is a profession, for it has no proper subject matter. The sciences that are taught really exist in the practice of them. The youth taught are too old and independent to be objects of professional attention like children or the sick; yet they are not like the clients of a lawyer or architect who are given an objective service. Pedagogy, child-development, *is* a profession, for the children are real matter and the subjects taught are incidental. (Indeed, if we treated the reading and arithmetic as incidental and did not spend so much time and organization on them, perhaps they would be picked up more spontaneously and better. This was the Greek way.) But at the college age, one is teaching young people by means of proper cultural subjects, or even teaching proper subjects *to* them. There is no way to be a master of subjects without nonacademic practice of them; and it is in that practice, and not as a teacher, that the college teacher is a professional. John Rice says it well: "Teaching is a secondary art. A man is a good teacher if he is a better something else; for teaching is communication and his better something else is the storehouse of things he will communicate. I have never known a master in any field who was not also a master teacher."

Everybody knows this and we emphasize the need for research as essential for a teacher; but there is considerable confusion as to what is involved. In the physical and biological sciences the university pattern of research-cum-teaching works well. The professor uses his advanced and graduate students as proper apprentices, laboratory technicians and junior partners, on real projects. Historically, in both America and Europe, the scientific academies have come to lodge in the schools in a viable symbiosis. Also, in our scientific and technological society, there are plenty of extramural markets for such practices, in case a scientist does not take to teaching.

Research Skirts Real Problems

In the social and political sciences, the pattern works much less well. Usually the research is not—it is not allowed to be—a pragmatic addressing of real problems, whether in extramural society or even among the students and teachers. And the kind of questionnaire-and-analysis research that is done is precisely academic and largely futile, though it has flooded the popular culture as social science. But even academic daring in the moral sciences is "dissensual knowledge," as Frank Pinner calls it, and there are attempts to muffle it. In such circumstances, there is a great need for practiced veterans of moral sciences to man the schools. Are there any? A certain number from politics and public administration. The real veterans who could teach are few; few of the few would teach honestly; and almost none of these would be hired! It is not surprising then, if the most gifted academic social scientists devote inordinate attention to Methodology, as if sharpening their tools for some use that is not yet. Needless to say, this theoretical methodology is irrelevant to our ongoing society. And as always, the *avoidance* is more influential than the attention. Also, the social scientists themselves become safe spectators. Typically, there will be subtle and widely published analyses of the sexual pathology of the movies, but there will be deathly silence about the sexual bondage in the primary schools and playgrounds.

But the case of the humanities is even worse. The very notion of a nonacademic practice of history, philosophy, or humane letters has nearly vanished—whether in statecraft, serious publishing, criticism, the pastorate. There is no humanistic attempt to improve the public tone. History and philosophy do not exist except as school subjects; there are certainly no paying jobs. Journalism and both popular culture and earnest art and writing have divorced themselves (wisely) from university standards. Therefore a journalist or writer does not seek to teach, and if he teaches it is not as a scholar. Naturally there are sage and learned men in the colleges, but they are there just because they are salaried there; they would do as well on Guggenheims.

The learned professions, of course—medicine, law, and engineering—are still importantly taught by veterans. But inevitably the teaching is enfeebled both in the knowledge of the teachers and in the readiness of the students, by the

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This article is taken, with permission, from Paul Goodman's new book of the same name to be published in November by Random House. (Copyright 1962) absence of the moral sciences and humanities. There is no philosophy of medicine, and little attempt to treat the soul and body as one; law is not ethical and neglects political theory; and engineering is not sociological and aesthetic. And the social sciences themselves are made narrow by the academism of philosophy, literature and history; they keep counting and analyzing men as they appear, without belief in what they could be or knowledge of what they have been. But there is not much future in men as they appear.

Academism has emasculated the human disciplines also academically. Classically—e.g., for Aristotle—there was no such *subject matter* as "philosophy." Philosophy was the heuristic, critical, and methodical part of any proper science, relating it to the system of sciences and to man. But once having concurred in the opinion that "philosophy" is the preliminary vague stage of the various sciences, professions, and arts, academic philosophy has pompously set itself up as a special Department dealing with important remnants that have no scientific or professional bearings. The linguistic analysis, that is currently the rage, is more modest; but what is it doing in the Department rather than in each field? how can one specialize in analysis as such? The result is a series of academic exercises, in ethics, language of science, etc., which are disregarded where they should be relevant. History has allowed itself to be maneuvered into being documentation of the past as such, giving up its power both of genetic explanation and of artistic reconstruction. Without genetic understanding, the unfinished situations in the present are unrecalled and left unfinished; the social-scientific handling of them is short-sighted and superficial. Without artistic reconstruction, we imagine that the rag ends and bobtails of men in the specious present are all the mankind there has been; and especially in the secondary schools, history degenerates into "social studies," as if to give examples for present use (which history cannot), or to give symbols for citizenship (which it does falsely). And the notion of literature as the activity of men of letters—the concrete blending of observation, memory, criticism, reasoning, imagination, and reconstruction in order to find-and-give human meanings—this is no longer thought of. Instead, the Department falls into two parts: reading Great Books, a useful enterprise which is properly a part of history, except that the books tend to be read unhistorically; and Composition, the teaching of a lingua franca or pidgin-English that, neglecting the fact that speech is an action of a rational social animal, reduces every "communication" (as it is called), on whatever subject and in whatever communal situation, to an otiose tinkle.

Union Reflects Academic "Professionalism"

Finally, the academic "professionalism" of the professors is accurately reflected in the kind of union they have. In ordinary political theory, we would expect college teachers to form a union of the *studium generale*, since they are a community, and to include the students, the alumni, and the local learned public. Such a union could exert power in the kind of immediate crisis that in fact arise on campuses. Instead, the American Association of University Professors is a national craft union, largely of entrenched seniors, that copes with distant crises by dilatory committee work.

It is in this context of the academic, that we can understand the administrative mentality among teachers. The teaching-and-learning is not for keeps. It does not, immediately or ultimately, meet any intrinsic test of making a difference or exercising mastery. Instead, there are credits and grading.

Academic exercise, like the old disputations and *philosophare,* is a useful means to unblock thought and deploy the possibilities of a subject. It is play and has game rules, and might lead to serious insight or decision. But the academic exercises in our colleges are neither play nor earnest, but a third somewhat. The rules are not intrinsic to the subject, but are an imposed schedule of courses, grades, prerequisites, and department that satisfy—at least symbolically—a social need for degrees, licenses and skills. The examination is neither play nor a trial of strength and proof of adulthood, but one more detail of the format. Thus, neither the students nor the teachers become personally involved, as if they *were* somewhere. But indeed, a major advantage of the schedule-and-grading game for academic personalities is that it keeps them out of embarrassing contact with the students. Unfortunately, however, the social pressures, of conforming, competing, and fear of failing, *are* for real, they cause anxiety; so that the academic process, which could at least be a refined way to waste four to seven years in an economy of youth unemployment, is not even painless.

Grading is Dispensable

Why do the teachers grade at all? (It happens that a few schools do not grade and manage well enough, and some teachers in many schools nullify the process by giving all A's or C's. We know that the grading is dispensable.)

I remember an incident at a big Western university, where I sat at lunch with six senior professiors, including chairmen of departments. The subject of grading came up, and all were unanimous in the opinion that grading is injurious to both teaching and learning. It does not work, they said, as competition, but rather alienates the peer group and makes for cheating and sabotage. Grading destroys the use of testing, which is a good method of teaching if one corrects the test but does not grade it.

Finally I intervened and said, "Here you are six voting members of the faculty. Why is there still grading?"

At this, I was treated to a puzzling display of administrative mentality and evasion. They explained that there would be no other way to determine progress, scholarships, admission to graduate schools, although they knew that some colleges do not grade and manage by means of recommendations. (But this would involve the faculty's talking to one another about the students and even talking to the students.) They explained that if grades were dropped, the parents would complain and the students would become intensely anxious. This was true, but wasn't it their problem as teachers to overcome such attitudes? A couple were at least uncomfortable, but were not going to cause trouble. In fact, no one had any intention of changing the *status quo*.

Fatherly advisers tell students to take the grading in stride, to pay it no mind and get by, because it is unimportant. But it is important because it is structural. There is grading because it is what the teachers are conditioned to as a way of life. It dates back through endless eras of schoolteacherly "strict discipline" in boyish academies. Rationally no one believes in the discipline; yet one is astounded to find apparently intelligent adults holding adequate students to purely formal rules. Surely some taboo is operating. Further, to drop the grading means to be thrown into a series of personal contacts, to be willing to claim the students as one's personal responsibilities. But the academic seems, rather, to fear for his own authority and to use the grading to keep the students in control. That is, the administrative method is injurious to the teaching-and-learning, but it does protect the individuals from one another. For the student, it at least establishes a rule.

What clear and distinct idea is expressed by the grading? Take the best instance, mathematics, since it has definite answers and right methods and can at least be accurately marked. Say that out of five problems in elementary algebra, the student muffs the permutations and progressions. Does he then understand 60 per cent of algebra? But it is permutations and progressions that he doesn't understand. What is the use of "passing" or "failing" him on his 60 per cent or whatever the dividing line is? How will that further his progress? The teacher might guess that he doesn't grasp factorials. But it is too late! the term is over!

Theoretically, there are two viable procedures. On the one hand, one can adopt the European system, as Jefferson did, in which the student follows his own interests and submits to a comprehensive examination when he is ready. He is left to himself—or abandoned to himself—and learns the hard way by his mistakes. Perhaps this is best, though it must of course result in dilatory exploration which does not fit with our contemporary notions of scheduling from the cradle to the grave. On the other hand, there might be a small staff-meeting of the student's teachers to advise him. This perhaps fits better with the younger age and relative immaturity of American collegians, and certainly with the abysses of ignorance that they bring with them. One can conceive of a judicious mixture of the two procedures. Our administrative mentality, however, inevitably chooses a third, unviable, alternative: it decides *beforehand* what the "goal" is, according to some Educator's theory of the well-rounded individual, the intellectual virtues, or the national needs; or perhaps simply according to the existing personnel and their vested rights in prescribed courses. The pattern is then imposed on the student. If the effect is spectacularly bad, he is referred to Guidance, which is another branch of the administration.

At actual faculty meetings, of course, no real students are discussed. But even changes in the curriculum or credits are hard to discuss, since each teacher, even if he has tenure, is unwilling to take a disinterested view, lest his own specialty be diminished; and all protect all by departmental courtesy. John Corson is right, "They are subject-matter specialists. They think in bits and pieces."

Suggests Relevant Remedies

One can think of a couple of remedies that are relevant to the causes. The first would be to transform the Ph.D., the license to teach, from a piece of narrow research to a philosophical and historical handling of the subject. But the second remedy is deeper: it is to get rid of departmental courtesy; and let argument be vigorous and *ad hominem*. This is difficult but it is not impossible *if* there is no administrative pressure and threat of reprisal. We must assume that the teachers are fundamentally well intentioned toward the students and toward the community; therefore, they must finally be willing to listen to one another and take all good reasons into account. It is the community that educates. It does not make any difference if a man comes as a craft-idiot or even a technologist; it is the exchange of reasons that makes a humanist.

As it is, the credits, grading, 50-minute scheduling, departmentalism, narrow expertise, and bureaucracy constitute an administrative mentality in the faculty that divides teacher from teacher and teacher from student. It is a system that serves well enough to produce paper degrees and even bales of publications; and it is by such success that institutions acquire prestige, grants, and the pick of students. But it is not a system calculated to elicit original genius, to help the young find vocations, or to encourge the exploration of nature.

The students who fall by the wayside in this obstacle course are not necessarily the least gifted. Nor is it surprising if teachers regard the process as a waste of time and devote themselves to outside research, neglecting especially the elementary teaching. The reality that can be hoped for in colleges is the occasional meeting of spirits confronting an objective subject matter. Such occasions are cleverly balked by the schedule and the bell that rings the end of the hour.

Tensions Paralyze the Academy

The academic situation is paralyzing in its tensions. In my opinion it is not true that "Those who can, do; those who can't, teach." Academics are not only more learned, but more intelligent and inventive than the average in their fields. The pressures of modern society are at least as debilitating as those of modern colleges. Often it is because the extramural opportunities are so low-grade, the standards so base, that teachers linger in schools. But this makes their situation all the more frustrating. They know, but they are not sure; they have not tried. Therefore they become obsessional about their footnotes, in order not to be tripped up. And because they are not sure of themselves, academics are in a false relation with their students and become sticky about petty observances as if to compel respect.

It is galling, too, to have to suffer administrative fools politely. "Tenure by rank instead of by constant ingratiation," says Professor Metzger, "[has] made professors more independent and willing to take risks." Yes, but—The bother is that achieving the tenure may involve playing it cool and, especially, creatively faking it, which is the worst possible expense of spirit in a waste of shame. For instance, the rule is Publish or Perish; but in fact professors have nothing to publish if, as academics, they have had no world to pose a problem; so they invent academic problems. And this becomes a habit of life; yet none of it may be real.

Meantime they must avoid the one reality that exists in colleges, and to which they are continually exposed, a personal relation with the students. We may assume that most teachers would not linger in colleges if they did not have an interest in the young and an aptitude for teaching them. This again makes their situation the more frustrating, if personally they cannot or do not dare to teach them. "Tenure is normally granted," says Christian Bay, "only when the instructor is too old to take a renewed interest in his students." When Corson and Knapp point out that character-developing, discipline, recreation, admissions, etc., have been progressively abdicated to Administration, we may be sure that the teachers have chosen it so.

Even good academic teaching becomes impossible in these circumstances. In a fine analysis Frank Pinner speaks of the passive resistance of students to the dissensual ideas of the teacher; it is unreachable, and "most likely to result in the severance of all possible communication." In my opinion, it is the *teacher's* holding back that leads to the student's passive withdrawal. He can state his wicked proposition abstractedly—usually, but not invariably, without interference by the dean; this makes the youth anxious and puts them on guard. But he cannot make the personal reference or express *ad hominem* the emotion that must lead to action, here and now. Because he is, himself, afraid of anything happening.

'In loco Parentis'

To the extent that the college must be *in loco parentis,* the administration would seem the poorest possible choice for parent-figure, since it has no direct or exemplary relation with the sons and daughters except precisely in emergencies of discipline. The teachers seem to be the only possible candidates as campus parents, since they merit authority by respectful acquaintance. Yet we see that the teachers do not want, or they are too honest, or they fear, or they are embarrassed to be cast in the role. But perhaps on closer consideration, the administration *is* the right "parent." For if nobody believes in the moral standards, there really is no personal issue after all. Paternalism is an administrative procedure for maintaining appearances.

The young people come to college vaguely hoping to meet veterans who will show them a path; instead they meet academics who interpose the administrative framework of instruction to prevent personal contact, and an impersonal morality not different from that of the world outside. It is in this context that we must explain "youth subculture:" it is nothing in itself, it is reactive to rejection and disappointment.

Students Have Ambiguous Status

Like the college teacher, college youth has always had an ambiguous status in America. The colleges are special, and there is a hopefulness reposed in the young far beyond what a traditional European society would consider reasonable. Yet, maybe just because of this high expectation, the Americans have tended to keep their young in anxious tutelage, both protective and restrictive, far beyond what a traditional society would consider necessary. The young, especially if they are upper-class and/or gifted, must not be cowed or whipped into shape by patriarchal discipline; yet they are precisely not allowed to grow up, take risks, leave home, learn something different, and improve the democracy. A strong demand is made on them to excel their parents, yet they are not supposed to change any of the ground rules. There is a premium on energy and vitality, yet there must not be any new ideas or displays of intellectual virtue.

In our own times, all of the older motives, getting rich, achieving status, beating out the others, are still evident. Yet it is evident that they are, for the many, unrealistic: there is also need for the mature system to slow down and become established, for people to be content just to do their jobs, as if we had a traditional society.

But this is lifeless, because we do not *have* a settled culture that would pay off in all kinds of quiet satisfactions. And our present effort at Establishment is largely panic. Far from being settled, our society is patently in rapid change. There is need for initiative, adaptability to meet the new, and intellect and freedom to make the most fundamental overhauling when necessary. Instead, the panic of the adults now tries to discipline the young more rigidly, to tighten the credits and grading, to stimulate and bribe scholastic achievement!

These ambiguous tensions all come to a crisis in adolescence. The considerable animal freedom and spontaneity permitted to childhood have made for an exciting and fairly happy childhood community. But when the time comes to break with the family, what social meaning can the youngsters achieve to replace their family identifications? They have not been disciplined into the grown-up ideas willy-nilly; yet they have been interrupted in becoming independent and taking on the grown-up culture, economy, and politics on their own initiative and in their own way. Rather, the grown-up world stands in the background, alien and waiting. It is not attractive. To enter it means the end of freedom. Yet there begins to be a pressure *to* conform to it and even to excel. And suddenly, in recent decades, this pressure is increased.

It is resisted. The resultant of all the forces—of the spontaneous community of early adolescence, of the interruption of growing up further, and of resistance to the pressure to excel in "their" way—is the formation of the Youth Subculture that is now written about.

In my opinion, this subculture is constructed by the active community of youth *against* the adults. It is a substitute to fill the soul. Its rudimentary contents, cars, games, sex, simple music, being popular, are things that are spontaneously attractive to adolescents, but they do not go far. Its motivation and style, however, are both against the adults and inevitably imitative of them. There is plenty of spiting, rebelling, and delinquent reaction-formation. But in cultural format and economic style, the youth culture is only an absurd imitation of an absurd adult culture; the youth craving for popularity is only a pathetic imitation of a bathetic adult sociality and craving for celebrity; and the youth sexuality is as bad as the grownups. The tone of the whole is not improved, either, when the adults in turn imitate the youth. That is, there is nothing authentic in the youth subculture except its youthful vanity, its disappointment in being cut off from the adult world, and its spite against the adults' demands. Meantime, waiting and in the background, is the real world of the Organized System to which most of the youngsters will inevitably conform.

Stresses Importance of Youth Culture

Writers about the youth culture tend to overrate is contents and underrate its importance. It has no cultural value; it is base rather than juvenile. The valuable juvenile is the adolescent-romantic, the crush, the stupid-stubborn honest, the daydream, the religious conversion, the frantic daring, the unbelievable loyalty, etc., and these probably exist as much as ever and the same as ever. The way to tap these values is to let them grow up further. The importance of youth-culture is its protest, that the adults are alien and that they are not worth growing up to. The problem it raises in education is a simple but hard one, how to make the adult culture more available, more useful, and more noble.

By and large, the youth coming up to the colleges have a youth culture. This was always so in England and in earlier America, among the classes in which youth were favored and kept in tutelage. But it is immensely more so in present American society (and spreading to European modern socities). And in the colleges, this alienated youth meets, devastatingly, the academic personalities of the teachers that cannot and dare not pierce to the reality of growing up, and the venality, conformity, and impersonality of Administration which confirm and reconfirm youth's worst picture of the adult world. We can predict that most of these youths will not respond to the universal culture available in *studium generale.*

The anthropoligical truth about colleges is that they are the scene of the climax of growing up, of the personal contact with learned veterans, and commencing into careers and citizenship. The young ought to, and confusedly *do,* come for this purpose. The teachers ought to be veterans, and they *know* that they are timid and failing. The students are not another society but the *same* society younger and learning. To regard them as another society is to avoid the hard task of unblocking, touching, and really teaching.

The student must learn that the intellectual virtues are active virtues. But this learning is unavailable because it is just the confrontation of reality, whether in the community of scholars or in the world, that is strongly discouraged in our colleges.

The University in a New World

By HAROLD TAYLOR

Nearly a year ago I had the privilege of listening to a distinguished scientist who, at that time, was responsible for planning the research for the entire American system of defense. His job was to worry about our present weapons systems and our defense against enemy weapons systems, and to draw up a plan of research for the future. He said, in substance, "My task is to relate our research to reality. But the reality I am dealing with is the world as I can conceive it ten years from now, since nothing in my present is real. Everything I am doing has to include political, economic, social, military, technical, and even moral situations in a world which I must construct for myself before it comes into existence."

It is something like this that I mean by the new world in which we now live, a world which has a present which is not exactly real but is moving and changing so fast, and changing in ways that are so fantastically complex that we have to think of it as an inconstant, located in a swiftly moving point which connects the future with the past by the slenderest of threads. All we can now know is that the future will be radically different from the past and that we must do the utmost in our power to make certain that the future is one in which the human race can achieve its own fulfillment. The task of the university is to make this fulfillment more certain and less precarious.

The university as a social institution did not have a task of this size to carry out until these recent years. In fact, it is a recent institution and one which existed in a former time as a servant of the Church, the state, and the élite. In the four hundred years of its existence in the Western world it has been responsible for collecting and transmitting the history culture, and knowledge of the West and for acting as a stabilizing force in the development of civilization. The new circumstances of the present age have changed all that. Not only must the university transmit the culture, renew the heritage, and civilize the new young, but it must act as the creative center for planning the world's future in every dimension of human life. It is no longer enough to keep this knowledge to ourselves. It must be used as the base for further advance in world civilization, and it must be shared with the entire population of the earth.

Future's Problems Without Precedent

The situation is put clearly by Ortega. "We have believed," said Ortega, "that we were the heirs of a magnificent past, and that we could live on the income of it. We find the future bearing down on us rather harder than it bore down on previous generations, we look back, according to our want, for the traditional weapons, but when we take them up, we find that they are rubber daggers, inadequate gestures, theatrical props which shatter on the hard bronze of our future, of our problems. And suddenly we feel disinherited, traditionless, destitute, as if we were recent emigrants into life, without predecessors."

We *are* without predecessors; we are, in this sense, traditionless, we are but recent emigrants into life, into the kind of life which is now actual, and into another kind of life which is now possible. What has happened is that the traditional ways of running the world's affairs are no longer adequate, and we have entered into a time when we have not been able to build new institutions quickly enough to cope with the explosion of new problems. Thus in the distractions of the present moment, we in America feel an urgency that something must be done, and immediately, about almost everything. But the clamor of advice and suggestion is so loud, the fears and anxieties of insecurity so great, that we turn in every direction at once for salvation—to civil defense, to nuclear arms, to disarmament, to science, to religion, to psychiatry—forgetting that the way to salvation lies in a steady search for a just and honorable world order rather than a frantic concern for personal security.

We Have Lost Touch With One Another

As a result of the size and range of our problems and the sheer numbers of the population itself, America has become a society in which we have lost touch with one another. Our lives are organized in such a way that the private and the personal element in them has shrunk to almost nothing, and the necessity of organizing ourselves to meet the necessities of the social order has flattened out the quality of personal relationships. In place of a sense of community and a love of the intimate we have given ourselves an organization society. Yet truth, justice, and honor are private matters which must be privately conceived. They cannot be pumped through the social system by the mechanical means of the mass media. They cannot be created by press conferences. They must grow quietly within the consciousness of each person, and each person must care to seek them as instruments of understanding, for the enrichment of his life. "Societies," says James Baldwin, "are never able to examine, to overhaul themselves; this effort must be made by that yeast which every society cunningly and unfailingly secretes. This ferment, this disturbance, is the responsibility and the necessity, of writers."

I would say, with Mr. Baldwin, that this ferment, this disturbance is the responsibility and the necessity, not only of writers, but of the universities. The universities exist to challenge accepted truth and accepted values. They exist to nurture the private hope, the personal insight, the affection for enlightened truth, to bring to a human scale whatever there may be of sensitivity, community, and love within the world at large. Their task is to create new conceptions of new tasks, to stand against the organized establishment, as that part of the social organism which works as the brain and the conscience of the entire enterprise. Unless they are prepared to embrace this mission, they condemn themselves to a history of service to the establishment, whatever the establishment may be.

In the present situation, the universities are operating as units in an organization society. They are seldom conceived as homes for the spirit of learning or as intimate communities for the cultivation of personal values. They have, perhaps inadvertently, become bureaucracies for the dissemination of information and culture. They possess their own organization men who wish to move upwards in the bureaucracy by carrying on appropriate research in aca-

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demic fields and engaging in endless committee meetings from which reports are issued. If successful, such men receive the ultimate reward of the modern university—not to have to teach.

Not only are we faced with these practical difficulties, but we have a confusion in philosophy as to the true aim of the university. There are those who hold vigorously to the notion that only by reason of the purity of the liberal arts can the modern student be truly educated, and that those institutions which try to do practical things with education are betraying the tradition of the higher learning. Robert Hutchins, Mr. Griswold of Yale University, and *Time,* the weekly newspaper which is to such a large degree written by, and for, Yale men, together have denounced the universities for having a "service-station" approach to education, and for not being like Yale. Both *Time* and Mr. Griswold held out some hope that the Yale point of view will eventually prevail, reasserting "the original and timeless philosophical claims of liberal education."

A Liberal Education Adds Meaning To Life

I am less sanguine than Mr. Griswold that this will happen, since the claims of liberal education are neither timeless nor original, and the world is not moving in the direction of supporting an education suited to an élite. A liberal education is one which brings meaning into the life of those who are liberally educated, and if one considers the liberal arts to be those which are devoid of practical relation to the society in which they are taught, they are not an appropriate way for the individual to find meaning in his life.

The point at issue is not the service-station versus the Ivy Halls. There are varieties of education because there are varieties of personal and social needs in the democratic social order. The question is what knowledge is of most worth, and what is it to be used for?

When we consider the university from the viewpoint of the world's needs, we find, for example, that the world needs agricultural experts who possess a knowledge of foreign languages and foreign cultures, who at the same time have a sense of public service in the use to which their knowledge can be put. We find a need for young men and women who can survey roads, teach school, handle juvenile delinquents, run tractors, dig ditches, minister to the sick, run governments, and who at the same time can look at themselves with clarity and their world with compassion. This is what it means to be liberally educated. To separate the study of the liberal arts from the application of those arts and other skills in practice is to render the arts sterile and their application impotent.

In any case, those institutions which argue for the purity of the liberal arts are most likely to be those which are most highly vocational, vocational in another sense. The universities which have come to be referred to by journalists as "the prestige colleges" are among the most vocational institutions of education in the country. Their conception of themselves is, in David Riesman's phrase, that of "a gate-keeper for the upper middle class." The study of the liberal arts in such institutions often comes to consist in learning how to use the vocabulary, wear the clothes and adopt the intellectual posture of those who belong to a privileged economic and social class.

The danger is that this conception of the role of the university may in the long run corrupt the educational aims of the state universities which began with a more important purpose in mind, that of meeting the educational needs of the citizens and of the society they were founded to serve. The danger is that in our concern to meet the public responsibilities of the university—a set of responsibilities which range from producing more scientists in order to compete with the Russians, carrying out scientific research for military defense, to staffing the executive leadership of business corparations—we will dismiss the task of educating citizens in an understanding of themselves and of the world around them. I am also concerned that in the search for public esteem and by reason of institutional competition for such esteem, we may reach a point at which both public and private institutions will place such a heavy stress on academic preparation in their applicants and academic achievement in their graduated that there will be no joy in learning and no sense of responsibility for the use of learning in the public interest.

I would say that the University is responsible not only for the education of its students in the achievement of intellectual and imaginative power, but in the achievement of an enlightened view of the responsibilities and aims of the educated citizen. At the present time there is little room in the university for the spiritual and moral education of the student, since the university structure is divided into three huge pieces of apparatus, none of which is designed to deal with such matters.

On the one hand there is the academic apparatus, with its overorganization, its accumulation of academic materials, collected in textbooks, condensed and distributed in lectures, re-collected in examinations, graded like eggs and rewarded with something called academic credit at the rate of three credits a throw for sitting still, listening and making notes over a period of 15 weeks. In order to standardize the academic machinery so that teachers and students can be moved in and out like so many replaceable parts, curriculum committees of university faculties meet regularly and rearrange the subject-matter in new sets of requirements.

Next is the administrative structure, which consists of deans, departmental chairmen, vice-presidents, provosts, chancellors and presidents who never see students and see faculty members only on business matters, like leaves of absence, salaries, housing, parking permits, football tickets, and research budgets.

The Student Personnel Section

Third is the student personnel section, devoted to the rest of the student not dealt with in any other way. This consists in part of counselling and psychological services designed to give therapy to those who are either sterilized or spiritually and emotionally exhausted by the academic apparatus. Under this section comes the student's social life, usually dominated by a fraternity and sorority system which encourages snobbish, segregationist and materialistic values, and the intercollegiate athletic complex by which young men learn how to move from being low-paid amateurs to high-paid professionals while thousands cheer.

In this situation it is no wonder that the student culture creates its own values and its own standards, and that cheating on examinations, throwing basketball games, competing for grades, and jostling for social position is condoned as the normal conduct of the American student. For this he can scarcely be blamed. In the absence of genuine intellectual and moral leadership from his university, he accepts the values of the society around him.

I do not believe the answer is to be found among those who argue for the necessity of bridging what have been persistently called the Two Cultures. It is not a question of being able to talk easily about Hamlet *and* the second law of thermodynamics. There is in fact only one culture in the true university, the culture of those who care about the life of the mind and the pursuit of the honest truth.

It is not that the subject-matter of science is not taught in the colleges. It is not that the liberal arts are missing from the curriculum. It is that that curriculum as a whole has not been designed to engage the full consciousness of the growing student, that it has instead tried to provide him with an outline of general academic knowledge. "To exist is to change," said Bergson, "to change is to mature, to mature is to go on creating oneself endlessly." It is to the beginning of this process in the student of changing, maturing, and creating himself that the university must address its attention. It is in the choice of that curriculum which can nourish the curiosity and imagination of the student that the educator must engage his efforts.

The capacity to lose oneself in the pursuit of objectives is a virtue possessed by the fortunate and one seldom regarded by educators. Yet it is the first essential for the child and the young adult when he sets about learning what he needs to know. Without the absorption of the self in action which goes deeper than the immediate threshold of consciousness, the one who is learning cannot reach the deeper level where all his faculties are engaged. The great work of art has the power to capture its audience, it takes them inside itself and shows them what it knows without explanation. The great ones who engage in the arts as performers, composers, dancers, architects, sculptors, writers, have the capacity to lose themselves in their intensity of focus on the thing to be done. The integration of their knowledge occurs at a level below consciousness. Their art is a total expression of who they are.

So it is in learning. The student so often says, I am unable to concentrate. What he means is that his efforts to focus attention on the task to be learned have failed, that he cannot get inside the ideas, they skitter across the surface of his mind like leaves in the wind. Often this is due to the character of the knowledge to be learned. It is presented as subject-matter, it makes no demand for involvement of the student.

This is particularly true where mass methods of instruction using the lecture and textbook methods give him no chance to ask questions about what he does not understand or appreciate, and he is taught not to ask questions, since any admission of ignorance might affect his grade adversely. Either that or the text and lecture are reduced to a level of understanding which automatically diminishes his interest and therefore his ability to make himself respond.

We must first rid ourselves of the notion that science is technique whereas the humanities contain the "human values." "All our ideas are reactions—positive or negative—to the situation with which our destiny confronts us." That is Ortega again. The fact is that everyone who tries to think with accuracy has to this degree become a scientist. "Science is a creative activity of human beings in representing experience precisely, and in the most general and enlightening form," says Lloyd Berkner. In this it does not separate itself from philosophy, history, literature, except in the degree and kind of its precision.

The mark of great poetry is in the precision of its imagery, the intensity and fullness of its truth, the degree to which it illuminates the reality we already know. The mark of great science is different from this only in the fact that at its higher levels of discouse it can be understood only by those who have themselves undergone the discipline of its language.

When we consider the social sciences in their turn, it is necessary to come to similar conclusions. The novel, the play, the work of literary criticism, the work of social philosophy cannot be set sharply against the sociology of the South, the political science of a national election, the psychological analysis of moral behavior. The difference between great literature and great works of social science lies, not in the amount of truth or values which each contains, but in the emotional intensity and the form in which their truth is pre-

(continued on page 16)

PIECES OF SILVER **By ARTHUR SILVER**

ALMA MATER

Far above Cayuga's waters,
With its waves of blue,
Cornell students stand and know they're
Paying for the view.

CHORUS:

Lift tuition, speed fees upward,
Football tickets sell,
Hail to thee, our land-grant wonder,
Hail, all hail, Cornell.

Far above the money-grubbing
Of the bustling town,
Reared against the barns and siloes
Looks she proudly down.
CHORUS

From the Cornell Liberal Union
To the Righteous Gents,
All Cornellians take a firm stand—
Nine-tenths on the fence.
CHORUS

Built in tasteful Olin-Gothic
(Alumni's finest hour),
Freud might well have had a hand in
Sibley Dome, Libe Tower.
CHORUS

Our Cornell Infirmary is
Fine beyond a doubt.
Sick, the students can't get in and
Well, they can't get out.
CHORUS

When the sun fades in the hills,
The lake is moonbeam-laced;
Coeds scurry home for they are
Chased into being chaste.

CHORUS:

Far below the Ivy League
By every code and sign
We will cling forever, Ezra,
To that lowest vine.

An 'Un-student' Debunks the Academy . . .

Freight Cars, Cookie Jars, and Learning

By JAMES MYERS

For many reasons, not himself drawn to the life of the fireman, the college student undoubtedly has seen someone, who, having tasted from the cookie jar of the academy, trailed down to the freight yard and disappeared into a box car. Staying behind belies the student's understanding that it is more prudent to sneak quietly out the back way on a fanciful ambition or the hunger for romance, finding instead warmth and love in a definition and direction that is tangible and safe. Wouldn't it be wrong for us to ridicule good sense by saying that all life is so indefinite, yet inevitably some will be sprinkled with enough of the spice of ego to demand the different. Such a person, although not exactly having a passion for disorder and messiness, has discovered that the most easily grasped good is not necessarily his. So, carrying no other credentials than his own name, he sets forth, thinking that it is almost impossible to avoid an education if you are awake. It is impossible to say what will develop when he is confronted by experiences that he might not tell his mother about and too easy to mention casually that the genius of Hemingway fermented neither at Cornell nor in the kitchen over warm apple pie.

William Carlos Williams, in his introduction to Allen Ginsberg's *Howl*, expressed wonder at the young man's ability to survive and continue writing. While it may be inherently demanded that the poet exist as an outsider, the errant ex-student may have no understandable purpose whatsoever. There is possibly only a lingering vision of the living, a hungering, a desperation to take a fling at self-indulgence to prove that the self does exist. And there is somewhere maybe a mother who asks pathetically, "Where have we gone wrong?"

An Easy Avenue to Respectability

Disappointingly enough, that which was supposed to be the seat of learning, seems to become another element in the conflict between good and bad. College is just too good to beat, too much the thing that good people do, and a too easy avenue to respectability. It is envisioned by the world outside as all that is sane, all that is sensible, and for all the years of youth, the proper and only goal for the ambitious. Most likely the wandering maniac will be back to sit in classes. Somewhere in Iowa, when it's cold and money is short and adventure distant, it will strike him that he should go back to school. And the blessed flood of relief will come for it will be said that he "has straightened out" and has "got it out of his system." Would that this could settle discontent and that it could help that even drunks in bars can tell him the value of a college education.

From the inside, the student can complain of "depersonalization" and begrudge the computer that has got his number, or he can complain that he has no contact with the professors and that too much emphasis is placed on marks. But these are only the droppings of his real discontent, for to wonder where the human things have gone, is only to hint that one is finding himself missing as a human and that he is not finding the more essential parts of human satisfaction.

The alienated can feel that the academy creates one's taste for living, yet does not provide life. One old grad, Cornell class of 1910, was seen driving his Cadillac on the sidewalk between two buildings, down some steps, over the curb and back onto the street—driving where there was a road in 1910. Without the aid of nostalgia and a Cadillac, it seems impossible to create roads that do not exist. Where the old grad may see his "alma mater" as the vision of the good life, the youth, teased in the classroom by the glorification of the outsider — Hemingway, Miller, Thoreau, or Whitman, and charged to explore his own possibilities, this youth discovers that college is just another element of a climate that is hostile to the explorer. All the abstract reasons for self-consciousness are put before him, yet in reality, the academy seems less a place of discovery, more an ordained vision of life, where he may think about some things but do others.

College Promotes Conformity

In confused disillusionment, he can take to bed and wish to sleep forever, or, neither wealthy nor a genius, he can take to the outside to face a world that seems to accept conformity only as it means success and to tolerate difference only as a quirk of genius. He may be advised that it is good to get away, to join the army, to run a drill press, or to do any of a thousands things that will bore him back to the campus. He can view his experience on the outside as a magic medicine with no other purpose than to prepare him to return to college and the conventional. Drilled in the doctrines of success, he feels the world, of which college is a part, has not allowed his time to be his own and he responds in rebellion to the same pressures which he has tried to escape.

In the search for approval, the ex-student feels he must produce to justify his choice of existence. He will write a great novel at 19 to prove that he has been wise in his choice to get out. He will act out the role of the artist but to avoid the chance of failure, he will be too busy indulging himself to write a poem. Ambition and education become silly ideas, for he feels that he now must arrive in full bloom at the very beginning of his existence. A bad poem, a bad painting provide no reason for his way of life, so he speaks in terms of future possibilities which he will never explore.

In his haste he has dealt with others and not touched himself. He is satisfied that others may find him interesting and not that he has interests. He discovers that with stories and a cup of coffee he can fascinate 18 year old girls but he has not dared to attempt the dreams he talks of. He has found the middle ground between success and failure that is available to the young. One might do this and that if . . . And he can tell that which was boring to him as if it was an adventure.

And so with a hostility towards the college which seems to represent that which pressured him away from satisfaction, the rebel-to-be, can return to school with the doctors-to-be and the lawyers-to-be, and he can mumble things that suggest that he has superior knowledge, but that he is being practical now and that he is pulling off only numerous secret scenes.

What he may have mastered is to keep his feelings within him and possibly accepted the fact that he will never quite be as happy as when he was desperate and hungry. Maybe now he dreams of staying out the days at college, gaining a degree, and maybe getting where he can become a teacher. And then he can have the chance to identify himself again with the outsider and he can tell young people that there really are possibilities in the world and that they should have more courage in facing the pressures of conventionality than he had. But even as he speaks, the irony is that education for him, as for so many, has proved that we are not our own masters.

And so the football season is here and the college days are here and the great builder of good citizens will continue to mill out its product, not down by the stream but on State Street. And the reaction against the contemporary world will be a reaction against its educator as well. One remembers how Ginsburg howled about how a whole generation of genius-giants was destroyed by the world as if someone, just to cut down the noise, spiked all the hamburgers on MacDougal Street. But more reactors will spring up and they will be looked on as if in the hope for honesty, they are forced to be dishonest, in the hope for emancipation, they take criminal freedom, and in the hope for a tender moment, they crouch in the dark like fugitives. Each one of them who goes off will be wanting a way through the pressure and torments of the contemporary world, wanting to respond to what he has done, and wanting to present the world with a document of his own vision. Maybe one will.

'new york is a summer festival'

By ROBERT BUCKLE

The sun rises there in the summer the same as anyplace else that's west of Brooklyn — out of steam and the first whisps of boiler smoke. The streets are quiet then, until the street crews come along, banging garbage cans into their trucks and racing the motors to squash the stuff up inside the truck's belly. The monstrous street cleaner leaves a wet trail along the curbs, and things are pretty fresh and quiet, again. While its cool, before the sun's lit up East 100th Street, beer trucks slip in to fill the tiny Spanish grocery stores and get them ready for the blast of heat that will come. Somewhere in this double row of six story tenements between first and second avenues four thousand people live. But no one's coming or going, and no one's sure where they are at eight o'clock in the morning. A cop puts up the barricades; East 100th becomes a Police Athletic League playstreet. He leaves. At about nine a group of men collect at 307; they seemed to come slowly from below ground. They make their connection. They shoot it, and for them things get lovely again.

Before you know it, the street's crawling with thousands of people. They're hanging out the windows, loitering on the stoops, moving and running; and the place roars with their sounds, layers of sound, the rumble of gossip with its slow and steady rhythms, the jerky, nervous tenor of adolescent plots and romances, the high-pitched, shrill chirping of little kids who are screaming and laughing and bawling. Somewhere the traffic noise fits into all this—and a bongo drum. If a cop comes along, nothing much changes; the money moves furtively off the cardtables; the crap games change into sociable groups of old cronies or just evaporate. There is vitality and abandon in the congestion and color and movement; it pulses even in the smell, a heavy, arrogant, confusing things made out of fruit and sweat, cheap perfume and urine and things that have been dead, or should have been, for a long time in the vacant lots. It's the smell and the vitality of the street which is most threatening to us middle-class bourgeois; we would like to see the place razed and scrubbed with clorox and the ground salted.

But, after you've recovered from being afraid of the people on the streets, you're not quite sure what is so wrong with East Harlem. I was afraid there for awhile. I felt conspicuous and very white, as if I were a walking insult; it seemed to me that every Negro and Puerto Rican eye on East 100th had focused on me and that the muttering and yelling were directed toward inciting and planning my quick demise. I didn't get stabbed or even jostled, not even at 3 a.m. between Lexington and First; I made a few friends and I discovered that everybody wasn't talking about me, so the fear couldn't be maintained. It was like that with the filth, too. When I first walked into the building where I was to live, on 100th street, I was shocked; the hallway floors were gooey with mud or something worse, and under the stairs were ten garbage cans overflowing into the hall. The smell of the garbage and the inevitable smell of urine made the air seem muddy; you tried to squeeze yourself up as tight as possible as you wouldn't touch anything and you kept your mouth shut tight so the air wouldn't get on your tongue. We made it up two flights to our place without getting v.d.; we had two rooms and a private bath—a real privilege, though you had to be careful of falling plaster in the bathtub. We also had plenty of cockroaches, but we didn't imagine just how many until we used the oven for the the first time. Evidently that's where they all lived. When the oven got warm, they left—thousands of them—from every crack and knob and burner huge ones and little ones carrying their egg sacks like refugees leaving a burning city. We smashed as many as possible and gassed the others we saw.

Out the back window you could see the alley and a little piece of 101st street where the other line of tenements was broken by a vacant lot. The other window was on the air-court which seemed to be everybody's garbage chute; on the bottom of it among the garbage lived the biggest, fattest rats in the city. It was hard to sleep the first nights, especially after someone complained about bedbugs and then you were always thinking you felt one crawling on you. The firetrucks seemed to come every night to put out a fire in the alley or on a lot or in the garbage cans; the sirens moaned and the lights flashed and I awakened uneasily wondering how to get out the window since we had lost the key to the burglar gate. There were loud, screaming man and woman fights that came in the hush after the Spanish records, the bongo and the talking had died. The harshness of the curses and the pure hatred in the shouting and screaming shook you to the teeth with a new realization of how miserable people can make one another. But these were the first weeks when you were raw and impressionable in Harlem. You eventually felt at home and made friends. You stopped noticing smells and garbage which are pretty irrelevant anyway and saw faces that you liked and some that made you guilty and some you hated.

You remember mostly so many attractive, vital people who sing and dance a lot and with beauty. There's a lot of this on the street, out in the open, and there's adventure in the stickball and top spinning and scooter races. In the world of the rooftops there is a strange flat kind of beauty. Two of the guys you know on 101st street have a hundred pigeons in their coop on the top of 318. Every afternoon they let them fly up in spirals and circle like a long grey and white streamer. They call to the birds and signal them with bamboo poles, and they come flying back to the coops and food. There are hundreds of these little flying clubs in East Harlem.

But somebody stoled all one hundred of Juan's and Gregory's pigeons, stole them and ate three of the babies right there and left the bones. They know who did it—an addict, but they can't do anything about it. They left the bones, and everybody laughed; Juan and Gregory laughed, too. You must be careful to have anything and become too attached to it.

A guy named Raymon is a real good guy, smart, too—23, married, and he's got two babies. Once he was the grand warlord of the Enchanters but he broke with that kind of life. Now he's going to night school, studying to be a machinist; he'll finish the course in two years. Meanwhile he works durthe day as a press operator. He wants to be somebody, and he's smart enough, but he doesn't know enough of the right words and tricks—he didn't finish high school. He would like to be an engineer; and, if you can judge by the way he handles machines and understand them, you know he'd make a good one.

The People Are Trapped

But you also know he will never make it; the road's too rough and too long and he's got two kids. Recently he quit his old job to look for a better one; the employment agency found him one and called to say a firm on Long Island needed a man of his qualifications, so he took the subway out and back. They did not need a Negro-Puerto Rican. You like this guy a lot; he's a good guy. You really hope he doesn't break. You almost wish he had no spirit or that he did not know of any other way of life, so he could be satisfied. You hate the TV that brings family-situation shows into every apartment in Harlem, white, happy families living in threebedroom — twobathroom suburban homes. You wish they didn't know, but they do; and besides, you know it isn't fair to keep people trapped when they feel trapped.

And, they are trapped. A lot of people don't seem to get out of Harlem very often, unless it's to ride the bus to the Metropolitan Museum to sweep the floors and clean the bathrooms. What is there outside anyway, besides an expensive, hostile other world, where the adventures cost too much. It's even harder for a kid; he's tied down by things that are in him as well as outside of him—his gang of friends who despise differences, his family which wants him to work in a factory and get married, and the cool guys on the street who seem to know something nobody else does and who've got themselves established and who are potent. These guys point to something better, more exciting—with class and style; they've got their own language, a mystique, and a conspiracy. Respectability is a mockery made out of inhibitions and prohibitions that do not make sense. Look at it in the miserable schools with their tired, harrassed teachers who try to hold things together just long enough to get it outside so when it explodes it's outside, and there won't be any mess inside. The Board of Education of N.Y. was going to give them some extra classrooms, not even a third enough, but at least something—the portable, temporary kind, but the Board changed its mind the last of August because of lack of funds.

Order and Respectability Mock You

Meanwhile, all summer the City of New York tore up sections of sidewalk all through Harlem and poured fresh cement though nobody could see much wrong with the old sidewalks. The schools in Harlem are New York's way of mocking you if you're a bright thirteen year old kid. Some Puerto Rican guy downtown on 54th Street tried to buy a watch with a stolen credit card and a cop chased him and shot him in the back, then dragged the bloody Puerto Rican back to the salesclerk for identification. (*Daily News, October 5, 1962.*) So, the guy's dying in the hospital. He's lucky he's in the hospital because he probably doesn't have Blue Cross and couldn't sign a blank check. That is the way order and respectability mock you.

It hardly ever seems to work the right way; the crook in Brooklyn who's your landlord uses it to evict; the loan shark uses it to take everything, including your parakeet. And if the "world" you've got to live in is everybody else, it's a place you've got second thoughts about because it will steal from you in one way or another, it beats you up, and it spits, and you do not trust a smile anymore—from any body—because they've got something else in mind. Johnny Lee Brooks' daddy slapped him twice because Johnny Lee lost a two cent Pepsi bottle. The "daddy" was drunk—maybe because he doesn't know who Johnny Lee's real daddy is or maybe because he doesn't care or maybe because he is forty-five and a bald nigger and he knows he lives in dirty stinking Harlem and that he's not worth shit.

Harlem is not a bad place for a wide-eyed college boy who's got enough money and can come and go as he pleases. With a gleam in his eye which indicates the possibility of a Degree he can look at things in a different way if he doesn't mind strong smells and a little garbage. He kind of likes the little Spanish groceries and the basement clubhouses and the way people have broken every parking meter and phonebooth. He finds the bongo playing and the street life and marijuana exciting and fertile. He hates to see these things go. They will go. The place will be smashed down and the ground salted and the City Fathers will hope that no dumb NY Times reporter will ever again call that particular place the "Worst Block in New York City, indecent and reeking." The City will spend millions and make itself busy constructing a giant multi-block scab. They will make it out of cement and steel, little, fenced-in trees and social workers. It will be a new scab for an old wound; it will be much cleaner and prettier than the old six-story tenement scab. Meanwhile the whole rest of the white world and everybody else for that matter in its shops and restaurants and talking and stupidity will keep punching and smashing and cutting.

a letter from the south

by JACK CHATFIELD

Jack Chatfield, the author of this letter, is presently living in Dawson, Georgia, as a fieldworker for the Student Non-Violent Coordinating Committee. SNCC is a civil rights organization based in Atlanta, operating a massive voter registration campaign in the deep South. In the last two months, the SNCC workers have been harrassed and intimidated in every possible manner. The church they used for voter registration meetings was burned; night riders have shot and wounded several citizens, including Chatfield. This moving account is excerpted from personal letters Chatfield sent to a Cornell coed.

Dawson, Georgia

There is neither peace nor vengeance here and that means it is still beautiful. There is no peace because churches are burning after midnight and threats are being made and there is no vengeance because Charles Sherrod, a negro and the force of Southwest Georgia, stepped in front of 70 people gathered at the ruins of the Mt. Olive Baptist Church in Sasser and said: "The Lord's with us. It could have been cloudy tonight" and voices said, "Yassuh" and "Da's right" and pledged to keep up the fight. There is no vengeance because there is prayer and singing and laughter and, at most, a grim line along a man's mouth who has attended the Mt. Olive Church for 25 years. There is no vengeance because the children of Lucius Holloway cling to you and won't let you go even when you say you must go.

There was a prayer vigil at the front of the rubble of the Mt. Olive Church last night and 70 people showed up and Reverend Joseph Smith of Albany spoke of courage.

"Don't worry about anyone shooting from that cotton field over there because if they shoot I'll be up front and I'll be the first to be hit."

Reverend Smith asked if anyone had anything to say. Mrs. Edwards spoke where she was standing in the circle of negroes. It was a long, quiet speech and she talked about how the colored person didn't want to do no one any harm, but jes wanted to do something for hisself.

"This church burning were done by evil men," said Reverend Samuel Welles. "But what they didn't know was that you caint burn a church."

"Da's right."

"You caint burn the church of God," said Reverend Welles.

Then Charles Sherrod thanked the Lord for a starry night so that folks could see folks and everyone sang "We Shall Overcome" and I met the Holloway children and the little girl wrapped her legs around my waist and her arms around my neck and wouldn't let me go.

During the day Ralph and Prathia Hall and I were sitting on the steps of the house that sits 50 yards from where the church used to be. Mrs. Mallory is 85 and when she registered to vote she came back and said, "It warn't no trouble t'all." We talked to Mrs. Mallory and after a while a man and his wife drove up in a Volkswagen and said that they were from Germany and that he was free-lancing for a German newspaper. We talked a while and he was amazed at lots of things and then he said he wanted to take a couple of pictures so Mrs. Mallory said that she couldn't go and get her picture taken looking like she was and she went in and put on a fresh dress and stood in front of the ruins of her church and had her picture taken.

Four generations of Mallorys were gathered in two houses, both of which were side by side by the Mt. Olive Church. I put the last generation on my knee after she cried a while and I know she'd never been on a white man's knee and I know that Catherine Mallory, 85, had never seen a little negro child sitting on a white man's knee on her own front porch getting her picture taken.

Keeps you going.

The crime is neither the burning churches nor the shooting nor any atrocity but that this little negro girl should grow up in this house where there is no sink, and pick cotton so that maybe a sink will be put in, and that she will sit on this porch with the flies and maybe have to quit school to get married because of the men who kept coming up to sit and bat flies with her and that she will maybe have a mother whose husband runs away after a while to live a life somewhere else where wine can sustain him against all this.

These crimes—the church burnings, the shootings—committed by night and by white men sustained by number and conviction, are the crimes of rage. They are hated and feared.

But never once can one allow this despicable pattern of events to become the focal point for his own retaliatory rage. Never once can one, through either short-sightedness or forgetfulness or ephemeral passion, forget the greater pattern of events which brought him here and which brought the churches down. That pattern passes you as you stand with 70 negroes in the bits of plaster and wood that litter the ground around the Mt. Olive Baptist Church. It passes you in a truck with white men driving and black men and women standing in the rear. The black men and women are fresh out of the fields and there are bandanas on their heads and tatters on their bodies. The white men stop the truck and you find that you either cannot catch the negroes' eyes or cannot make them understand that you want to catch them. The white men climb out of the cab and walk into the cotton field across from the Mt. Olive church and check their crop. They are there a long while and the fantastic gap between these 70 gathered negroes and these five negroes waiting in the truck for their masters to return is clear. The ruins of the Mt. Olive church becomes the lesser crime, and the greater crime, one realizes, is fifty paces down the road.

There is a crime committed neither in rage nor hatred. It is committed in a kind of calculated yet totally uncomprehending and uncompromising and totally peaceful pursuit of happiness. Above all it is committed in peace and because of this it is the real crime. Rage subsides or rage is punished. Peace sustains itself until you catch these negroes' eyes and you realize then that it may be years before you do. These white men drive by and stop and check their crop and you realize you've a long way to go.

The burning of the churches is a sign of progress: peace has been disrupted. The shooting is a sign of progress: it is no longer sleepy-time down south.

Or so you think until this truck rides by.

There are funds now for the rebuilding of the churches and there are big negro faces that appear at the sites of the burned churches: Wyatt Walker from Atlanta, WG Anderson from Albany, Jackie Robinson from the Brooklyn Dodgers. They may make a pretense to mourn or they may truly mourn. But I am not mourning.

I am, in a sense, because I have seen the face of the pastor who preached each Sunday in this church for 29 years. But I am not because I know that peace sustains itself until it is disrupted and because I know that rage—and crimes of rage exhaust themselves. The rage is not spent yet.

But the rage that follows centuries of peace has come as it must come and as everyone knew it would come. Rage is what makes for revolutions, and there is rage on both sides. On one side, a quiet rage—on the other, a brutal rage. So there is still beauty.

You have faith that when these people pray they are not lying and when they sing they are not lying.

Ralph and I are alone in Dawson now. Sherrod is in Albany. Tonight we were discussing the prospect of ever having to shoot a man. The circumstances are predictable: we in bed, they heavy in number and armed.

I said that we would have to run. If a negro or a white man working for the negro fires a gun it will be all over. I said that I hope they continued to shoot from cars, where you didn't hear them come and didn't see them go. Malraux says that the problem is not death but dying. A load of buckshot in the back will be death. Masked men on the doorstep will be dying.

So things keep you going. Above all, perhaps even above the black people fresh from the cotton fields, are the Holloway children who grab you and won't let you go. I'd almost walk across the white section alone to see them. Almost—the thesis is that you must have a witness for whatever happens.

Remember most of all, if you can, Clifford Browner and Mrs. Edwards and Mrs. Mallory and Lucius Holloway and little Ann Holloway and Junior Holloway—the courageous people who have brushed the dust off their lives. Daily a Negro loses his job here, daily he is threatened. Please remember them, who are not giving up either.

It's a beautiful quiet rage. They thanked God that the stars were out. We can't fail.

There was the little episode yesterday with a pregnant woman in a houseful of kids. The TV was blaring and though we had come to talk about the reversal of her life she didn't even turn it down. Then a little boy slipped on the front porch and knocked a tooth out. One of the small girls had a horrible case of pink eye. There was a baby screaming in the crib and a bottle lying beside her, which I tried to put in her mouth but which she would not take. The child, it turns out, has not been treated for pink eye. And then I have to ask this woman if she is registered to vote. She is polite and she says that she is not and she probably won't have time with all these kids. Six months ago these people is a bad joke. The majority of them—the majority you don't read about in the neon reports from Albany—are defeated and worn and utterly hopeless. They are the "niggers" which 200 disgraceful years have produced. They are the people who have been invisible and forgotten for so long that they have become convinced that, short of turning white, nothing will save them.

It is an epic, spasmodically, of hopelessness. It makes six months shrug into eternity, into a flicker, when what is required is a celestial fire without end.

BOOKS IN REVIEW

Another Country, James Baldwin, Dial Press. 1962. New York, 436 pp, $5.95.

For many this novel will be a deep and painful experience, shocking in its fierceness, yet comforting in its strange suggestions. This is the type of its beauty as the author leads the reader into world that is not 'other' but is so real as to be strange.

To be black or to be male are terribly important distinctions in the world we know. Such things decide how you will live your life, whom you will love, and how you will love them. Black-white, vagina-penis, thus we divide the world—or fracture it. Love, in such a world, can never be a bridging; it will have little to do with "knowing"—for the gaps and fractures are affirmed and maintained by custom and sensibility. Therefore, love will necessarily be a power struggle and an ego-feeding and a masquerade. The lovers will pile up debts and put off the day of payment which will inevitably come—in pain and death. There will be those who may turn away, willing to live in another world—a world that is unified and honest. But, even for them there will be much suffering, for they were born in the old world and nurtured and poisoned by it; no matter how much the brave pilgrim may despise the sinful, fractured world, it remains his father, his mother, and his old companion. And, if "his life, passions, trials, loves, (are) at worst, filth, and at best, disease in the eyes of the world . . .", then he will, as well, face judgment from within, a self-destructive element, which at the cost of much pain he must overcome. He will be set adrift, without standards; having rejected some of the world's values in order to survive, he will no longer be able to accept any of its values easily, and time will be a searching along a precarious way, precarious because the temptation to die will be strong at every step.

Torture, Pain, and Anguish

Baldwin paints this searching and the torture vividly, as one who must have experienced it—the torture and the anguish, yet who was goaded by a strange hope. His novel is not aesthetic, detached and loving; it is full of the pain of the prophet and the prophet's vision—his sorrow and his hope.

The people in it want something real of one another. They are restless people who are tired of endless conversations and the search to find words for the inexpressible. They are all artists—writers, musicians, an actor—yet their art seems to fail them; it does not satisfy their burning need to act and to experience. They are liberals and beats—at least in relation to most of us. Though, as one critic, another liberal, has whined, Baldwin's people aren't at all—at least not obviously—concerned with important political and social questions; however they do happen to be miscegenites and bisexuals or homosexuals, except for one older couple, the Silenski's, who are, through much of the novel, a source of home, warmth, and kindness for the other major figures.

The major figures in this novel seem to have little regard for the fractures and illusions of the ordinary world. You know how people can become this way. They've got guts to start with and they just do some thinking; they figure out for themselves that color is pretty irrelevant to love. And to the matter of their neighbor's sensibilities they respond by giving their neighbor the finger or by finding new neighbors and with these new neighbors they are sometimes able to found a coffee shop island. But somehow these islands never seem to work for Baldwin's people. Take, for instance, Rufus Scott, perhaps the most powerful of them. He is a top drummer and a really lovable and beautiful guy in the eyes of his friends. He falls in love with Leona — a poor white divorcee from Georgia. Rufus is a Harlem Negro, but Leona never had nothing against colored folks and some of Rufus' best friends are white. They happen to meet at a party and make it on the balcony, and something beautiful and powerful happens to them both. They enhance each another; they become joyful and tender together. Their love seems simple and frank; that it amounts to miscegenation is irrelevant—laughable. They laugh. But something bitter and hateful works in Rufus; something he despises, yet it works in him, against him, and he is its victim. He sees new things in Leona's eyes and gestures; he reads her differently as the suspicion grows in him. What she desires from him is *because* of his color; she likes the black hair, the flat nose, the heavy smell, and the nigger love . . . it's dirty and inferior and her position takes her to that; she can only give herself to black shit. Rufus sees that in her eyes and even in her smallest jokes and he sees it in the eyes of the rest of the world, white and black—in the eyes of the men who look at Leona and speculate as she walks with him, in the smirks of gangly, pimply adolescents, in the threatening silence of the cops. All Harlem thinks it too, thinks something dirty and hidden about Leona and him behind its black flashing mask.

Maybe the whole world has to be purified before one man can see things clean. Rufus' hatred of the world and its smirks cannot protect him from its insinuations; they eat like maggots, leaving nothing but the hatred. And Rufus begins to see what the world is suggesting about him and he believes it—he's a nigger and dirty. When the world keeps saying to a man that he's not worth much, the voice of the world in the man's mind is believed. The man cannot defend himself against the world because the world taught him to think and speak. So, Rufus listens and then he sees what they are suggesting about Leona in their mocking eyes; she couldn't love Rufus, the kid who got a set of drums when he was three and can make them move and speak and talk poems; the little kid who can be hurt and cry or who can feel himself, his muscles, and the sound and the smell of himself and then dance and sing full of joy to be alive. No, she loves a nigger because she's poor white trash and a southerner and this is her serpent she's making love to. So Rufus destroys Leona, then he destroys himself.

Now consider a man kissing another man on his lips and the ears, the embrace of two men, and the whispering of love between them . . . you've seen the writing on bathroom walls —meet me at such and such a place at midnight and you know what I'll do for you. And, if you have been a little boy or a young and fairly good looking street bum, you know what the strange guy wants when he offers to buy you a drink or a sandwich. You are part of the world that sees the ulterior motives, the unnatural and contagious desires and their filth, unnaturalness is a word that can never explain the extent of your revulsion and fear. Don't speak of your innocence because you know what it is to desire a friend, to want to crush him physically—or maybe, even, in a rare and fragile moment, to love him and want to hold him and be held. Maybe you felt that about your Dad or your Mother. But you slap these feelings down fast or hide them and you cannot stand the fingers of a queer on the dam that holds back what is hatred in yourself. Some of Baldwin's men

The University in a New World

(*continued from page 9*)

sented. For the student, there is no need to separate philosophy from literature, biography from history, art from anthropology. They are all approaches to a common end—a greater degree of understanding of man in his world.

In a similar way, what are called the humanities cannot, without harm, be separated from a direct relation with the creations of art and the actions of human beings. In our universities the humanities are separated in just this way, not only from the sciences, but from the arts and everyday life. Among the Balinese, children begin to dance and play music when they are three and four years old, and the men and women of the villages dance and act the whole of their lives. They are not professional dancers. They are fishermen, farmers, workers. Their enjoyment of the arts is part of their life in the community, and it is only the Americans and the Europeans who write about their art without creating it. The idea that only those of exceptional talent should be trained in the arts does not fit the Balinese culture. The Balinese are happy to recognize exceptional talent when they see it and to give it an honored place among them. But they recognize that talent and give it the honor it deserves because their knowledge is direct and their critical faculties have developed from a basis in the creative act itself.

I suggest that this is the way in which the arts and sciences should be regarded in this country. It is natural to live with them and to learn what they have to teach. The boy or girl who enjoys learning in the sciences more than anything else should be given full rein to do so, at his own pace. This does not mean that he becomes a narrow specialist. It means that with enlightened teaching he will learn more, not only about science, but about related matters, in a world in which science already relates itself to society, to moral values, to politics, to art, by the very nature of its inquiry.

In the university it means that we return to the natural and the informal, that we think of the total lives of he students we are educating, and that we bring the teacher and the student into relations of mutual respect and mutual interest. The scholar who reveals what he knows and what he wants others to know in a way which deliberately takes his students into the intellectual life which he is living will find the means to remove the obstacles to understanding which may exist in the concepts and perceptions which he has gained for himself through his own endeavors. He will be concerned that each of his students may learn how to win his own intellectual victory.

The university will then organize itself, not around a body of subject-matter or a system of professional schools with their tributaries of professional majors, minors, and other breeds of acolyte. It will organize itself around the communal existence of students and scholars who share an identity of purpose—that of extending the range of their minds and the richness of their lives. It will thus be concerned to make of professional education a liberalizing experience, and of liberal education an induction into the actual problems of the human race. In so doing it will unite the interests of undergraduates with those of graduate students, who will be called upon to help their younger colleagues to the achievement of intellectual maturity.

It will think of technical education, not as acquiring skills which are commercially valuable, but as a way in which, by addressing the student to the practical problems of medicine, law, engineering, architecture, or forestry, he may learn how to use his mind and his energies in the service of others. Where else but in the actual context of technological education can we find a better place to investigate the social, moral, and political problems of a technological age? Where else but in the medical school can we learn better to understand the delicate relationships which exist between the diseases of the body and their social, psychological and economic origins? What better place to consider the aesthetic, political and moral implications of modern society than in the school of architecture, where they are raised bluntly by the very nature of the problems to be studied? Where else but in a university where the undergraduates are considered to be young men and women who are searching for an intellectual and a personal identity can we find a better home for the development of professional skills? Where else can the creative arts better flourish than in a university which gives them an honored and equal place in the very center of all scientific and humanistic studies?

The university has within its power to influence directly the course of events which will determine the character of the world's future. It will do so when it takes as its task the use of science and the arts to enhance the possibilities of mankind, when it takes as its means the development within the lives of the millions of young the capacity to go on creating themselves endlessly.

The individual must be helped to make the transition from family circle to the wider community, given the skills and knowledge needed, and encouraged to respond imaginatively to the mysteries of life. These are the perennial purposes of education—the task of the university.

Another Country: A Review

(*continued from page 15*)

make love to other men; there is the suggestion of the pain and the possibility of self-destruction in these acts of love, but there is also the suggestion of the redemptive power of physical love whether it be homosexual or normal. Baldwin seems to suggest, or perhaps he yearns, that being naked with someone and the holding and the kissing, the orgasm, the tenderness, and the sleep can be a celebration of the unity and the separateness of two people—a celebration that may have purity and freedom when sometimes two people catch a glimpse through clean eyes rather than the eyes of a defiled and broken world.

The novel is unresolved; the futures of its people are uncertain. We know somehow they will have many joyful moments, but we wonder whether what they will suffer will not make the cost too great. If they are the leaders of a pilgrimage, they may catch a glimpse of a new land on the other side; but we doubt they can ever enter it. It is here that Baldwin's Harlem preacher speaks to us most powerfully:

> "Don't lose heart, dear ones—don't lose heart.
> Don't let it make you bitter . . . The world's already bitter enough, we got to try to be better than the world."

—R.C.

DIALOGUE LECTURES

Tues. Oct. 23: JAMES BALDWIN, novelist, essayist. Alice Statler Hall, 8:15 (co-sponsored by the Cornell Forum and the College of Arts and Sciences.)

Mon. Nov. 5: Debate: Which Way Civil Rights—Violence or Non-violence? BAYARD RUSTIN, former advisor to Martin Luther King, vs. CONRAD LYNN, lawyer for Robert Williams ("meet violence with violence") Anabel Taylor Auditorium, 8:00 p.m. (co-sponsored by the Straight Issues Committee.)

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Accelerated Public Works Program

FACT SHEET

on the program for increasing employment
through Federal grants for public facilities
in areas of substantial unemployment

Housing and Home Finance Agency
Community Facilities Administration
Washington 25, D.C.

September 1962

"ENACTMENT OF THIS BILL IS A SIGNIFICANT MILESTONE IN OUR EFFORTS TO STRENGTHEN THE ECONOMY AND PROVIDE A GREATER MEASURE OF ECONOMIC SECURITY TO THE UNEMPLOYED."

President John F. Kennedy
SEPTEMBER 14, 1962

ACCELERATED PUBLIC WORKS PROGRAM

> "The Congress finds that certain communities and areas in the Nation are presently burdened by substantial unemployment and underemployment and have failed to share fully in the economic gains of the recovery from the recession of 1960-1961 and action by the Federal Government is necessary, both to provide immediate useful work for the unemployed and underemployed in these communities and to help these communities, through improvement of their facilities, to become more conducive to industrial development and better places in which to live and work. The Nation has a backlog of needed public projects, and an acceleration of these projects now will not only increase employment at a time when jobs are urgently required but will also meet longstanding public needs, improve community services, and enhance the health and welfare of citizens of the Nation."
>
> Section 2(a) of the Public Works Acceleration Act

Under the Accelerated Public Works program, the Federal Government is authorized to speed up the construction of Federal public works, to increase the funds available for existing Federal grant programs, and to make grants for most of the types of public works for which the Housing and Home Finance Agency is authorized to make Public Facility Loans.

The overall coordination of the Accelerated Public Works program has been assigned to the Area Redevelopment Administration of the Department of Commerce. Applications for grants under existing grant programs administered by various Federal agencies (such as the Department of Health, Education and Welfare and the Federal Aviation Agency) are processed by these agencies under their own rules and procedures.

This Fact Sheet describes only that part of the program administered by the Housing and Home Finance Agency through its Community Facilities Administration. Questions about other types of assistance should be directed to the Area Redevelopment Administration or to the Federal agency that administers a specific grant program. The personnel of Regional Offices of HHFA can put you in touch with the appropriate offices.

1. WHAT KINDS OF ASSISTANCE ARE AVAILABLE FROM HHFA?

GRANTS--to non-Federal public bodies and agencies for 50 percent of the cost of construction of public works which can be initiated or accelerated within a reasonably short time and are in an unemployment or redevelopment area, as defined in the Act. In a limited number of unusual instances grants may be made up to 75 percent of the construction cost.

LOANS--for the remainder of the cost of projects, if financing is not otherwise available on reasonable terms.

2. WHERE MUST PROJECTS BE LOCATED?

(1) In an area which the Secretary of Labor has designated as an area of substantial unemployment for at least nine of the preceding twelve months; or

(2) In an area designated by the Secretary of Commerce under Section 5(a) or 5(b) of the Area Redevelopment Act as a "redevelopment area." The project, as distinct from the applicant body, must be located in one of these designated areas.

3. WHAT APPLICANTS ARE ELIGIBLE?

Any local unit of government or State instrumentality which has the legal authority to finance and build a particular public work may apply. Eligible units would include cities, towns, villages, townships, counties, public corporations or boards, sanitary or water districts, or combinations of such units.

4. WHAT CONDITIONS MUST BE MET?

Funds made available under this program shall be available only for projects--

(1) which can be initiated or accelerated within a reasonably short period of time;
(2) which will meet an essential public need;
(3) a substantial portion of which can be completed within 12 months after initiation or acceleration;
(4) which will contribute significantly to the reduction of local unemployment;
(5) which are not inconsistent with locally approved comprehensive plans for the jurisdiction affected, wherever such plans exist;
(6) which increase the proposed or planned total expenditure of the applicant during the fiscal year for all its capital improvement projects by an amount approximately equal to the non-Federal funds required to be made available for the proposed project.

5. WHAT TYPES OF PROJECTS ARE ELIGIBLE?

Eligible public works may include any type except educational facilities and housing projects.

Adult centers and facilities such as libraries are eligible only if their primary use is by the general public, and their use by the school system is secondary.

Employee housing incidental to an eligible public work also may be eligible.

6. PUBLIC WORKS ELIGIBLE UNDER OTHER FEDERAL GRANT PROGRAMS

Grants by this Agency will not be made for any public work which is eligible for grant assistance through another Federal grant program. The HHFA Regional Office will advise you regarding such other programs.

7. WHO DESIGNS THE PROJECT?

Each applicant through its consulting engineer or architect develops its own plans and specifications.

8. WHEN MUST CONSTRUCTION START AND BE COMPLETED?

This program is aimed at helping projects which can be started or accelerated within a reasonably short time. There must be a reasonable basis for expecting that a substantial portion of the construction work can be completed within 12 months after the first on-site labor is employed.

9. HOW WILL CONSTRUCTION PAYMENTS BE MADE?

Grant monies will be paid in installments when satisfactory evidence is received from the applicant that firm and binding arrangements have been made to meet the balance of the cost--for example, by firm award of bonds to a private bidder. Both the Federal grant and the balance of the funds required must be deposited in a separate construction account established for the project. The final installment will be made after project completion and audit.

10. HOW WILL THE BALANCE OF PROJECT COST BE FINANCED?

Approval of a grant will depend in part upon the applicant's showing that it will be able to provide the remaining funds required. As a practical matter, the applicant will usually raise the balance by borrowing in the private market.

The Community Facilities Administration is authorized to make loans to finance the remainder of the costs of the public works partially financed by grants made by this or by another Federal agency under the Act, when the applicant is otherwise unable to borrow its share of the cost on reasonable terms.

Loans will be made under the Public Facility Loans Program administered by the Community Facilities Administration, as modified by the Public Works Acceleration Act which removed restrictions with respect to such loans based on the population of the community.

11. WHAT RESTRICTIONS AND LIMITATIONS GOVERN THIS PROGRAM?

In addition to the points covered in Section 4, the following restrictions and limitations apply:

(1) A specific showing will be required that each project involves a substantial amount of local employment.
(2) The cost of land may not be included in the computation of the amount of grant which is available for any project.
(3) Priority in processing will be given to projects which are designed and ready

to go into construction.

(4) Not more than 10 percent of the amounts allocated under the Accelerated Public Works program shall be made available for public works projects within any one State.

12. NON REPAYMENT OF PLANNING ADVANCES

The Accelerated Public Works Program provides that the applicant will not be liable for repayment to CFA of any planning advance made by CFA under the Program of Advances for Public Works Planning (Section 702, Housing Amendments of 1954) where the funds advanced would otherwise become repayable as the result of the start of construction of a public work being initiated or accelerated under the Act.

13. HOW DO YOU APPLY?

Information, advice and application forms are available from the Regional Director of Community Facilities in the HHFA Regional Office that serves your area. CFA's field staff, located in each HHFA Regional Office, is ready and able to help you.

REGIONAL OFFICES — HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK (CONNECTICUT, MAINE, MASSACHUSETTS, NEW HAMPSHIRE, NEW YORK, RHODE ISLAND, VERMONT)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (DELAWARE, DISTRICT OF COLUMBIA, MARYLAND, NEW JERSEY, PENNSYLVANIA, VIRGINIA, WEST VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE)

REGION IV: 360 NORTH MICHIGAN AVENUE, CHICAGO 1, ILLINOIS (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORT WORTH 4, TEXAS (ARKANSAS, COLORADO, KANSAS, LOUISIANA, MISSOURI, NEW MEXICO, OKLAHOMA, TEXAS)

REGION VI: 3RD FLOOR, 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA (ARIZONA, CALIFORNIA, GUAM, HAWAII, NEVADA, SOUTHERN IDAHO, UTAH, WYOMING) AREA OFFICE: 909 FIRST AVENUE, SEATTLE, WASHINGTON (ALASKA, MONTANA, NORTHERN IDAHO, OREGON, WASHINGTON)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

FACT SHEETS

On HHFA Programs, Available on Request

- The Urban Renewal Program
- The Urban Planning Assistance Program
- Federal Programs for Senior Citizen Housing
- Senior Citizen Housing Loan Program
- Advances for Public Works Planning
- Public Facility Loans
- College Housing Loans
- Public Housing
- The Workable Program for Community Improvement
- Urban Transportation
- The Open-Space Land Program
- Accelerated Public Works Program

ASSOCIATION OF FAIR HOUSING COMMITTEES
(A Clearing House Service for Metropolitan New York)
426 West 58th Street, New York 19, N. Y. - JUdson 6-3460
(10-22-62)

DIRECTORY OF FAIR HOUSING COMMITTEES

Listing of Fair Housing Committees operating in the New York Metropolitan Area to assist families seeking housing on an open occupancy basis. List has been prepared by the Association of Fair Housing Committees, an informal federation of autonomous groups working to bring about open occupancy in the New York Metropolitan Area.

*Affiliated with Association of Fair Housing Committees.

NEW YORK CITY

*COMMITTEE ON CIVIL RIGHTS IN METROPOLITAN NEW YORK, INC.
225 West 57th St., Rm. 403, New York 19, N. Y. - CI 7-6343
Contact: Miss Jean Kawesch, 225 W. 57 St., New York 19, N. Y. - CI 7-6343
Services offered: Listing of Co-ops and apartments; rentals; supplies checkers; community education.

Bronx *RIVERDALE COMMITTEE ON INTERGROUP RELATIONS
6009 Independence Ave., New York 71, N. Y.
Contact: Mrs. Anne Montero, 6009 Independence Ave., New York 71, N. Y. KI 9-7127
Mrs. Anne N. Jones, 5505 Independence Ave., New York 71, N. Y. KI 9-2804
Services offered: General assistance in locating apartments or houses; community education.

Brooklyn BROOKLYN CONGRESS OF RACIAL EQUALITY (CORE)
Contact: Oliver Leeds, 272 Van Buren St., Brooklyn 21, N. Y. - GL 5-7114
Services offered: Listing of houses and apartments; supplies checkers; community education.

Manhattan *COMMUNITY CHURCH OF NEW YORK, Social Action Committee
40 E. 35 St., New York 18, N. Y. - MU 3-4988
Contact: Mrs. Julia Esty, 103 St. Mark's Pl., New York 9, N.Y. - MU 3-4988
Services offered: General assistance; community education.

*GRACE CONGREGATIONAL CHURCH HOUSING GROUP
310 W. 139 St., New York 30, N.Y.
Contact: Miss Odile Sweeney, 600 Lexington Ave., New York 22, N. Y. - PL 3-4700
Mrs. Elizabeth Norris, 43 W. 57 St., New York 19, N. Y. - MU 8-7530
Services offered: Contacts with minority group families; general assistance.

~~*NEW YORK CONGRESS OF RACIAL EQUALITY (CORE)~~
~~239 West 125 St., New York 27, N. Y.~~
~~Contact: Mrs. Gladys Harrington, 239 W. 125 St., New York 27, N. Y. - MO 6-0400~~
~~Services offered: Aid in securing houses and apartments; supplies checkers; community education.~~

*UPPER MANHATTAN COMMITTEE FOR EQUAL RIGHTS
Contact: Benjamin Bloom, 600 W. 161 St., New York 32, N. Y. - LO 8-7143
Mrs. Joan Sandler, 657 W. 161 St., New York 32, N. Y. - WA 7-9378
Services offered: General assistance; community education.

*VILLAGE-CHELSEA OPEN NEIGHBORHOOD COMMITTEE
27 Barrow St., New York 14, N. Y.
Contact: Miss Susan Harwig, 207 W. 10 St., New York 14, N. Y. - OR 5-7328
Edward Muse, 17 W. 24 St., New York 10, N. Y. - WA 4-8764
Robert Niethamer, 409 W. 24 St., New York 11, N. Y. - WA 4-5744
Services offered: General assistance; community education.

Queens *BAYSIDE BROTHERHOOD COUNCIL
Contact: Miss Benita Jones, 47-21 208 St., Bayside 60, L. I., N. Y. - BA 5-5607
Mrs. Edith Katz, 16-65 212 St., Bayside 60, L. I., N. Y. - FA 1-3430
Services offered: General assistance; community education.

BAY TERRACE COMMITTEE FOR FAIR HOUSING
Contact: Mrs. Gisa Indenbaum, 211-61 18 Ave., Bayside 60, L.I., N.Y. - BA 4-9870
Services offered: General assistance; community education.

NEW YORK CITY (CONT'D)

Queens (Cont'd)

COMMITTEE FOR LIVING BROTHERHOOD
Contact: Harry Saposnick, P. O. Box 125, Flushing 64, L. I., N. Y. - BA 5-9385
Services offered: Assistance to nonwhite families seeking homes principally in cooperative housing.

HUMAN AND NEIGHBORHOOD RELATIONS COMMITTEE OF TRI-COMMUNITY COUNCIL
Contact: Bernard E. Stanger, 146-50 230 St., Rosedale, L.I., N.Y. - LA 8-2287
Services offered: Stabilization program; general assistance; community education.

QUEENS CONGRESS OF RACIAL EQUALITY (CORE)
Contact: Russell Everett, 97-07 34 Ave., Corona 68, L.I., N.Y. - DE 5-8615
Services offered: General assistance; community education.

*NORTHEAST QUEENS FAIR HOUSING COMMITTEE
Contact: Mrs. Dadie Perlov, 56-36 220 St., Bayside, L.I., N.Y. - BA 4-8836
Arnold Frankel, 33-33 162 St., Flushing 58, L.I., N.Y. - IN 1-5832
Services offered: General assistance; community education.

LONG ISLAND

(When telephoning from outside Nassau & Suffolk Counties, use Area Code 516.)

*LONG ISLAND CONGRESS OF RACIAL EQUALITY (CORE)
Box 101, Levittown, L. I., N. Y.
Contact: Mrs. Josephine Dodson, 71 Scooter Lane, Hicksville, L.I., N.Y. - PY 6-9871
Thomas Elijah, 27 Pinetree Rd., Westbury, L.I., N.Y. - ED 3-6133
Services offered: Listing of houses and apartments; general assistance; community education.

LONG ISLAND FAIR HOUSING COMMITTEE
363 Collins Lane, W. Hempstead, L. I., N. Y.
Contact: Mrs. Saul Witheiler, 524 E. Olive St., Long Beach, L.I., N.Y. - GE 1-0642
Services offered: General assistance; community education.

*LONG ISLAND COUNCIL FOR INTEGRATED HOUSING
38 Old Country Rd., Garden City, L.I., N.Y.
Contact: Henry Austin, 38 Old Country Rd., Garden City, L.I., N.Y. - PI 1-7304
Lawrence Smith, 39 Park Ave. East, Merrick, L.I., N.Y. - FR 9-0406
Mrs. Gloria Biow, 482 Davies St., Westbury, L.I., N.Y. - ED 4-7088
Services offered: Listing of houses and apartments; general assistance; community education.

East Meadow

EAST MEADOW COMMITTEE FOR HUMAN RIGHTS
P. O. Box 36, East Meadow, L. I., N. Y.
Contact: Mrs. Eileen Preiss, 1422 Mark Drive, East Meadow, L.I., N.Y.-IV 1-5818
Malcolm Rosow, 397 Spruce Lane, East Meadow, L.I., N.Y., - IV 9-1107
Services offered: General assistance.

Freeport

*COMMUNITY RELATIONS COUNCIL OF FREEPORT
66 Independence Ave., Freeport, L.I., N.Y.
Contact: A. Lowell Hallock, 66 Independence Ave., Freeport, L.I., N.Y. - - MA 3-1435
Services offered: Stabilization program; community education; general assistance.

Great Neck

*GREAT NECK COMMITTEE FOR HUMAN RIGHTS
P. O. Box 606, Great Neck, L. I., N. Y.
Contact: Donald Shaffer, 6 Old Colony Lane, Great Neck, L. I., N. Y. - HU 7-8754
William Rogers, 4 Maple Dr., Great Neck, L.I., N.Y. - HU 2-6571
Services offered: Listing of houses and apartments; general assistance; community education.

Hempstead

COMMITTEE ON UNITY
Box 52, W. Hempstead, L. I., N. Y.
Contact: Dr. Lloyd T. Delany, 607 Chautauqua Ave., W. Hempstead, L.I., N.Y. - RO 6-8889
Services offered: Stabilization program; general assistance; community education.

Huntington

*HUNTINGTON TOWNSHIP COMMITTEE ON HUMAN RELATIONS
Box 252, Huntington, L.I., N.Y.
Contact: Mrs. Joyce Insolia, 27 Monet Pl., Greenlawn, L.I., N.Y. -HA 3-1451
Sam R. Raskin, 1146 New York Ave., Huntington Sta., L.I., N.Y. - HA 3-7470
Services offered: Listing of houses and apartments; general assistance; community education.

LONG ISLAND (CONT'D)

Malvern-Lakeview
*NEIGHBORS UNLIMITED
P. O. Box 223, Malvern, L. I., N. Y.
Contact: Gordon Rothstein, 322 Glen Rd., Lakeview, L. I., N. Y. - RO 4-8808
Harold Trent, 8 Colonial Rd., Lakeview, L. I., N. Y. - OR 8-3905
Services offered: Listing of houses and apartments; stabilization program; community education.

Massapequa
*MASSAPEQUA COMMITTEE ON INTERGROUP RELATIONS
Contact: Hugh M. Burr, 16 Roxbury Lane, Massapequa, L.I., N.Y. - LI 1-4912
Stanley Leavitt, 104 Harbor Lane, Massapequa Park, L.I., N.Y. - PY 9-8144
Robert Douglas, 318 Lake Shore Dr., Massapequa, L.I., N.Y. - PY 8-1488
Services offered: Listing of houses and apartments; general assistance; community education.

Merrick-Bellmore
SOUTH SHORE HUMAN RELATIONS WORKSHOP
Contact: Harold Sacks, 1928 Smith St., Merrick, L.I., N.Y. - MA 3-5904
Mrs. Gordon Pelton, 165 Loines Ave., Merrick, L.I., N.Y. - FR 8-2321
Services offered: General assistance.

Port Washington
COMMUNITY RELATIONS COUNCIL OF PORT WASHINGTON
Contact: Mrs. Joan Powers, 82 Park St., Port Washington, L.I., N.Y. - PO 7-8197
James Lee, 95 Reid Ave., Port Washington, L. I., N. Y. - PO 7-4482
Services offered: General assistance.

Rockville Centre
ROCKVILLE CENTRE COMMITTEE FOR HUMAN RIGHTS
Contact: F. Newton Miller, 8 Arlington Ave., Rockville Centre, L. I., N. Y. - RO 4-4328
Services offered: General assistance; community education.

Roslyn
*ROSLYN COMMITTEE FOR CIVIL RIGHTS
Contact: Mrs. Alfred Schacter, 137 Hillturn Lane, Roslyn Heights, L. I., N. Y. - MA 1-7241
Mrs. Mimi Stolzenberg, 106 Deepdale Pkwy, Roslyn Heights, L. I., N. Y. - MA 1-1842
Services offered: Listing of houses and apartments; general assistance; community education.

Westbury
WESTBURY SOCIETY OF FRIENDS (Quakers), SOCIAL ORDER COMMITTEE
Post Road and Jericho Turnpike, Westbury, L. I., N. Y.
Contact: John H. Davenport, 51 Meander Lane, Levittown, L.I., N.Y. - PY 6-6076
Services offered: General assistance; community education.

ROCKLAND COUNTY

(When telephoning from outside Rockland County, use Area Code 914.)

*ROCKLAND COUNTY HOUSING COUNCIL
Contact: Rafael Gould, 106 New Valley Rd., New City, N. Y. - NEw City 4-4146
Albert Holland, Jr., 077 Maple Rd., Orangeburg, N. Y. - ELmwood 9-2267
Services offered: General assistance; community education.

WESTCHESTER COUNTY

(When telephoning from outside Westchester County, use Area Code 914.)

*URBAN LEAGUE OF WESTCHESTER COUNTY, HOUSING COUNCIL
6 Depot Plaza, White Plains, N. Y.
Contact: Robert H. Gudger, 6 Depot Plaza, White Plains, N. Y. - WH 9-1174
Services offered: Listing of houses and apartments; stabilization program; general assistance.

UPPER WESTCHESTER FAIR HOUSING COUNCIL
Contact: Mrs. Lee Novick, New Road, Lake Mohegan, N. Y. - LA 8-8792
Mrs. Katie Brown, 955 Barberry Rd., Yorktown Heights, N. Y. - YO 2-4136
Services offered: General assistance; community education.

Ardsley
*ARDSLEY AREA FAIR HOUSING COMMITTEE
Contact: Mrs. Serena Mintzer, 3 Northern Rd., Hartsdale, N. Y. - OW 3-4711
Matthew Chaves, 34 Kenneth Rd., Hartsdale, N. Y. - OW 3-4597
Services offered: General assistance.

Chappaqua
SOCIAL ACTION COMMITTEE OF THE UNITARIAN FELLOWSHIP
Contact: Donald Ward, 17 Hamilton Dr., Chappaqua, N. Y. - CE 8-4634
Services offered: General assistance.

Hastings
*HASTINGS HOUSING COMMITTEE
24 Buena Vista Drive, Hastings-on-Hudson, N. Y.
Contact: David W. MacEachron, 24 Buena Vista Dr., Hastings-on-Hudson, N. Y. - GR 8-1715
Charles Woodard, 60 Edgars Lane, Hastings-on-Hudson, N.Y. - GR 8-1299
Charles Whitehead, 60 Amherst Dr., Hastings-on-Hudson, N.Y.- GR 8-1534
Services offered: General assistance.

Mamaroneck
MAMARONECK FAIR HOUSING COMMITTEE
Contact: Mrs. Frances Matsoukas, 127 Carol Ave., Mamaroneck, N.Y. - OW 8-0508
Services offered: General assistance.

Mount Vernon
MT. VERNON FAIR HOUSING COMMITTEE
Contact: Adolph Bergfeld, 351 Gramatan Ave., Mt. Vernon, N. Y. - MO 4-8247
Services offered: General assistance.

New Rochelle
*COUNCIL FOR UNITY OF NEW ROCHELLE
P. O. Box 1196, New Rochelle, N. Y.
Contact: Mrs. Sylvia Bloom, 260 Storer Ave., New Rochelle, N. Y. - NE 6-8017
Octave LaBeet, 1 The Circle, New Rochelle, N. Y. - NE 6-3490
Services offered: General assistance; community education; stabilization program.

NEW ROCHELLE NAACP
364 North Ave., New Rochelle, N. Y.
Contact: Joseph Callender, 280 Huguenot St., New Rochelle, N. Y. - NE 6-2617
Dr. Daniel Bloom, 260 Storer Ave., New Rochelle, N. Y. - NE 6-8017
Services offered: General assistance; community education.

Ossining
*COMMUNITY COUNCIL ON HOUSING IN THE OSSINING AREA
15 Camp Woods Rd., Ossining, N. Y.
Contact: Mrs. Julius Topol, 107 Narragansett Ave., Ossining, N. Y. - WI 1-7485
Services offered: General assistance; community education.

Pleasantville
*PLEASANTVILLE FAIR HOUSING COMMITTEE
P. O. Box 137, Pleasantville, N. Y.
Contact: Mrs. Barbara Crawford, 27 Bedford Rd., Pleasantville, N. Y. - - RO 9-0466
Mrs. Werner Klugman, Bear Ridge Rd., Pleasantville, N. Y. - RO 9-2795
Dean Chamberlin, Box 125, Pleasantville, N. Y. - RO 9-1947
Services offered: General assistance; community education.

Port Chester
PORT CHESTER FAIR HOUSING COMMITTEE
Contact: Mrs. Milton Berner, 21 Irenhyle Ave., Port Chester, N. Y. - WE 9-6691
Services offered: General assistance.

Rye
*RYE COUNCIL FOR HUMAN RIGHTS
Contact: Mrs. Roger Perry, Kirby Lane North, Rye, N. Y. - WO 7-4894
Mrs. Gordon Webber, Kirby Lane North, Rye, N. Y. - WO 7-2274
Mrs. Dorothy Sterling, Kirby Lane North, Rye, N. Y. - WO 7-2082
Services offered: General assistance; community education.

Scarsdale
*SCARSDALE FAIR HOUSING GROUP
P. O. Box 292, Scarsdale, N. Y.
Contact: Mrs. Melvin Horwith, 26 Old Army Rd., Scarsdale, N. Y. - SC 5-3141
Dr. Homer Jack, 7 Circle Rd., Scarsdale, N. Y. - SC 3-8146
Services offered: General assistance; community education.

Tarrytown, Irvington, Elmsford
FAIR HOUSING COMMITTEE OF TARRYTOWN, IRVINGTON AND ELMSFORD
Contact: Joseph Garvin, 10 Crest Dr., Tarrytown, N. Y. - ME 1-2050
Services offered: General assistance.

Yonkers
*FAIR HOUSING COMMITTEE OF YONKERS
Contact: Mrs. Marjorie Levy, 4 Birch Rd., Yonkers, N. Y. - YO 3-3253
Mrs. Luther Evans (Community Methodist Church), 132 Waverly St., Yonkers, N. Y. - MO 7-0750
Robert Josephson, 2238 Central Park Ave., Yonkers, N. Y. - SW 3-5730
Services offered: Listing of apartments and houses; community education; general assistance.

CONNECTICUT

(When telephoning from outside Connecticut, use Area Code 203.)

Stamford

*STAMFORD COMMUNITY COUNCIL, INC., Human Relations Division
77 South St., Stamford, Conn.
Contact: Mrs. Bertram Weinert, 77 South St., Stamford, Conn. - DA 4-3129
Robert Levister, 322 Main St., Stamford, Conn. - DA 5-2275
Mrs. W. A. Rosenfield, 71 Doolittle Rd., Stamford, Conn. - DA 2-4644
Services offered: Listing of houses and apartments; community education; general assistance.

Westport-Weston

*WESTPORT-WESTON COMMITTEE ON HUMAN RELATIONS
Contact: Mrs. Constance Whiteley, 5 Ambler Rd., Westport, Conn.
Services offered: General assistance; community education.

NEW JERSEY

(When telephoning from outside Northern New Jersey, use Area Code 201.)

Bergen County

ENGLEWOOD URBAN LEAGUE
28 North Van Brunt Street, Englewood, N. J.
Contact: Monroe D. Dowling, 28 N. Van Brunt St., Englewood, N. J. - LO 8-4988
Arnold E. Brown, 55 W. Palisade Ave., Englewood, N. J. - LO 7-3611
Services offered: Listings of houses; general assistance; community education.

*BERGEN COUNTY FAIR HOUSING COMMITTEE
687 Larch Avenue, Teaneck, N. J.
Contact: The Rev. Harold Letts, 384 Woodbine St., Teaneck, N.J. - TE 6-6739
The Rev. Ward L. Kaiser, 251 Diane Pl., Paramus, N.J. - CO 2-6399
Services offered: Listings of houses and apartments;general assistance; community education; stabilization program.

(Note: The following eight town committees are affiliated with the Bergen County Fair Housing Committee.)

CRESSKILL FAIR HOUSING COMMITTEE
Contact: Mrs. William Fore, 66 Engle St., Cresskill, N. J. - LO 7-0141
Services offered: General assistance; community education.

DEMAREST FAIR HOUSING COMMITTEE
Contact: James Green, 18 Central Ave., Demarest, N. J. - PO 8-7649
Services offered: General assistance; community education.

DUMONT FAIR HOUSING COMMITTEE
Contact: Mrs. Jean Strickholm, 64 Cedar Rd., Dumont, N. J. - DU 4-4274
Services offered: General assistance; community education.

FAIR LAWN FAIR HOUSING COMMITTEE
Contact: Robert A. oe, 26-10 Urban Pl., Fair Lawn, N. J. - SW 7-9653
Services offered: General assistance; community education.

LEONIA FAIR HOUSING COMMITTEE
Contact: Mrs. Meryl Ruoss, 211 Glenwood Ave., Leonia, N. J. - WI 7-3288
Services offered: General assistance; community education.

PARAMUS FAIR HOUSING COMMITTEE
Contact: Mrs. Toby Jalowski, 89 Longview Dr., Emerson, N. J. - CO 1-2238
Services offered: General assistance; community education.

RIDGEWOOD-GLEN ROCK AREA FAIR HOUSING COMMITTEE
Contact: Robert A. Elfers, 492 Berkshire Rd., Ridgewood, N. J. - OL 2-2506
Services offered: General assistance; community education.

TEANECK FAIR HOUSING COMMITTEE
Contact: Isaac McNatt, 125 Voorhies St., Teaneck, N. J. - TE 7-2396
Services offered: General assistance; community education; stabilization program.

*TENAFLY FAIR HOUSING COMMITTEE
Contact: The Rev. Glen W. Trimble, 32 Hillside Ave., Tenafly, N.J.-LO 8-0623
Mrs. Donald J. Stroop, 180 Jefferson Ave., Tenafly, N.J.- LO 8-5159
Services offered: General assistance; community education.

NEW JERSEY (CONT'D)

Bergen County (Cont'd)

BERGEN COUNTY CONGRESS OF RACIAL EQUALITY (CORE)
Contact: Mrs. David L. Elliott, 221 Phelps Ave., Cresskill, N. J. - LO 8-8630
Services offered: General assistance; community education.

Essex County

BLOOMFIELD BETTER HUMAN RELATIONS COUNCIL
Contact: The Rev. David H. Newson, 355 Watchung Ave., Bloomfield, N. J. - ED 8-7520
Services offered: General assistance; community education.

ESSEX COUNTY FAIR HOUSING COMMITTEE
Contact: John Kolb, 137 Mt. Vernon St., Nutley, N. J. - NO 7-3452
Services offered: General assistance; community education.

NEWARK-ESSEX CONGRESS OF RACIAL EQUALITY (CORE)
Contact: Robert Curvin, 709 Hunterdon St., Newark, N. J. - BI 8-4062
Services offered: General assistance; community education.

Union County

SUMMIT OPEN HOUSING COMMITTEE
Contact: The Rev. R. Samuel Buffat, Jr., 70 Maple St., Summit, N. J. - CR 3-0441
Services offered: General assistance; community education.

SUMMIT-NEW PROVIDENCE OPEN HOUSING COMMITTEE
Contact: David Ludlow, 332 Springfield Ave., Summit, N. J. - CR 3-1102
Services offered: General assistance; community education.

: : :

Urban Transportation

FACT SHEET

on the Federal aids available
to localities on problems of
urban mass transportation

Fed Housing Adm
LE-2-0900
RE-2-8000

Housing and Home Finance Agency
Office of the Administrator
Office of Transportation
Washington 25, D. C.

Revised December 1962

> "OUR NATIONAL WELFARE REQUIRES THE PROVISION OF GOOD URBAN TRANSPORTATION, WITH THE PROPERLY BALANCED USE OF PRIVATE VEHICLES AND MODERN MASS TRANSPORT TO HELP SHAPE AS WELL AS SERVE URBAN GROWTH."
>
> **President John F. Kennedy**
> TRANSPORTATION MESSAGE, 1962

URBAN TRANSPORTATION

BACKGROUND AND PURPOSE

The importance of urban transportation has grown with the continuing concentration of population and employment in the urban areas of the United States. Urban transportation systems, however, have not kept pace with the increasing demands for service and have not played the roles they might in helping to "shape as well as serve" urban growth.

This problem has received serious consideration by the Federal Government. The Administration in 1961 began studies on the basis of which recommendations have been made for a long-range program of Federal assistance to localities for improvement of urban transportation. The Congress, to make possible a start in dealing with the problem, provided in the Housing Act of 1961 for a limited program of financial and technical aids that could be made available pending establishment of a long-range program. This Fact Sheet deals with the initial, limited program.

The 1961 Act authorized the Housing and Home Finance Administrator to inaugurate new programs of--

- Grants for mass transportation demonstration projects, and
- Loans for mass transportation facilities and equipment.

The 1961 Act also made express provision in the Urban Planning Assistance Program under Section 701, Housing Act of 1954, for--

- Grants for urban transportation planning.

The Office of Transportation was created on November 1, 1961, in the Housing and Home Finance Agency, Office of the Administrator. This office, under the direction of the Assistant Administrator (Transportation), is charged with administering the transportation grant and loan programs, and supplying technical assistance, analysis and advice on transportation matters to the Housing and Home Finance Agency's constituent agencies.

MASS TRANSPORTATION LOAN PROGRAM

To aid local public agencies in improving their mass transportation systems, low interest loans are available through the Office of Transportation, HHFA, provided such financing is not available on the private market at comparable terms.

In general, these loans may be made to municipalities and other political subdivisions and instrumentalities of States and other types of public agencies for the purpose of financing the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in urban areas, and for use in coordinating highway, bus, surface-rail, underground, parking, and other transportation facilities in such areas.

These loans may have maturities not in excess of 40 years and must be of such sound value or so secured as reasonably to assure retirement or repayment.

In order to assure that the proposed improvements are in conformance with sound planning principles, the law requires that there is being actively developed (or has been developed) for the urban or other metropolitan area served by the applicant, a program for the development of a comprehensive and coordinated mass transportation system and that the proposed facilities or equipment can reasonably be expected to be required for such a system. Exceptions to this rule can be made only where there is an urgent need for the provision of the facilities or equipment to be commenced prior to the time the program could reasonably be expected to be completed.

MASS TRANSPORTATION DEMONSTRATION GRANT PROGRAM

This program is designed to provide Federal financial assistance in testing and demonstrating new ideas and new methods for improving mass transportation systems and service. The assistance is furnished by the Office of Transportation, HHFA, through Federal grants for up to two-thirds of the cost of approved demonstration projects.

The purpose of this program is to stimulate fresh thinking which will bring about improved service and greater efficiency in the mass transportation field. The program is intended to benefit not only those communities which participate but also other communities with similar problems, by making the results and data of the demonstration projects readily available.

Some examples of possible demonstration projects are service improvements, testing of pricing policies, improved mass transit traffic flow, coordination of urban transportation services, and technological innovations. The law does, however, prohibit the use of these grants for major long-term capital improvements.

Although a contract for a demonstration grant may be made only with a public agency having legal authority to undertake the project and to contract with the Federal Government, other public agencies and interested private organizations may participate in demonstration projects through contracts with the sponsoring agency.

URBAN PLANNING ASSISTANCE: TRANSPORTATION PLANS

The Housing Act of 1961 specifically included transportation planning as an integral part of comprehensive planning under the Urban Planning Assistance Program, which was established by Section 701 of the Housing Act of 1954. It also provided increased Federal grants for up to two-thirds of the total cost of an urban planning project to official state, metropolitan and regional planning agencies to finance comprehensive planning for entire urban areas having common or related urban development problems.

Grants are made for the preparation of comprehensive urban transportation surveys, studies and plans to aid in solving problems of traffic congestion, facilitating the circulation of people and goods in metropolitan and other urban areas, and reducing transportation needs, if such planning is to be an integral part of comprehensive planning for the development of the entire urban area.

The Urban Planning Assistance Program is administered by the Urban Renewal Administration, an HHFA constituent, whose operations are conducted in the field through the seven HHFA regional offices. Technical advice and assistance on the transportation aspects of urban planning assistance projects is provided by the Office of Transportation.

ADVANCES FOR PUBLIC WORKS PLANNING

For the planning necessary for undertaking specific public works, including public transportation facilities, interest-free advances are made available to non-Federal public agencies by the Community Facilities Administration, an HHFA constituent, whose operations are conducted in the field through the HHFA regional offices.

The Office of Transportation provides analysis and advice with respect to the urban transportation features of specific projects.

FOR FURTHER INFORMATION

Detailed information about the aids available for urban mass transportation is available as follows--

Mass Transportation Loans: Office of Transportation, Housing and Home Finance Agency, Washington 25, D. C.

Mass Transportation Demonstration Grants: Office of Transportation, Housing and Home Finance Agency, Washington 25, D. C.

Advances for Public Works Planning: Regional Offices of the Housing and Home Finance Agency, listed below.

Urban Planning Assistance: Regional Offices of the Housing and Home Finance Agency, listed below.

REGIONAL OFFICES — HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK, (MAINE, NEW HAMPSHIRE, VERMONT, MASSACHUSETTS, CONNECTICUT, RHODE ISLAND, NEW YORK)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (PENNSYLVANIA, NEW JERSEY, MARYLAND, DELAWARE, DISTRICT OF COLUMBIA, WEST VIRGINIA, VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (KENTUCKY, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA, ALABAMA, MISSISSIPPI, FLORIDA)

REGION IV: ROOM 1500, 360 NORTH MICHIGAN AVENUE, CHICAGO 1, ILLINOIS (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORT WORTH 4, TEXAS (KANSAS, MISSOURI, ARKANSAS, LOUISIANA, OKLAHOMA, TEXAS, COLORADO, NEW MEXICO)

REGION VI: 3RD FLOOR, 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA (ARIZONA, CALIFORNIA, GUAM, HAWAII, SOUTHERN IDAHO, NEVADA, UTAH, WYOMING) AREA OFFICE: 909 FIRST AVENUE, SEATTLE, WASHINGTON (ALASKA, NORTHERN IDAHO, MONTANA, OREGON, WASHINGTON)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE 17, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

FACT SHEETS

On HHFA Programs, Available on Request

- The Urban Renewal Program
- The Urban Planning Assistance Program
- Federal Programs for Senior Citizen Housing
- Senior Citizen Housing Loan Program
- Advances for Public Works Planning
- Public Facility Loans
- College Housing Loans
- Public Housing
- The Workable Program for Community Improvement
- Urban Transportation
- The Open-Space Land Program
- Accelerated Public Works Program

GPO 936926

2/13/63

Second Lecture
Dr. Chester Rapkin, U. of Pa., etc.
author of The Demand for INterracial Housing

Mr. Rapkin spoke of housing as one of the most strategic areas in the fight for equality. It can be considered as the focus and mechanism for equality. The people who live together will shop together, their children will go to school together, they will have politicians who represent them; separation of people denies the maturity of these automatic associations, and prevents ~~the~~ normal understanding and tolerance.

As a point, Mr. Rapkin mentioned that at a meeting in in Chicago a few days ago, 700 delegates of different faiths at a church conference delegated housing as the prime area at which to direct the attack against segregation.

Negroes in the housing market.

Negroes occupy more substandard and overcrowded housing than their total proportion of the population would indicate:

NYC Metro area: Nonwhites are 18% of the population, occupy 25% of the substandard housing and 22% of the overcrowded

Philadelphia area: Nonwhites comprise 14% of the population, occupy 20% of the substandard and 16% of the overcrowded housing.

Negroes by and large have lower incomes:

In the NYC Metro area:				
	Nonwhites	have	43%	below $4,000/yr.
	Whites	"	19%	" "
	Whites	"	24%	over $10,000/yr.
	Nonwhites	"	7%	" " "

Even taking a sample with similar incomes of $7,000 or more(?) 13% Whites and 25% of the nonwhites are in substandard housing, 3% of the whites and 12% of the nonwhites are in crowded housing.

?????

Negroes spend lower proportion of income on rent.
NYC Metro area:

3-4,000/yr,	White pay $48,	nonwhite $44
4-5,000 "	" " 52,	" " 46
5-6,000 "	" " 74	" " 54

(maybe the contradiction here is that Negroes pay more for substandard housing than it is worth, and are more willing to pay more in better areas, but it averages out to less because of the amount of Negroes in substandard ~~ho~~ and overcrowded housing who do pay less for their income.)

The Negro housing dollar is worth less: for $40-50 dollars, 90% of whites and 68% of nonwhites are in standard housing; for $60.00 90% W and 80% of Negroes in standrad housing

In the past generation the Negro middles class has increased (or rather, there has become a Negro middle class); home ownership has increased amazingly. In the NYC area it increased 52% for white ownership, 100% for Negro; in Philly area it increased 36% for whites, 106% for Negro.

There is a growth in areas available; Philly in 1940 had only 2 or 3 areas where Negroes could buy, Now the entire city is open (theoretically anyway because of the law).

(2)

Eastwick Development . This is the development that Dr. Rapkin undertook his study for, which culminated in the book, the Demand for Interracial Housing. This development is to consist of 10-12,000 units, housing approximately 60,000 people. It will be a little city within a city and the laws of the state demanded that the new development be open. However, since everyone was so concerned with what would happen to a development like this; they undertook this massive study, which would in effect, unite in some fashion the characteristics of Negro market and the white market to give those characteristics of an interracial market.-- they needed to find the "interraction of demand." They looked at Concord Park and at other open areas of Philadelphia. The study was entered upon with some trepidation, as everyone felt they already knew the answer, that there was no "interracial" market and that the project (IXXXXX E. Wick) was doomed from the start.

Of some 2,017 purchases in four selected open areas; 443 purchasers were white, over 22%. 72% bought within 1 block area of a Negro family; 30% bought on the same streetfront of across the street. ~~They~~ Those making the study felt they had to look more closely at these purchasers (white) to see whether they all had some extra-special reason for buying in the area, such as their mother-in-law living around the corner; or being crusaders, etc. xxx ill. However,, nothing distinguished these people from other purchasers; the whites were not unaware that they were moving into an interracial area and the Negroes were not crusaders. The Negroes got mortgages easily, in some cases with better deals because there were many GI's among them. There were no differences in purchase prices. Some of the building were bought by intermediaries and sold for profit, after being fixed up. (In answer to a later question, these were not blockbusters, but people looking for a good deal to make money. There were some blockbusters around, who would plaster for sale signs on houses during the night and start panics, but these people were ~~caught and punished~~ stopped by the Phill commission). There were some distressing facts however. In all the 443 white purchasers, only 2 moved in next door to Negroes, and they found that the white demand contracted as the proximity to Negro families increased.

As time passes, Mr. Rapkin feels that more areas in the central city will be open, and the same will be true in the suburbs, to a lesser extent. Rapkin feels that the differential in income is the major stumbling block, for the next decade anyway, ghettos will continue as the incomes of Negroes stay low. (Which bring us to one of the usual vicious circles; housing can help interracial employment, in that it can aid school desegregation which gives the education needed for better employment, but better employment ~~is needed~~ and other factors which will to enable the Negroes to move into the open housing markets.) For the upper and middle income brackets it is necessary to have open housing, and dispersal of the market is very important. The interracial demand for housing must exist for final and full equality.

Also, [illegible]

Q and A. Status of East Wick now? It is slow; more Negroes are buying; for several reasons, they have not been able to attract white buyers. There was faulty merchandising; there is a slow housing market in general, though the Negro pressure for housing ~~is so~~ ~~great as greater~~ remains high. Rapkin extended his answer to stating, in reference to many of the open developments which have not been able to attract Negro buyers , that it will definitely take "wooing" of the Negro community to get them to move out; it is very difficult to be the only Negro family; they are so apprehensive of reprisals, of trouble with their neighbors, that they are slow to take advantage of what they can buy.

Q. (bu Milgram) Was there a slowdown in Levittown after it was opened? No, housing is still slow there, but this slowdown occurred before the Negro families moved in (before they bought).*

Q. What were the merchandising faults you mentioned in regard to E. Wick? Several; first the model house was built in a bleak stretch of Eastwick, and this bleakness defies imagination -- the land is surrounded by industries, oil refineries, car graveyards, dumps and on a close day the odor is stifling. There was no attempt to make an attractive setting. The house was built across the street from several houses with Negro families; some of the design was not good: the houses were built for families with children, and they had an open stairwell, ~~with no~~ without railings; the bedroom opened onto the street level, which caused concern from wives about privacy, and children tramping through with muddy feet.

It was a city project, sold to highest bidders, who in this case was the Reynolds Aluminum Corpt. Houses sell for about $12,000 and are really a good buy.

Q. Will the Executive Order change anything? A. Very difficult to say, in fact impossible at this time. Maybe yes, maybe no.'

interspersed here were Rapkin's comments again on the difficulty of getting Negroes interested in housing that is open -- most Negroes do not consider, or realize their children's chances for better schools in integrated neighborhoods. At this point, someone indicated her bewidlerment at this, asking why it was.

Milgram tne brought out the point, that in several cases, where amateurs, not real estate salesmen, but boys fresh out of college, were set to work to sell houses they did a very good job, perhaps because they aren't beset with the old patterns of selling segregation.

Milgram mentioned the Chicago development again -- and Rapkin pointed out that it was on the shore edge, and thus cut off from complete encirclement by the ghetto. He also pointed out the same things that Milgram had the previous week, that it was a community in itself. In Cincinnati, there has also been a case ofa 30% white development in the ghetto area; however, there have also, in Cincinnati (?) been cases of setting up a Negro enclave in the midst of the all-white neighborhood. The same thing has happened in Oberlin, Ohio, a liberal college town with a Negro population of about 1/3. Milgram said he went in and tried to persuade the Corporation who was building the development to open up its financing and company -- which at this pointwas all Negro. The distrust of these peopletoward their white liberal neighbors and friends was so solid that they could not even ask them to help finance their company; the stockholders remained all Negro, and as a result, the development did so also.

(~~Milgram on Concord Park~~) -- Milgram pointed out that at first in Concord Park, the Negro ministers, etc., went all out to send Negroes to the development, not thinking twice that they had to publicize it both ways -- this larger publicity to the Negro community resulted in the high rate of initial purchases by Negroes.

(which bring to my mind a question -- just what are the cross-avenues of attracting whites and Negroes; whites to interracial housing, Negroes to that which has been opened ~~by~~ but not being utilized by them; can the publicity be balanced somehow to attract both. What effect does "open occupancy" have in an ad -- or is this against the law, in that it implies that all the other housing is closed, and Negroes might not even try there, but only go to the "open occupancy" houses-- Can't simply utilizing the Negro press do the job, if not, why not. How many realtors do place ads in Negro papers?)

In answer to a questions from a man attending from a trade union as to why more interracial low cost housing is not built; they pointed out those developments which were low cost, and illustrated the tremendous cost of building a unit at "low-cost" rental or occupancy- A Mitchell-Lama unit costs about $19,000 to build; the new apartments at the polo grounds in NYC cost $20,000 per unit. Thus, it is tremendously difficult to build low cost housing privately and without subsidy. Also, Rapkin here waxed somewhat bitterly against the trade unio ns, like the ILGWU who build coops at reasonable rent, presumably for their union members, and these apartment get rented to people earning from $10,000 to $12,000 who get a good bargain while being able to afford other housing. Rapkins feeling was that these apartments should be used to open up the housing market, and to benefit those people whose money made it possible for the places to be built, and for whom, presumably, the union exists.

Rapkin, in closing - went into the varying degrees of prejudice; indicating those white liberals who won't live next door; to those prejudiced people who do live in integrated neighborhoods and houses, to the ideal extreme of the unprejudiced person who is willing to live his way of thinking, to the prejudiced person who acts on his prejudice.

Prejudice stems from many things, from teachings as a chikld, from psychological sets, from Social patterns.

One of the first questions asked, is , but doesn't the property value drop??? Citing Laurenti's book, Rapkin pointed out that the result of his study says, "it depends" -- if there is no panic, no flooding of the market with houses, and a constant demand of houses, the value will not drop. ~~Ixxwiiixdrxmpx~~. Also, it must be remembered that the Negro pressure on the~~ir~~ housing market is intense, when an area opened up, the pressure finds some release in the new neighborhood. (Questions, I always surmided that brokers bought from whites, ~~-and sel-~~- at low prices, and sold to Negroes at great profit. However, I suppose they also might buy from whites at the same low rate, and resell to Negroes at an also low rate, thus moving in large, low income families?) thus lowering the prop. value)

All these things are added of course to personal reactions; as long as the pattern of status is attached to a person's skin color and prejudice will exist for example one person, when told that the Negro who was moving into their neighborhood was a Negro, answered, yes, but the people passing by won't know that the boy playing on the street was a dOctor's son.

There is also the status attached to living in public housing; people want to move as soon as possible, because of the stigma attached to the seal of public charity. As there is greater financial mobility in the whites, they sooner remove themselves to private housing.

2

At ~~xxxx~~ this point, Rapkin mentioned ~~xx~~ books by McIntyre, entitled "Where Shall We Live" and "Residence and Race."

Milgram put forth his viewpoint that people are primarily concerned with their housing needs, and will not "notice" an interracial neighborhood ~~xxxxxxx~~ if the accommodations are what they desire. Rapkin did not concur, and said that it was the unusual white family who does not notice, and take that factor of an interracial neighborhood into account.

Starred parenthelical phases are my own ~~reflections~~ thoughts.

Emergency Committee for More Low-Rent Housing
organized by
CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.
Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018
LOngacre 3-5990

EXECUTIVE DIRECTOR
Eleanor Vaughan

see yellow sheet in back *

OCT 25 1963

Do not release before
Wednesday a.m's
October 23, 1963

From: Eleanor Vaughan
Exec. Director ECMLRH
LO 3-5990

Plans to mobilize the citizens of New York to press for continued and increased state and federal aid to help New York City house its lower-income families properly were unfolded here today at a press conference called by Mr. Paul T. O'Keefe, president of the real estate firm of Chas. F. Noyes Co., Inc., and Roger Starr, executive director of the Citizens' Housing and Planning Council.

Mr. O'Keefe called the housing conditions under which half a million New Yorkers live a "disgrace to the greatest city in the richest land the world has ever known", and said that "only through state and federal subsidies can we make a significant impact on this tragically immoral situation in the foreseeable future."

The campaign to reinstate and expand direct state and federal financial aid to housing here will be conducted by a new Emergency Committee for More Low-Rent Housing of which Mr. O'Keefe is the chairman. More than 125 prominent citizens of New York City, including (see enclosed list of committee members) ______ are members of the new organization.

"Obviously, we New Yorkers have the will to house our people decently," Mr. O'Keefe said. "We have many, many generous-spirited men and women eager to help our City to do so. What New York City lacks is the money. Poor housing has driven many of our more prosperous tax-paying citizens and commercial institutions out into the suburbs. As a result, the City of New York has no funds to provide the homes we need. Only with the help of state and

(MORE)

federal dollars can we produce good housing in New York City with rents low enough to fit the pocketbooks of large numbers of our decent, hard-working families. Unless the citizens of New York act, and act quickly, past allotments of state and federal housing funds will be exhausted long before the housing need is met, and we shall have to admit that our free enterprise system of government is incapable of housing our people properly."

The Emergency Committee for More Low-Rent Housing was initiated by executive and volunteer members of the Citizens' Housing and Planning Council, Women's City Club, Community Council, City Club, Citizens' Committee for Children, Citizens Union, United Neighborhood Houses, Committee Against Discrimination in Housing, Urban League, Commonwealth of Puerto Rico Labor Office, Community Service Society and NAACP. Mr. O'Keefe said the new group plans to put on "as massive an educational campaign as we can muster to save, enlarge, and strengthen" the City's low-rent public housing program. Funds for the educational campaign are coming from grants made by Mrs. Robert A. Bernhard, the Phelps-Stokes Fund and a legacy from Mrs. Loula D. Lasker.

The new organization is demanding sufficient federal and state assistance to permit the development of 100,000 additional low-rent apartments over the next 10 years, at the rate of 10,000 a year. The proposed rate for the development of low-rent homes will double that of the past decade. Presumably most of these units will be in new and rehabilitated low-rent housing constructed and managed by the New York City Housing Authority, but the Committee is also exploring other ways of getting the state and federal housing subsidies to the people who need them most.

"Besides providing housing opportunities for half of our present 200,000 very worst-housed families within 10 years, such an annual housing program will create 8000 jobs a year in the construction and allied trades and will give a boost to the City's sagging economy of $200 million a year," Mr. O'Keefe said.

(MORE)

To ensure low rents in a housing program of the magnitude the new organization demands, $10 million annually in combined state and federal subsidies will be needed. The ECMLRH is asking the U. S. Congress to appropriate funds for the major share, or enough to produce 75,000 units over the 10-year period. To continue New York State's own program the State Legislature will be urged to authorize funds to subsidize the remaining 25,000 units.

CHPC director Roger Starr, pointed out that lack of funds has begun to strangle the only housing program which "has ever directly benefitted those families whom the gap between low incomes and high rents force to live herded together like pigs in pens and without hope for the future."

Funds for the New York City low-rent public housing program are now running out. New York State has exhausted its 15% share of authorized federal funds, and all authorized monies for the state-aided program soon will be totally committed.

"Recent debates over the kind of housing New York City needs has led us to forget that the public low-rent housing program is basically a financial formula," Mr. Starr said. "It is the only program which contributes actual governmental dollars to help our low-paid working families make up the difference between what good housing costs in an enormous urban center like New York and their wages and salaries. New York's low-rent housing program may look big, and it is the largest in the nation. But after all, New York City is also the largest city in the nation, and after 25 years we have succeeded in providing low-rent opportunities to only 6 percent of our population."

Mr. O'Keefe attributed both the fund shortage and the recent debates over size, location, and type of low-rent housing to widespread public misunderstanding of housing economics. "Once we have the assurance of more housing subsidy funds flow- into the City," he said, "the citizens of New York can

(MORE)

certainly work out any refinements needed to update and upgrade the recognized weaknesses of the present low-rent program. We must remember that the legislation which controls it was written more than 25 years ago."

Mr. O'Keefe added that 1964 will be a "year of decision on housing policy in both Washington and Albany. Major housing legislation is anticipated from both the federal Congress and the State Legislature. Our new organization aims to see to it that this legislation reflects the changing economic and social conditions here and becomes part of a concerted attack on poverty and racial injustice in the City of New York."

The Emergency Committee for More Low-Rent Housing is setting up subcommittees drawn from among its member experts to study any proposed major state and federal housing legislation and to recommend how the new legislation should be drafted to achieve the following specific objectives: Better racial integration in low-rent housing developments and their neighborhoods; greater economic diversity among the low-income families the program serves; essential community facilities and services available to all occupants of low-rent housing; a higher proportion of units for extra-large families; housing design more sensitive to the needs of low-income families; and a deeper involvement of the community in the policy and planning of low-rent housing.

# # # #

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Paul Gibson	State Housing Chairman, NAACP
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Stanley J. Harte	Real Estate
The Rev. Edler G. Hawkins	Minister
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Saul Horowitz, Jr.	Exec. Vice Pres. HRH Construction Corp.
Mrs. Raymond V. Ingersoll	Civil & Philanthropic Worker
Mrs. Jeremiah C. Ingersoll	President, Willoughby Houses
Mrs. Stanley M. Isaacs	Vice Pres., Women's City Club
Morris Iushewitz	Secy., N.Y.C. Central Labor Council
Eric M. Javits	Attorney; General partner, Javits & Javits
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Whitman Knapp	Attorney
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Mrs. Joseph Lash	Exec. Dir., Citizens' Committee for Children
The Rev. Vincent de Paul Lee, S.J.	Dean, School of Social Service, Fordham U.
The Hon. Herbert H. Lehman	
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William Lescaze	Fellow, American Institute of Architects
Miss Frances Levenson	Director, New York State Committee on Discrimination in Housing

Edward S. Lewis	Exec. Dir., Urban League of Greater New York
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Theodore Pearson	Attorney; Kelley,Drye, Newhall, Maginnes & Warren
The Hon. Justine Wise Polier	Judge, Family Court,State of New York
Miss Lillian Poses	Attorney
Jacob S. Potofsky	Pres., Amalgamated Clothing Workers
Charles F. Preusse	Attorney
Henry M. Propper	Public Relations Consultant
I. Roy Psaty	Pres., Psaty & Fuhrman Inc.
Carl Rachlin	Counsel for CORE; Member Board, New York Civil Liberties Union
Miss Ollie A. Randall	Consultant on Housing the Aging
Chester Rapkin	Economic Consultant; Prof. of City Planning, Univ. of Penna.
Richard Ravitch	Vice Pres. HRH Construction Corp.
George M. Raymond	Planning & Urban Consultant; Prof. of Planning, Pratt Institute

Mrs. Barbara Reach	Staff Associate for Housing and Urban Development, Community Service Society
I. D. Robbins	Pres., City Club of New York
Mrs. Sophia M. Robison	Visiting Prof., School of Social Work, Howard Univ.
Miss Petra Rosa	Chairman, Puerto Rican City Wide Housing Committee, Volunteer Housing Clinic
Ralph S. Rosas	Director, New York Regional Office Commonwealth of Puerto Rico, Migration Division
L. O. Rothschild	Attorney; Chairman, Citizens' Housing & Planning Council's Legislative Committee
Richard C. Sachs	Pres., Sachs Quality Stores
Michael Sampson	Business Manager, Utility Workers Union Local 1-2
James H. Scheuer	Urban Redeveloper
Clarence Senior	Member, Board of Education
Mrs. Ruth M. Senior	Asst. to Pres., Middle-Income Housing Corp.
Whitney North Seymour, Jr.	Attorney; Pres., Park Association
Thomas V. Sinclair Jr.	Attorney; Chairman, Housing Committee Harlem Neighborhood Assn.
Edwin H. Spengler	Prof. Economics; Dir. School of General Studies, Brooklyn College
Mrs. Herbert J. Stark	Vice Pres., Citizens' Housing and Planning Council
Roger Starr	Exec. Dir., Citizens' Housing and Planning Council
Clarence S. Stein	Fellow, American Institute of Architects; City Planner
Carl S. Stern	Attorney; Trustee, Fred L. Lavanburg Foundation
Hugh J. Stern	Pres., Ethical Culture Society
Hope R. Stevens	Attorney; Dyer, Stevens & Murray
I. N. P. Stokes	Attorney; Webster, Sheffield, Fleischmann, Hitchcock & Chrystie
R. Peter Straus	Pres., Straus Broadcasting Group
Mrs. R. Peter Straus	Civic Worker

Mrs. Katherine W. Strauss	Consultant, Mayor's Committee on Professional, Technical and Managerial Manpower
The Rev. Gardner Taylor	Pastor, Concord Baptist Church
Walter Thabit	City Planner
Robert P. Trentlyon	Member, Chelsea Committee for Neighborhood Development
Maxwell H. Tretter	Attorney
Dr. Ray E. Trussel	Dir., School of Public Health, Columbia Univ.
Gilberto Gerena Valentin	Pres., Congress of Puerto Rican Municipalities
Frank A. Vanderlip, Jr.	Board Member, New York State Assoc. for Mental Health, Inc.
Canon William S. Van Meter	Dir., Christian Social Relations Dept. Protestant Council of New York
Bernard G. Walpin	Attorney and Developer
Mrs. Ida B. Webster	AIA, Edelbaum & Webster
Mrs. Vita O. Weiss	Dir., Housing, Lenox Hill Neighborhood Assn.
Mrs. Helen Crosby West	Pres., Women's City Club
Geoffrey R. Weiner	Social Worker
Miss Elizabeth Wood	Dir., Urban Studies, Management Services Assoc. Inc.

EX

Facts
About Low-Rent Housing

October 1963
No. 1

THE FUND STORY
and
NEW YORK'S HOUSING NEED

> *I say to you that public housing for low-income families is a high quality, high return social investment.*
>
> *Yet the fact is that the public housing program in New York and nation-wide is about to be put to death unless there is emergency action in Albany and Washington next year.*
>
> **Mayor Robert F. Wagner, at**
> **dedication of Cornelius J.**
> **Drew Houses, July 11, 1963**

Fund Shortage - GRAVE!

There is a critical shortage of funds for additional low-rent housing. This is no time to stop helping localities provide public housing for their low-income families. New York City has a backlog of 200,000 families who cannot move from their present unsafe, insanitary, and unhealthful quarters unless and until more subsidized low-rent apartments are built.

Source: William Reid, Commissioner,
Chairman, New York City
Housing Authority

State Funds - LOW!

Total authorized loan funds for New York State's public housing program stand at $960 million. As of August 1 of this year, the State has committed a total of $894 million in loans for construction of low-rent housing projects on a Statewide basis. Of this amount, $730 million

Emergency Committee for More Low-Rent Housing
organized by **CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.**
Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018
LOngacre 3-5990

CHAIRMAN
Paul T. O'Keefe
EXECUTIVE DIRECTOR
Eleanor Vaughan

or almost 82 percent have been committed in the City of New York. There are then approximately $66 million which are uncommitted and available for new construction. These funds are greater than the amount that can be committed under law during the fiscal year ending March 31, 1964. Additional funds will be required for an expanded low-rent housing program before the end of the following year, whether we proceed under the traditional public housing program or adopt a multi-lateral attack on low-rent housing needs.

Source: James Wm. Gaynor, Commissioner,
New York State Division of Housing
and Community Renewal

Federal Funds - EXHAUSTED!

Nation-wide, unless Congress acts, all federal public housing funds will be exhausted by 1964.

Congress has authorized no new funds for annual low-rent housing subsidies since 1949. However, the 1961 National Housing Act authorized the federal Public Housing Administration to use up whatever money was still left over from 1949 -- about 56.6 million dollars, or enough to support a total of only 100,000 new low-rent apartments throughout the country. The 1961 Act also specified that no single state could have more than 15% of those funds.

New York State has now exhausted its share. Five proposed low-rent developments for New York City were recently turned down by the federal government for lack of funds.

Source: Herman D. Hillman, Regional Director,
federal public housing administration

The work of the ECMLRH has been made possible by the generosity of Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps Stokes Fund.

OUR PRESENT STRUCTURES

20% of all housing in New York City is still unfit to live in, in spite of all the public and private residential building which has gone on since the war.

276,000 dwelling units (at least) are either dilapidated or lack private toilets, running hot water, or a private bath or shower.

277,497 additional dwellings need major repairs if they are to continue to provide safe and adequate shelter.

Source of Statistics: U.S. Census, 1960

350,000 dwelling units (at least) are in structures constructed to building standards outlawed since 1901.

Source: New York City Department of City Planning

> ***To the extent that new low-rent housing can be built in a community it will help to remove the economic pressures that make the creation of slums profitable. And this, in turn, protects property values throughout a community.***
>
> **Robert C. Weaver,**
> **Administrator,**
> **Housing & Home**
> **Finance Agency**

OUR PRESENT LIVING CONDITIONS

500,000 people (at least) live in dilapidated dwelling units or without the plumbing facilities necessary to decent family life and the public health of a crowded, modern city.

825,000 people (at least) live in buildings with unsafe stairs, rotted window frames, plaster holes, or other potentially dangerous conditions.

50,000 additional people (at least) live in physically-sound quarters, but are too overcrowded for their physical and mental health.

Source of Statistics: U. S. Census, 1960

> ***A family in a cramped, unsanitary tenement is scarcely able to function as a family – to stay together and to pray together in the way a family should.***
>
> **His Eminence,**
> **Francis Cardinal Spellman,**
> **at dedication of the**
> **Cornelius J. Drew Houses,**
> **July 11, 1963**

530 babies and children (at least) were bitten by rats in infested dwellings in 1962.

198 children under the age of 7 were poisoned (9 died) in 1962 from nibbling at surfaces with peeling, exposed lead paint, although using lead paint has been illegal in New York City for nearly 10 years.

Source: Bureau of Sanitary Inspections, New York City Department of Health

7,000 children and adolescents were killed or injured in 1962 while playing on "lively" city streets.

Source: New York City Police Department

OUR INCOME-RENT SPREAD

A family (4 persons) with a $6268 gross income should pay no more than $82 a month for shelter and utilities based on October 1962 prices.

Source: Community Council of Greater New York Family budget standard, revised 1963

Rents for vacant units in buildings constructed between 1960 and 1962 were $44 a room city-wide, more than $75 a room in Manhattan.

Source: Special Vacancy Survey U. S. Census, December, 1962

Middle-income housing (Mitchell-Lama) rents or carrying charges are averaging $23-30 a room, excluding utilities.

Source: New York City Housing & Redevelopment Board

52.4% of New York City families renting sub-standard apartments have incomes of less than $3,00 a year; 80% have incomes of less than $5,000 a year.

Source of Statistics: U. S. Census, 1960

Incomes of families in subsidized housing in New York City average $3,500 a year. The families pay rents of $12.50 to $18 per room, including utilities.

Source: New York City Housing Authority

Public housing is the only housing they can afford, yet public housing is too often unavailable.

**President John F. Kennedy,
Special Message on
Housing and Community
Development to the Congress
of the United States,
March 9, 1961.**

LOW-INCOME FAMILIES WANT PUBLIC HOUSING

110,000 families are on waiting lists for apartments in public housing in New York City.

The number of families applying for apartments to the New York City Housing Authority has risen regularly over the past eight years. More than 80,000 families applied for public housing in 1962 alone.

Move-outs from public housing (including tenants who "graduate" into private housing or homes of their own) are at only half the rate of move-outs from private, moderately-prived apartments.

Source: New York City Housing Authority

Their faces here indicate giant satisfaction at this development in a neighborhood which has been so plagued with bad housing and other difficult conditions, knowing as they do better than anybody, that decent housing is the first prerequisite for a decent and orderly life and a decent and orderly community.

**Senator Jacob K. Javits,
at dedication of Taft Houses,
October 20, 1961.**

December 20, 1963

Andrew E. Norman
905 Madison Ave
New York 21, New York

Dear Sir:

The program Department of National CORE is setting up a research library. In some old correspondence from June, 1962, relating to the Columbus Housing Conference. Your offer at that time to provide us with advice and pros Urban Renewal organizing would be helpful.

Sincerely,

Jo Adler
Program Dept.

RESOLUTIONS

ADOPTED BY THE

FREEDOM CONFERENCE

OF THE
METROPOLITAN COUNCIL ON HOUSING

NOVEMBER 16, 1963

"Discrimination takes many forms. Today the fight against it is being conducted on many fronts—for jobs, housing, education, and the right to vote.

Particularly acute in New York City is the problem of discrimination in housing. Although it affects the Negro and Puerto Rican people first and hardest, it hits us all—those in low-wage brackets, those on fixed incomes, and even middle-income families squeezed between the housing shortage and spiralling rents.

Therefore, in a very real sense, the subject matter of this Conference concerns us all."

= from the preamble to the Call for the **FREEDOM CONFERENCE** of the Metropolitan Council on Housing, November 16, 1963.

The fifth annual Conference of the **METROPOLITAN COUNCIL ON HOUSING** addressed itself to the concept of **FREEDOM TO LIVE ANYWHERE, IN DECENT HOUSING, AT FAIR RENTS.** That the theme struck an important note was evidenced by the fact that 244 delegates and guests were registered.

The experiment of conducting one panel wholly in Spanish, dealing with the subject matter of the other panels, **URBAN RENEWAL, PUBLIC HOUSING,** and **CODE ENFORCEMENT**, was highly successful. Many Puerto Rican tenants, who would not have been able to participate actively in the proceedings, had they been conducted in English, attended the Spanish panel, and contributed to the discussion on the resolution. Both the Spanish resolution and the English translation are included herein.

Noteworthy, too, was the composition of the Conference. Civil Rights groups, which are becoming increasingly active in wiping out discrimination in housing, represented the second largest number of delegates, the first being organized tenant groups.

The Metropolitan Council on Housing was pleased to note that official trade union delegations attended the Conference. It is hoped that their publicly-expressed wish to work more closely with the Metropolitan Council on Housing, in achieving the common objective of freedom of all people to live where they choose, in decent housing, at rents they can afford, will become a reality in the year 1964.

Stanley Aronowitz
Conference Chairman

Jane Benedict,
Chairman, Metropolitan Council
on Housing

URBAN RENEWAL

Rev. Arthur Simon,
Chairman

Frances Goldin,
Reporter

There is unanimous agreement that unless thousands of additional housing units are created annually, there will be no resolution of the housing shortage. It is also agreed that too much housing stock is deteriorated and must be improved, and that new and old housing must be opened to all, regardless of race, religion, nationality or income.

Of the hundreds of thousands of New Yorkers living in inadequate housing, the majority are Negro and Puerto Rican. They usually occupy only the worst of the bad housing. **THERE ARE NO ADEQUATE PLANS NOW PROJECTED BY FEDERAL, STATE OR CITY GOVERNMENT TO DEAL WITH THIS CRISIS.**

Since World War II, our City has projected programs ostensibly to deal with the housing dilemma. Most familiar is Urban Renewal, construction of middle and upper-income projects, which blockbust communities and habitually drive out minorities from integrated communities, creating in their stead higher-income, segregated communities. This was followed by Conservation, which displaces the lowest-paid minorities, an example of which is Chelsea. Simultaneously, by not legislating to prevent it, the City gave the green light to luxury construction, which continues to destroy structurally sound low and middle-rent homes for luxury housing renting from $60-$100 per room per month, with these buildings half empty. The newest program is Rehabilitation, which threatens to raise rents and reward landlords for years of neglect of their buildings and for having deprived tenants of services. All of these programs are draped in the respectable cloak of "citizen participation", which in reality is but a rubber stamp of approval for the City's plans. Where citizens object to those plans they are ignored and abused.

All of these programs have added up to a housing shortage greater than that which existed ten years ago: a shortage of housing needed by low and middle-income people. Indeed, there has been an increase in the number of units constructed, but only in the luxury category, which never has been in short supply. Years of "war on slum buildings" has produced a greater number of deteriorated and dilapidated buildings, according to the census figures of 1960 compared with those of 1950.

The City's programs cannot work, for they are not geared to the tenant living in the worst housing. They are not planned for his benefit. They are geared to the "general good of the City", which means that the Negro, the Puerto Rican, the low-income family in general, pays with his home and with his taxes to improve housing for a higher-income group! Now we are in for more of the same. The Housing and Redevelopment Board has proposed for its 1963 Urban Renewal program the construction of 27,000 "middle" income apartments and 770 low-rental. **THIS SITUATION CANNOT BE ALLOWED TO CONTINUE.**

Urban Renewal (cont.)

A workable, people-oriented program, has been presented to the City at dozens of hearings, and in countless letters and briefs, by the **METROPOLITAN COUNCIL ON HOUSING**. It has been ignored. The program, which the Urban Renewal Panel approved at this Conference, includes building on vacant land and on inappropriately-used land throughout the City, would thus create additional housing. Such a program of mixed rental housing, especially in all-white communities, would further integration.

The crisis requires a moratorium on the demolition of habitable, structurally sound, rent-controlled housing. We need every available low-rent apartment until the shortage is relieved. Housing must be built in stages, allowing tenants living in the worst tenements to move directly into new buildings, at rents they can afford. A massive building campaign, based on a revived and integrated public housing program, joined with genuine middle-income construction, with both low and middle-income tenants housed in one structure, must be undertaken. This would also insure economic integration. Only such a program will relieve the housing shortage and begin to provide an alternative for those families forced to live in ghettoes.

Because the housing crisis has become unbearable for the tenants of our City, we must continue to press for a sane and humane program. Tenants living in areas to be "urban renewed" "conserved" or "rehabilitated" are not willing to lose their homes to a more fortunate group, nor to be "relocated" into ghettoes, or forced to pay double rents for new accommodations. (Relocation Commissioner Badillo estimates he will be required to relocate more than 86,000 persons in 1963 and 1964!)

THEREFORE, the delegates convened at the fifth annual Conference of the **METROPOLITAN COUNCIL ON HOUSING**, resolve:

1. That an action committee be set up in conjunction with the Panel on Public Housing, consisting of housing organizations, civil rights groups, local community groups, churches and interested labor organizations, to fight existing City housing programs, and to demand instead programs which will create housing to end the shortage and to end discrimination in housing. The committee should take into full consideration the revolution taking place in our country today, and act to stop minority groups from being driven from their homes in either integrated or segregated communities, and placed in segregated locations. All white areas must become integrated. The committee must plan actions, demonstrations, picket lines; promote legal changes; and organize rent strikes in rehabilitation and renewal areas, in order to advance our program. Specifically we recommend:

   a. Active assistance to organize and support those tenants who refuse to move from their homes ("live-ins"), in the face of eviction for urban renewal, conservation, luxury housing construction, public housing, or rehabilitation.

b. That the Action Committee plan a demonstration before the Housing and Redevelopment Board offices, with placards telling the stories of the local areas: (Bellevue South—2100 middle income and high rent apartments—NO low-rent apartments. Tompkins Square—167 families to be relocated out of the area; 900 middle and upper income units—NO low-rent apartments. Children's Museum area, Brooklyn—Rehabilitation at tenants' expense!) and dozens of others along these lines. This demonstration would demand low and middle-rental apartments in one building, and an end to segregated projects with a token representation of minority tenants.

c. A March on Washington should be considered, with the slogan **REBUILDING A DEMOCRATIC AMERICA**, dealing with (i) jobs; (ii) redistribution of the federal budget to provide sufficient funds for housing and other necessary community facilities; and (iii) an end to segregation in all areas (jobs, housing, etc.)

d. A proposed action in front of the trailer of the New York State Division of Housing, at 6th Avenue and 8th Street, which is paid for by public funds, and is acting as an agent for the sale of privately owned and sponsored high-rent apartments. It was proposed that signs be made demanding housing for those who need it, at rents they can afford, from the State, and that the State should stop bailing out private landlords.

2. The Panel approved the following specific legislative recommendations:

a. A method to finance rehabilitation by setting up a rehabilitation bank to lend money at 1% interest. Landlords wishing to rehabilitate their buildings and correct all violations would receive tax abatement. Such buildings would remain under rent control regulations. The cost of rehabilitation would not be passed on to the tenant, but would be borne by subsidies from federal and state funds. (This proposal was made by the Parkway-Stuyvesant Community Council. More details are available upon request from the Metropolitan Council on Housing.)

b. Refer to the Law Committee of the Metropolitan Council on Housing for drafting of necessary changes in existing legislation, to permit one comprehensive City agency to construct both low-rent public housing and publicly-aided housing in a single building. This would mean the combining of agencies such as the Housing and Redevelopment Board with the New York City Housing Authority, so that all types of public funds could be used jointly. Such legislation would serve to eliminate built-in economic stratification, and help to develop integrated neighborhoods.

c. The drafting of legislation to open existing all-white housing in privately-owned multiple dwellings, projects of all kinds, and in all new housing to be built; to freeze all apartments as they become vacant. Such apartments shall be rented to minority-group tenants. All vacant apartments shall be listed with a central agency, so that all members of minority groups needing apartments shall be made aware of these vacancies. The criteria for determining open-occupancy percentages to achieve an integrated City shall be suggested by a committee of the Metropolitan Council, established for this purpose. Simultaneously, a campaign of education of white tenants in a given building or neighborhood shall be undertaken, to encourage the welcoming of the minority-group tenants.

3. The Panel approved the following general resolutions:

a. That the State Committee against Discrimination and the City Commission on Human Rights be informed of the Panel's objection to the failure of both agencies to accept as complainants those tenants from Urban Renewal areas suffering from economic discrimination, since economic discrimination is, in fact, based on racial discrimination.

b. That all documents issued by the Metropolitan Council on Housing, such as those dealing with Conservation and Rehabilitation, be issued to the press, so that millions of newspaper readers may know of our position on these and other housing issues of deep concern to all tenants.

PUBLIC HOUSING

Jacob Volkman, Herbert Hines, Jr.
Chairman Reporter

More than 200,000 families are now on the waiting list for public housing in New York City. Thousands more have applied, but have not been accepted because of unfair eligibility rules. Thousands more are in need of public housing, but have never applied because of the rules, and because they know that an application is hopeless.

New York City needs 500,000 new units of public housing to take care of the waiting list, to rehouse families living in slum housing, to house our growing population, and to create a reserve of housing.

That desperate need has been given a flat "NO" by both federal and state governments. The federal government says that New York City has used up its quota limit (15% of the national total of 35,000 per year).

The State says that public housing subsidy funds are running out. Governor Rockefeller and the State Legislature have refused to appropriate more funds. Thus new public housing construction in New York City will soon end, unless more funds are made available from both federal and state.

Some of the persistent problems of public housing cannot be solved without a big increase in the supply. One of these problems is de facto segregation. This is because most low-income families are also minority families, due to discrimination in employment. Urban renewal and demolition have dislocated many minority families, forcing them to seek public housing. Discrimination in private housing, and the housing shortage itself have resulted in a futile search for housing at rents they can afford.

Another problem has been the rental range. In recent years public housing has been rented at $18-20 per room, thus excluding those in desperate need, who can afford a range of but $10-$18 per room. Many who could pay $20-$25 per room cannot afford the buy-in for cooperatives. The solution is economically-integrated housing, containing all rent and income ranges in the same buildings.

In the last few years public aid has been given to so-called private middle income or cooperative housing, and public housing has suffered. The Housing and Redevelopment Board has proposed the construction of 27,000 publicly aided middle income private or cooperative units and 770 units of public, low-rent housing.

The Housing and Redevelopment Board must recognize the overwhelming need for public housing. The proportion of 27,000 to 770 must be changed to reflect the greater need of low-income families. No urban renewal plan should be adopted which fails to provide for at least sufficient new public housing to rehouse those families on the site who require it.

The demand for more public housing is essential to the fight for more and better housing generally.

THEREFORE BE IT RESOLVED:

1. That the public housing program be revived and vastly increased. New York City must be granted sufficient funds to build 500,000 units in the next ten years, or 50,000 units per year. The savings from the cut in foreign aid should be added to Public Housing funds, for use in New York City and throughout the United States. Funds for public housing should be augmented as part of a program providing that 75% of the federal budget be geared to life and creativity. Such a provision would be an immediate means for providing jobs in an integrated construction industry.

2. That the METROPOLITAN COUNCIL ON HOUSING take the following direct action to achieve this demand:

a. A public information program to alert tenants;
b. A demand that the eligibility rules for admission to public housing be made public by the New York City Housing Authority;
c. Community meetings be held by local organizations on the need for public housing funds. The Metropolitan Council on Housing will help in the organizing of these meetings and will supply speakers, on request;
d. Establish picket lines at the State and Federal public housing offices, and at the Housing and Redevelopment Board, to protest the death of public housing; to demand more funds for it; and to insist on public housing units in every urban renewal site.
e. Organize groups of tenants who have long waited for public housing, for face-to-face meetings with Governor Rockefeller. These meetings should be held in New York City. We believe that the Governor has a duty to meet the people whom he is depriving of public housing by his refusal to demand additional public housing funds.
f. A mass delegation to Washington, D.C., to meet with housing chief Robert Weaver, concerning the need for more federally-aided public housing for New York City.

CODE ENFORCEMENT AND RENT CONTROL

Dr. Helen Harris, Chairman

Hy Bershad, Reporter

The housing shortage is continuing. It has been worsened by the bulldozing of habitable houses, and by the failure of the federal, state and city governments to adopt any program to relieve that shortage. The shortage is felt by all tenants who are in the low and low-middle wage brackets and those living on fixed incomes, and most severely by the minority groups of our City.

Except in the few cases where the receivership law has been invoked, the City has failed to deal adequately with the violations in the Building and Health codes, and with the loopholes which exist in the Rent Control Law.

Instead of pursuing a policy of real action against the landlords to force them to make needed repairs without rent increases, the City agencies have, by their lax attitude, permitted the houses to deteriorate. The Rent Administration has continued to grant increases in rent to landlords for alleged capital improvements, despite the failure of the landlords to maintain services and to correct violations.

The City has recently proposed a most unrealistic program for the rehabilitation of housing which would, if adopted, put the entire financial burden on the tenants least able to afford rent increases--the minority groups, the aged, and those generally in the low-wage bracket. The rehabilitation program will not add to the housing supply. It would profit only the banks, the contractors and the landlords.

Thousands upon thousands of violations exist, unrecorded, while the tenants' pleas to landlords and to the City for relief remain unheeded. The leaking roofs, the defective boilers, the rats, roaches and falling plaster, the lack of hot water, MUST be corrected at once.

THEREFORE, the Plenary Session of the METROPOLITAN COUNCIL ON HOUSING, at its fifth annual Conference, believes that the condition of these tenants and their housing is comparable to that suffered by victims of flood, fire, tornado or earthquake—despite the fact that it is of long-standing and not an Act of God, but of man. We call for action in the following manner:

1. The METROPOLITAN COUNCIL ON HOUSING is directed to call upon the President, the Governor and the Mayor to declare as disaster areas those sections of our City most seriously affected: HARLEM, EAST HARLEM, SOUTHEAST BRONX, LOWER EAST SIDE, BEDFORD-STUYVESANT and BROWNSVILLE, and thus recognize the disaster that has befallen the tenants living in those areas, by making available men, money and supplies to alleviate

and correct the conditions causing the unwarranted sufferings of the men, women and children living in the blighted housing in those areas.

2. The METROPOLITAN COUNCIL ON HOUSING, in conjunction with other interested and concerned organizations, should take more specific action throughout the City to encourage and educate tenants to know their rights, by means of posters, throwaways and other methods; to act against the landlords and the City agencies by rent-strikes, sit-ins, move-backs and picketing, to force the repair of sound structures for habitable use, WITHOUT EVICTIONS OR RENT INCREASES. We propose that a Continuations Committee meet to consider plans for a City-wide rent strike, picketing of slumlords and City agencies, as well as other actions.

3. The Plenary Session of the Conference unanimously goes on record as ratifying the work of the Rent Control Committee of the METROPOLITAN COUNCIL ON HOUSING for the renewal, strengthening and making permanent of rent control. We further ask the METROPOLITAN COUNCIL ON HOUSING to call for a mass demonstration of all interested and concerned groups and individuals at the public hearings on Rent Control to be held in the near future at City Hall. We reaffirm the resolutions adopted at the fourth annual Conference of the Metropolitan Council on Housing on the subject of Rent Control.

4. The Mayor, the City Council, and the State Legislature must concern themselves with the strengthening of the Receivership Law and the setting aside of large sums of money to implement it.

5. Legislation must be enacted giving authority to judges to fine landlords sums commensurate with the cost of the repairs required to correct violations. At the present time the fines are deposited in the City treasury, while the tenants continue to suffer from the landlord's continued refusal to make the needed repairs. City agencies shall be responsible for seeing to it that these repairs are made.

6. We are opposed to the granting of rent increases by the City Rent and Rehabilitation Administration to landlords for improvements which increase the value of their investment. This section of the resolution refers to all improvements made by the landlord over and above those required to correct violations.

7. In enacting this resolution the Conference expresses its belief that in the implementation of the actions proposed, not only will the bad housing be improved, but the landlords of housing in need of less repair will be forced to make those repairs, and thus prevent the further deterioration of such housing.

8. The Plenary Session of the Conference believes it is becoming clear that the need for housing that is habitable is as necessary to the well-being of the people of our City as pure water and pure food, and that there should therefore be established a Commission on Housing, which should declare all housing to be deemed a PUBLIC UTILITY.

The following resolution, translated
from the Spanish, was adopted at the
Plenary Session

ACTION FOR DECENT HOUSING

Mario Abreu, Chairman

Emilio Flores, Reporter

We are in agreement that the housing conditions for Puerto Rican and other Spanish speaking groups in New York City are the worst in the City. The landlords have exploited the Spanish-speaking population, charging high rents for apartments whose condition has violated the codes of health and sanitation.

Furthermore, the Puerto Rican people have been especially affected by the Urban Renewal policies of the City administration. In areas such as Chelsea, Lincoln Square, Penn South, and Seward Park, the City has forced thousands of Puerto Rican families to move elsewhere to make room for the construction of expensive housing for middle and upper class families, which are naturally beyond the reach of the people forced to move.

As a result of the housing practices of the City, decent, low-income housing continues to decrease while at the same time housing demands are increasing. State and federal funds for low-income housing in New York are practically depleted. 200,000 families are on the lists awaiting placement in public housing; thousands more do not even appear on the lists because they do not qualify for public housing.

The total situation of housing for Puerto Ricans in this City reveals evidence of discrimination and segregation in housing which leaves an ugly scar on the moral record of this administration.

The severity of this problem demands more action on the part of the Spanish speaking people, in cooperation with other groups interested in better housing. Therefore this resolution has been voted by this Panel, to recommend to the METROPOLITAN COUNCIL ON HOUSING to hold a meeting of all interested parties to consider a program of action among the Puerto Rican people of our City to confront the housing problem in open discussion.

Immediately after this Conference the meeting should decide on a date for a future meeting to consider various methods of pressure to dramatize the problems.

Finally, we think that discrimination in this City against the Puerto Rican people in housing is part of the greater fight of Negro and other minority groups to attain complete civil rights and equality.

ACCIÓN PARA VIVIENDAS DECENTES

Mário Abreu,
Presidente

Emílio Flores,
Reportero

Las condiciónes de viviendas de puertorriqueños y otros grupos de gente de habla espanola en Nueva York son las mas peores en la ciudad. Los dueños de casas han esplotado a las población de hable españole cobrando altas rentas por el alquiler de apartamentos cuyas condiciónes estan violando los codicos de vivienda, salud y sanidad.

Ademas, los grupos puertorriqueños han sido especialmente afectado por la política de renovación urbana de la administración de la ciudad. En áreas tales como Seward Park Extension, East Harlem, y el sur de Bronx, la ciudad ha forzado a miles de famílias puertorriqueños a renbicarse en diversas zonas de Nueva York para dar espacio a la construción de viviendas caras para grupos de famílias de clase media y alta. Éstas viviendas naturalmente son demasiado caras y estan fuera del alcance de las famílias residentes en las áreas para renovación.

Como resultado de la política de vivienda de la ciudad, la provisión de projectos de vivienda para grupos de baja renta así como otros typos de vivienda económica y decente continué disminuyendo al mismo tiémpo que la demanda aumenta. Los fondos estatales y federales para vivienda barate en projectos estan casi agotados para Nueva York. 200,000 familias estan en la lista de solicitantes que esperan adjudicación de casa en los projectos. Miles mas no aparecen en éstas listas ya sea porque no han solicitado vivienda, o porque han sido rechazados por no reunir las condiciónes exigidas, pese a que necesítan uno vivienda tanto los aceptados como solicitantes.

En totál, la situación de viviendas para los puertorriqueños en esta ciudad revela evidencia de discriminación y sagregación en viviendas que deja una cicatriz muy fea en el record morál de esta administración.

La severidad de esta problema demanda mas acción de parte del pueblo puertorriqueño e hispaño en general, en coperación con otros grupos que de preocupen por mejoramientos en viviendas.

Hay gran necesidad de que estos grupos se unan para lanzar en ataque unificado a contra de arrabales los caseros esplotadores, y el monstra de renovación urbana que lo que hace es liquidar familias pobres de sus comunidades y empujarlas en arrabales, y la necesidad de mas viviendas publicas en nuestra ciudad.

SEA RESULTO:

Esta panel recomienda al **METROPOLITAN COUNCIL ON HOUSING** que se llama a una reunión de este panel y a las partes interesades para considerar un programa de acción que se haga frente al problema de viviendas entre los puertorriqueños en nuestra ciudad.

Accion Para Viviendas Decentes (cont.)

Finalmente, creemos que la discriminación en esta ciudad a contra de los puertorriqueños en viviendas, es parte de la lucha general de los negros y otros grupos minoritarios para alcanzar completamente derechos civiles y igualdad.

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a few city statistics, marked

WHICH WAY TO INTEGRATION?

By Roger Starr

Remarks
At the United Neighborhood House
Fall Conference - November 18, 1963
Session on Housing for Minorities

Citizens' Housing and Planning Council
20 West 40 Street
New York, New York 10018

Housing for minorities is an awesome phrase involving two separate social problems, each one of which is separately immense. Providing decent housing in the city for anyone of even moderate income is an overwhelming problem. Finding a way to open this good housing for people of minority groups so that it remains multi-racial is a second problem. Solving these two simultaneously is so vast a social undertaking that we can hardly find anyone willing to agree that the work must begin in his backyard.

Let us start with the question of whether minority group citizens can afford good housing.

Those primarily concerned with employment tell us that they cannot be expected to open job opportunities equally for Negroes and Puerto Ricans until the Negroes and Puerto Ricans are adequately trained. This sounds reasonable.

So we then go to the people primarily concerned with training and education and they tell us that they cannot be expected to provide equal education for Negroes and Puerto Ricans in segregated schools and that therefore equal education must wait until we have achieved integrated housing.

Finally we come back to those who, like myself, are primarily concerned with housing and to the demand for racial integration in housing we find ourselves saying that we cannot be expected to provide living accommodations that are effectively integrated racially when the races separate so largely on the basis of their economic earning.

This is where we all came in. In each of these statements there is a measure of truth.

In housing, all too often this measure of truth is being blown up by some people until it looks like all truth. All too often one's unwillingness to accept racial segregation in low rent housing -- in face of the fact that there are more poor and badly-housed non-whites than whites in New York -- operates to condemn Negro and Puerto Rican families to live in substandard Old Law tenement houses, rooming houses, SRO buildings, and converted one-family houses forever. The conclusion is so absurd, that one must question the premises.

An interesting misuse of the difficulties in integrating low income housing was recently set forth by Commissioner James W. Gaynor of the New York State Division of Housing and Community Renewal. Mr. Gaynor has several responsibilities, one of which is the provision of loans and subsidies to local Housing Authorities so that they can construct low rent public housing with state aid. In New York City, at least, Commissioner Gaynor has managed to find a reason for withholding these funds so effectively that in the past four years only 427 families have been promised homes in new state-aided projects. At this rate, it will take 28 years to house the perhaps 3000 families for whom Mr. Gaynor has funds approved by the voters. At the same time, he himself says that 257,000 families of low income need this housing. If it takes 28 years to house 3000 of them, let's ask Univac how many centuries to house a quarter million. This is how Mr. Gaynor is administering the low-rent housing program.

It is no fun for me to attack Commissioner Gaynor who happens to be a close personal friend and a public official whose energy, devotion and outspoken courage I greatly admire. He has done wonders with middle-income housing. When it comes to low-rent housing, I find James Gaynor simply wrong.

He recently announced to a State Commission studying low-rent housing that he had found "a third and yet unexplored alternative" to the present method of financing low-rent public housing. He announced that he had arrived at this so-called "third alternative" by asking himself, and I am again using his words, "how we can eliminate the growing tendency towards racial segregation that is the stamp of public housing in most major cities, not only in New York but throughout the country, without, at the same time, staging a retreat from our hard won laws against discrimination through the use of quotas and other devices."

Having set himself this problem, Mr. Gaynor, not surprisingly comes up with the answer. Simply stop building low-rent public housing, he implies, and you will eliminate segregation. That second splash you just heard was the baby following his bath water out of the window. Let us make no mistake about it: Commissioner Gaynor means to stop building low-rent state-aided public housing when his present funds run out. Mr. Gaynor's substitute suggestion is that every middle-income housing project should contain a certain number of low-rent units. Perhaps it would be more accurate to say that the Commissioner advocates that each middle income housing project should have an uncertain number of low-rent units because he doesn't specify how many such units should be included.

If this has a familiar ring, it may be because Mr. Gaynor proposed a similar program last year. It was passed by the Legislature but roundly defeated on the ballot in November. As an experimental supplement to the public housing program my organization -- Citizens' Housing and Planning Council -- has supported this scheme. It is no substitute for a low-rent housing program for one overwhelming reason: it ties the production of low rent housing to the production of a much larger quantity of middle-income housing. This means that in order to house decently the 257,000 New York City families whom Mr. Gaynor describes as having incomes below $5000 a year and living in deteriorating or dilapidated structures, one would probably have to rehouse one million middle-income families whether they need it or not. We have heard of tails wagging dogs but this is a dog's tail trying to wag an elephant.

Mr. Gaynor, who is also under a compulsion to make his new program slightly different at least from his last year's program, has tinkered with the method of financing the low-rent apartments that would be included in the middle-income project.

Last year he urged the state to provide annual subsidies to the middle-income projects which would be big enough to reduce somewhat the rents in the low-income apartments. Since he was beaten on this proposal he has come up with the idea that instead of annual subsidies, to be paid year by year over the life of the project, the state should make a capital grant at the beginning which would be invaded over a period of 20 years to reduce the rents in the low-rent apartments. What happens to the low rents after 20 years Mr. Gaynor doesn't say, which is one reason why his plan looks cheaper than public housing. Another reason it looks cheaper is that when the taxpayers are all finished paying for it, the housing belongs to private individuals.

The annual subsidies proposal did not get past the voters, and I strongly suspect that the same fate awaits the capital grant proposal which presents a much more difficult problem in balancing the state budget. To support his new method Mr. Gaynor waxes rhapsodic over the virtues of paying in advance. In this respect he is merely echoing a great oral American tradition; and running directly counter to the great American practice. If taken seriously, Mr. Gaynor's moralizing would rule out mortgage financing which means simply borrowing so one can live in a house before one can afford to pay for the whole cost of construction. I will leave to other more competent economists the question of whether or not it is really cheaper in the long run to take your current cash and put it into a house or to make other use of this money and borrow on the house as security. I will only say that our savings banks, savings and loan institutions, insurance companies, the FHA, the Federal Home Loan Bank and a host of other massive institutions stand as silent evidence of the effective popularity of what Mr. Gaynor is condemning.

I think that mingling into middle income projects a few low income families whose personal habits of life are suitable without raising their incomes but merely by lowering their rents -- is like admitting a few scholarship students to an expensive prep school. It may be good for the school, but it is not the solution to the housing problems of 257,000 underprivileged New York families, any more than a dozen scholarships to Groton would solve the overcrowding in the New York City high schools.

Let me now turn my attention to the suggestion that rehabilitation of older buildings will somehow present a more favorable climate for racial integration within the building than the construction of new buildings for the same purpose.

The belief that rehabilitation is good for racial integration is based partly on the idea that low-rent public housing projects, per se, are bad for it, and that all large scale developments are too. I deny this categorically. I am amazed to read the statement, which I hear increasingly made, that urban renewal and public housing have contributed to racial segregation in our city and that in the olden days -- meaning let us say, 1939 -- there was less ghettoization in New York City than at the present time. Maybe my memory is better than other people's. It seems to me that in 1939 Negro housing segregation in New York City was complete. Negroes lived in Harlem. I cannot recall in 1939 a single apartment building in the city of New York which was occupied both by Negroes and whites except for a few mixed couples in Harlem. There were no Negroes staying only for a night even in downtown hotels. When Negro organizations gave dinners, to which white people were invited, the dinners had to be given in Chinese restaurants because mixed racial gatherings were not welcome elsewhere. The theory that big structures are responsible for racial segregation strikes me as completely without merit.

By the same token, in the slum buildings which I have recently examined and in one case rehabilitated, the pattern of racial distribution follows very closely the pattern of racial distribution among the low wage earning groups in the city of New York. The buildings are individually small, but together they make a big ghetto. In the Ridge Street building which a Foundation with which I am affiliated has renovated, the original tenancy was entirely Puerto Rican with only one mainland family in residence. After the rehabilitation I am unaware of any change in the racial composition. This means to me that rehabilitation of old buildings is not likely to increase the amount of racial integration within the buildings. More important, and more fruitful, it seems to me, is the extent to which rehabilitation can be used to promote racial mixture within a neighborhood, or a larger one which we might call a community. And thus the rehabilitation of old buildings may produce near juxtaposition of different racial groups.

The problem is how to make significant this merely physical juxtaposition. Certainly the juxtaposition of housing of different income levels is a familiar pattern in New York City. It follows from the construction of the elevated railroads in New York City many years ago.

On the west side of Manhattan, typically, the low rent tenement houses were built along Columbus Avenue facing the elevated. On the side streets were the one family houses belonging to the middle class. In my youth on the west side, speaking in very general terms, the Irish Catholics lived in the Columbus Avenue tenements and the German Jews lived on the side streets in the brownstones. If propinquity meant integration we would have known each other but we never did. If nearest meant worthwhile contact, Dead End, with the luxury apartment houses across the street from the miserable tenement would have been a design for an earthly Paradise. I don't believe in the values of racial propinquity unless we have provided for significant human contact between equals.

Even though rehabilitation will not provide interracial housing for low-income families, I think it can help to produce neighborhoods in which there are significant integration of people of different racial backgrounds. I think this is the greatest challenge facing us but it needs a little hard and unpleasant thought at the beginning. I am quite convinced that it is futile to attempt to integrate people of different socio-economic classes in the hope of producing significant interaction between them, absent community of interest. You can integrate high income and low income chess players, ornithologists, golf players and students of the Civil War. But if all that two people of different economic class have in common is their essential humanity what shall they talk about to each other? Essential humanity is the quality that carries us through crisis; you cannot live on it for 3 meals a day.

It is possible that some day a classless society may be evolved from our travails in which all people will share similar tastes, life patterns and economic means. I find nothing to suggest that such a society is coming hastily, nor that, if it does come, it will solve the agonizing problems of human solitude and conflict.

I suggest that those of us who propose to do something about racial segregation in the United States make up our minds that we intend to achieve this without waiting for the disappearance of social classes. I suggest that we determine to achieve racial integration within the framework of the class structure that we know today. This means to me that we seek to achieve integration of upper class Negroes with upper class whites; middle class Negroes with middle class whites; and lower class Negroes with lower class whites. I know that every one will object to the use of the word "lower class" because it is sad that we should have a 'lower' class in the United States, and that its distance from the middle class seems to be growing. But the failure to mention something by name regrettably doesn't cause it to disappear, a discovery made all too late by our Victorian ancestors or at least by their children. Racial integration will not thus apparently solve all the social problems in the United States. We still have before us the horrendous problem of poverty with all that it implies. We must devote ourselves with equal energy to attacking this problem. But we achieve nothing in the solution of the problem of poverty, nor do we achieve anything in the solution of the racial problem to make the mistake of confusing one with the other and regarding them as inseparable. If we insist that racial integration in the United States means the integration of lower class Negroes with upper class whites or, indeed, as futile or perhaps even more so -- the integration of lower class whites with upper class Negroes -- we are reducing this practical and real problem to the level of an intellectual exercise.

Which millenium are we waiting for?

It seems to me that the first job we have is to make sure that the upper class Negro can live like an Upper class American. This means that the upper class Negro must be encouraged to claim his rights on Park Avenue below 96th Street as well as above it; in Scarsdale as well as St. Albans, in Newport as well as Newport News. I attach great significance to the integration of upper class Negroes into the main stream of American society. It seems to me that the Negro who is able to achieve status in the ordinary processes of American life -- in the academic world, the legal profession, the business world, the arts -- and who uses this as a stepping stone to full integration with his white equals is setting an example which has peculiar importance to the younger Negro. I think it is as bitter a comment on American life today to learn that not one Negro, to my knowledge, lives in an apartment on Fifth Avenue between 96th Street and 59th Street although many can afford it, as to tell me that the Frederick Douglass Houses has a large preponderance of Negro families among its low income inhabitants. I think there is a causal relationship between these two facts. It will be a long time before we eradicate poverty in the United States; but to eradicate the close identification of poverty with one racial group means that the members of that group must be encouraged by the example of others to consider their own potentialities for self-advancement.

For this reason it seems to me also of crucial importance for middle-class Negro families to move forward into white middle-class neighborhoods. The resistance and opposition will be tremendous. It is tremendous today in Philadelphia and in a number of New York neighborhoods where this movement is beginning to take place. The Negroes who take this responsibility, exposing their children to psychological hardship and themselves to the danger of physical injury are, it seems to me, great heroes of American life, fully as great as the freedom riders, or the little girl in pigtails whom we saw walk past the jeering pickets into her school in New Orleans. And it is my point that the courage here is equally important to all of us, black and white. When the Negro middle class family moves into the white neighborhood it is quietly establishing for the benefit of all Americans that Negro middle-class citizens are American middle-class citizens. The importance of message is that it will reach the young Negro of talent and potential whose drive for self-achievement is so often blunted by the cruel and unremitting hostility of American life. This is the message that we must seek to achieve by housing integration.

And such a move can be successful. A friend of mine who has no interest in generalized abstractions of race equality lives in East Meadow, Long Island in a house very similar to his neighbor's house, located in a block very similar to the street one block north or one block south. My friend was recently approached by a neighbor who told him that the neighborhood was in dire peril because a Negro family had moved in only 3 blocks away. My friend paid little attention to his neighbor's complaints, not because he is a crusader for racial equality, but because he is too busy to get involved in demonstrations, and also because he clings to a quiet inarticulate belief that people have a right to live where they can afford to live. He told me that a fewweeks later his neighbor came back to him and said " you know, I made a big mistake about that Negro family. I met the man at a PTA meeting, and you couldn't meet a nicer fellow. He won't hurt this neighborhood at all -- as a matter of fact he is a professional man."

I suggest that there is grounds to hope that Negroes of talent and ability may find a normal place in American life not 100 years from now, but today, and that young Negroes of talent and ability will increasingly believe that their peculiarly difficult struggle is worthwhile. And that this will unearth talent and ability even in those who did not know they had them.

This doesn't, of course, solve our problem of poverty. For the low-income family we need increasingly the support of intensified education, adequate community services, and in my view, paramount, decent and encouraging housing. We cannot tomorrow make poverty color blind. But we can by site selection, housing design, and high construction standards minimize the overwhelming non-white majority in the low income brackets, minimize at least the oppressive effect of the sheer numbers of the Negro low income group on the members of that group themselves. To the extent that we can accomplish this by complete renovation of relatively new buildings in relatively good neighborhoods for middle-class occupancy, rehabilitation will be a help. To the extent that rehabilitation is simply a refurbishing of an inadequate building in a thoroughly monochrome slum, I think it is false economy and misleading sentimentality which can only serve to divert us from our most important tasks.

# # #

Workers Defense League

ALGONQUIN
4-4953

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WDL PRELIMINARY MEMO ON RENT STRIKE

(This memo was drafted on short notice, and is subject to change)

The rent strike, a useful tactic in the struggle of the oppressed for a decent way of life, has recently been put to work with great drama and success in the cause of Negro freedom. The WDL wishes to offer its advice and services to the beleaguered, badgered tenants of the slums in this campaign. Housing and heat problems are a familiar area of concern to WDL, which played a large part in stopping the wholesale eviction of helpless tenants of public housing projects ten years ago, and in reforming the administration of those projects. We offer our active cooperation to all legitimate groups working in the field. Although organizing a rent strike will demand diligence and responsibility from all of us, the process in itself is quite simple.

First, we must list all violations in the house that we hope to put on strike. These violations, depending on their nature, should be filed with a City Department -- the Buildings Dept., the Health Department, or the Fire Department -- or all three if that is reasonable.

Second, we must organize a tenants council, and also set up a bank account, into which rents can be paid should we persuade the tenants to strike. Organization of the tenants council will be the most difficult phase, and will require the best of our ingenuity. We could, for instance, have copies made of the N.Y. Times stories on the favorable rulings that have recently been handed down by city judges, and pass these out among the tenants. We could buy beer and potato chips to make tenants council meetings more pleasant. Nevertheless, there is no absolute need to have a majority of a building behind the strike when it begins, although having a majority would probably strengthen our case in court; and a tenants council that represented the majority of tenants would be, as we all know, the vehicle for developing the grass-roots organized base on which the success of the movement ultimately depends. But a single tenant, who has extreme violations in his own dwelling, could go on strike by himself; and such an individual strike might have a favorable propaganda effect on his more reluctant neighbors.

Third, tenants who have refused to pay their rent will be served with disposess notices by their landlords. This will bring them into court. Here we will present evidence of the violations in their buildings, and evidence that the city departments had been notified of these violations. It is also necessary that they present evidence of their ability to pay back rents in the event that the court should rule against them. This evidence is, of course, the bank book of the escrow fund.

Fourth, the court will rule either that the landlord must repair his buildings before the tenants must pay the rent, or that the tenants must pay their rent. If we organize buildings that have serious violations, it is next to inevitable that the court will rule in the tenants favor. If we lose, the cost is no more than the back rent plus a few dollars court costs. So we really have nothing at all to lose, outside of a few dollars and our time; but we have a great chance of winning, and a great deal to gain by winning.

Now the rent strike is only one of two ways to drive slum landlords to the wall. Another weapon, and in the end, a more deadly weapon, is the processof petitioning for rent reduction. This is more frightful to landlords because if a petition for rent reduction is successful, the landlord is permanently deprived of his revenue from the building. There have been cases in which, by this procedure, rents have been reduced to a mere dollar a month. Petitioning for rent reduction can be undertaken at the same time that a rent strike is underway, and the procedure is certain to put more pressure on the city and the landlords than the strike alone can. This process has three steps.

First, tenants must write to the City Rent and Rehabilitation Commission, asking the Commission to send them information on the minimum rent that should be paid for their particular dwelling, and also asking for the forms with which to apply for a rent decrease. Next, the tenant must fill out his form. There are three criteria on which rent decreases are granted:

1. The landlord's failure to paint once every three years.

2. A general decrease in service. This can include a variety of the tenant's complaints, from the landlord's not providing adequate heating and hot water, to his unwillingness to exterminate bedbugs.

3. A number of tenants, especially a majority of them, can file for a multiple dwelling decrease. This can be justified if the entire building has been deprived of heat and hot water, or if the hallways are not kept clean, or the garbage is not regularly emptied.

A petition for rent reduction can accompany a rent strike, as has been mentioned. In both cases it is advisable to have an impressive list of violations to present to the court or the department before which a complaint is being made. This means that all of us working toward organizing rent strikes should have a detailed understanding of all city regulations dealing with housing.

Penn Kemple
WDL Administrative Assistant
January 7, 1964

file

METROPOLITAN COUNCIL ON HOUSING

McBurney YMCA
215 West 23 Street
New York 11, New York
Spring 7-8900

February-March-1964

NEW YORK STATE LEGISLATIVE BULLETIN

1964 will be remembered as the Year of the Rent Strikes. It will also be remembered as the year of the revival of the demand for low-cost public housing. The relationship between these two issues, now apparent to some, must soon become apparent to thousands. When this happens, a massive public housing program and protective and constructive legislation for tenants living in the slums will become a reality. Legislation has been drafted this year which was not even dreamed of before the era of Rent Strikes, but which Rent Strikes have put on the order of the day. Such legislation is not only in the hopper, but can be won, if the momentum of the tenants' fight is accelerated, and communicated to the legislators.

We present this 13-point legislative program, highlighting the most pressing issues. We invite your comments and urge you take all appropriate action to effect its passage.

1. A crash program of 50,000 units per year of low and low-middle-income integrated public housing on vacant land and badly-used commercial land.

2. Additional subsidies to allow public housing to rent at $10 to $18 per room.

3. A moratorium on the demolition of structurally-sound, habitable, rent-controlled housing.

4. Enact Judge Morrit's decision into law, as proposed in the Curran bill: "No services, no rent" - to the landlord, court or anywhere else. "You don't have to pay for what you don't get."

5. No eviction order to be granted any landlord where there are violations on the building.

6. Tenants are being evicted without receiving a dispossess or having their day in court. Therefore, the law should be changed requiring the Clerk of the Court to send the dispossess to the tenant by registered mail.

7. The Wilson bill which would set up uniformed City Squads to make emergency repairs and provide heat and hot water.

8. Improve the Receivership Law for faster action and more effective service. The City should keep the buildings after making repairs and not return them to the slumlords.

9. In all publicly-aided middle-income private housing, at least 20% of the apartments should be allotted to the Housing Authority for subletting to low-income tenants.

-more-

10. The establishment of a non-discriminatory Fair Housing Rental Service to effectively end discriminatory practices in apartment leasing.

11. Grant tenants in public housing the same protection against eviction as afforded tenants in private housing.

12. Exclude the bulk of the earnings of wives and children in determining income limits in public housing.

13. Declare that the waiver of trial by jury in a lease is illegal and unenforcible.

These 13 points are spelled out in more detail, as follows:

1. A considerable portion of New York City's public housing program depends upon State appropriations for financing. It is a shocking fact that since 1959, not one penny has been authorized by New York State for low-rent housing, despite the desperate need for such accommodations. However, since 1959, $500,000,000 was authorized for middle-income housing. The growing trend away from low-rent housing toward almost exclusive construction of middle-income housing leaves the main problem of providing housing for those who need it most, unsolved. At this writing ALL STATE AND FEDERAL PUBLIC HOUSING FUNDS FOR NEW YORK CITY HAVE BEEN EXHAUSTED. Yet the 1960 Census found 550,000 New York City apartments "deteriorating, dilapidated or lacking essential facilities." A crash program of low ($10 to 18 per room) and true middle-income (up to $25 per room) public housing is the only answer to New York City's housing needs. In the next 10 years, our City will need 500,000 public housing units to be constructed at the rate of 50,000 per year.

Despite this overwhelming need, Governor Rockefeller has merely given routine approval to the recommendation of the commission on low-income public housing which he himself appointed. He has not seen fit to approve their recommendation for subsidies for low-income families to live in private housing at public-housing rentals. This commission, headed by Judge Hubert Delaney, has recommended a three-year bond issue of $165,000,000 to finance public housing. This would provide 2,750 apartments a year for all of New York State, with about 2,255 of them going to New York City annually. This is woefully inadequate. In addition, the Delaney Commission recommended an experimental three-year program which would make it possible for low-income families to live in middle-income subsidized housing at public housing rentals. In view of the fact that no recommendation was made as to the amount of the subsidy nor the number of apartments, the Metropolitan Council on Housing considers this an empty token gesture. Our point 9 in this program deals with this area of integration in a meaningful and positive fashion.

Legislation for Federal public housing has been proposed by President Johnson to Congress. It provides for 200,000 units for the entire nation for the next four years. New York State would receive only 7,500 units per year. Even if New York City were to receive 5,000 units per year of this total, this would still be far less than the City needs. Moreover, that part of the law which provides that 15% of the national allocation is the top limitation for any one state must be revised. Obviously, some states need far more public housing than others, and New York City has the greatest need. State legislators cannot change this federal legislation themselves, but they can memorialize Congress, urging such change.

TTHE STATE LEGISLATURE MUST AUTHORIZE ONE BILLION DOLLARS A YEAR TO PROVIDE 50,000 UNITS OF HOUSING PER YEAR!

2. Additional subsidies must be granted by New York State to the NYC Housing Authority for public housing, which will allow rentals in public housing ranging from $10 to $18 per room, instead of the $18 per room now being charged. Many low-income families desperately need housing - many thousands are living in housing on sites which are being cleared for urban renewal projects and for private luxury construction. Many of the tenants are elderly, with small, fixed incomes. They are independent, and wish to continue to be. They cannot afford $18 a room, but would happily move into an apartment at $10 or $12 per room per month. Similarly, many large families earning small but regular salaries should be able to afford to live in public housing. The proposed subsidies would bridge the gap and fill the need of a substantial section of low-income individuals and families. Without additional subsidies, this section of the population will continue to be driven from their homes into worse slums, onto the relief rolls and to a future without hope.

3. Legislation for a moratorium on the demolition of structurally-sound, rent-controlled housing was introduced into the State Legislature two years ago by State Senator William T. Conklin, Republican, Kings County, and by the Rules Committee of the Assembly. We support the concept of this moratorium as a breathing spell, during which time New York City can launch a massive program of housing built on vacant land, as spelled out in Point 1. The inclusion in the Rent Control Law (RRA-NYC) of mandatory relocation is no substitute for a moratorium. Both moratorium and mandatory relocation are necessary. We enclose, as an addendum to our program, a statement on the moratorium issued by the Committee to Save Our City's Homes.

4. No services, no repairs - no rent! The decision of Judge Fred J. Morrit in Civil Court, Brooklyn, ranks as one of prime importance. The bill introduced by Paul Curran, 6th Assembly District, Manhattan, would enact this basic principle into law. Morrit's decision states in simple terms that if the tenants live in "pigsties" they need not pay rent. This simple doctrine, too basic to need long explanation, is needed to protect tenants against slumlords.

5. Thomas Jones, Assemblyman of Brooklyn, sponsored legislation which would require landlords to allege and prove the absence of violations before obtaining an order of eviction. Such a measure would legalize rent strikes in that tenants would be entitled to withhold rent and be protected against eviction if there were violations in the building.

6. In dispossess proceedings, the law provides that the landlord must personally serve, or give notice of a court hearing, to the tenant (Section 735 of the RPAP). In many Rent Strike cases, the landlords are violating the requirements of proper service by falsely swearing that service has been made on the tenant, when in fact no notice whatsoever is ever given to the tenant. This

notorious practice is known as "sewer service". Because of this landlord abuse, the first notice a tenant receives is a marshal's notice that he will be evicted the next morning.

It is therefore urged that the statutory requirements for service of a dispossess notice be amended to require that the Clerk of the Court send a copy of the dispossess by registered mail to the tenant.

7. The bill introduced by Senator Jerome Wilson, (Print 2039, Intro 1964) amends Section 309 of the Multiple Dwelling Law. It introduces the concept of a uniformed emergency housing repair squad which would repair violations, provide fuel, etc., to remedy dangerous conditions. The City would attempt to have the landlord pay for the expense and if unsuccessful, a lien would be filed in the County Clerk's office.

8. The existing Receivership Law represents an important step in effecting repairs where slumlords have abandoned their responsibilities. However, a year's experience with the law has revealed glaring inadequacies in its administration. It is inexcusable that only a token 16 buildings have been taken in Receivership. In addition, tenants should not have to wait as long as six months for the legal proceedings to be held, while living under hazardous conditions. When the building is taken in Receivership, the tenants face additional delays by the Department of Real Estate until it makes repairs.

The entire procedure must be accomplished within a month. More money and larger staff is required immediately to turn this into an effective program. A budget for the revolving repair fund of $200,000 is totally unrealistic.

It is obvious that if the building, once repaired, is returned to the same slumlord who allowed it to deteriorate in the first place, the same process will re-occur. Therefore, buildings in receivership should be taken over by the City in condemnation proceedings. Any payments to the landlord for the value of the building should be reduced by the cost of the repairs incurred by the City. Such buildings should then be administered by the NYC Housing Authority.

9. All publicly-aided housing should be economically and racially integrated and should be made available to tenants of different income levels. This is true despite the defeat of Gov. Rockefeller's LIFE plan (Low Income Finance Experiment), which was a feeble and distorted attempt in this direction.

The Metropolitan Council on Housing proposes legislation which would require builders of publicly-aided or subsidized private housing (such as the Mitchel-Lama or Title I projects) to agree to sell or lease at least 20% of the dwelling units to the Housing Authority. The Housing Authority would then sublet these units to low-income tenants at low-rents. Such agreement by the private builders would be a pre-condition to their obtaining public subsidies, loan funds, assistance, tax abatement or tax exemption.

The Housing Authority would subsidize rents by absorbing the difference between the actual cost of the apartments and the low rents at which it would sublet. This method could be applied to either rental or cooperative apartments.

If the income of the low-income tenants should thereafter rise and exceed the income limits of low-rent housing, they should be allowed to stay in the apartment and pay unsubsidized rents. This would avoid penalizing tenants who improve their economic standing and would increase stability of tenancy.

10. Despite City and State laws against discrimination in housing, it is an open scandal that discrimination by landlords and brokers in the renting of apartments has not been halted. The methods of techniques provided in the anti-discrimination laws are inherently susceptible to evasion. Both Metcalfe-Baker and Brown-Sharkey-Isaacs rely on the individual complaint based upon an individual case of discrimination. Before a minority tenant can make a complaint, he must first know that an apartment is available, make application for it, and be rejected for provable discriminatory reasons. If he never learns that an apartment outside the ghetto is vacant, he cannot make application and thus cannot possibly avail himself of the protection of the law.

The Metropolitan Council on Housing proposes that legislation be drafted that can effectively end discrimination by landlords and brokers. It proposes that there be established a Fair Housing Rental Service within the Commission on Human Rights with which all vacancies of rental apartments, in private or publicly-assisted housing, would be required to be listed. Landlords would be required to rent such vacant apartments only to tenants referred to them by the Service. The Service would refer tenants on a non-discriminatory basis in the order of their priority of application. Naturally, appropriate regulations would be established, such as allowing tenant applicants to indicate the size, description, location and rental of the apartment they desire. A similar procedure could be used with cooperative apartments.

The approach suggested is analogous to the open-hiring hall techniques of trade unions in connection with job referrals. It is a tested and proven technique for the ending of unfair, undemocratic discriminatory practices.

11. No tenant in public housing shall be evicted except through an eviction proceeding in the Civil Court, at which a trial by jury may be had. The Public Housing Authority would be required to prove allegations of undesirability in dispossess proceedings. In addition, the rules and regulations governing occupancy standards in public housing shall be amended so as not to impose any higher standard of conduct than is imposed upon tenants in private housing, by statute or common law. We consider this legislation a vital redress for tenants living in public housing who have been deprived of their inherent basic civil right to a fair trial in court. These tenants are, in effect, being made second-class citizens.

12. Assemblyman Ramos-Lopez has introduced legislation which would exclude from the determination of total income in public housing the earnings of 75% or $800.00, whichever, is greater, of working wives and children. This exclusion would apply where continued occupancy eligibility was in question. The earnings of children are rarely applied to the household needs and earnings of working wives are generally used for child care, houseworkers, etc. A similar bill was stimulated in the last session of the legislature by the Dyckman Tenants' Council, the initiators of this legislation, and reintroduced in the Senate by Minority Leader Zaretzki.

13. Most landlords insert a clause in the fine print of leases whereby the tenant waives his right to trial by jury. The purpose of this clause is to deny tenants an opportunity of having ordinary men judge the merits of their case, should a dispute arise between the landlord and tenant. Landlords should not be able to require tenants to give up their constitutional rights. Courts have upheld the clause and it is necessary to enact a law reversing the Court decisions.

In addition to the above program of the Metropolitan Council on Housing our delegation is supporting all of the demands of the Citywide Committee for Decent Housing, of which we are a part. Their four-point program includes:

1. Establishment of the $1.50 minimum wage
2. A massive program for building low-rent public housing
3. Passage of emergency legislation to compel proper code enforecement
4. Establishment of literacy tests in Spanish as well as in English.

ON A MORATORIUM ON THE DEMOLITION OF STRUCTURALLY SOUND, HABITABLE, RENT-CONTROLLED HOUSING

Annually, 15,000 families are forced out of their homes through demolition because of New York City's urban renewal program and public improvements. Simultaneously, the homes of thousands of other families are being destroyed by private real estate for the construction of new housing—almost entirely in the luxury category. In the Yorkville section of Manhattan alone approximately 20,000 families have had their homes destroyed in the last 10 years to make way for luxury housing. This boom—and the bulldozer—are on the rampage in Greenwich Village, Manhattan's East Side, Chelsea, and other areas of the City.

Practically all of the demolition has been of rent-controlled, structurally sound and still habitable buildings in the low and middle-income categories. Indeed, most of it has been the "decent, safe and sanitary" housing for which the City's Bureau of Relocation, relocation companies, and individual tenants are in frantic search when tenants are scheduled to be evicted from their homes. The families who lived in the demolished buildings can almost never afford to move into the new housing—either under urban renewal or private housing. The supply of rent-controlled housing steadily dwindles. The quantity of luxury housing, for which there is no rent ceiling, and in which category there is already a high vacancy ratio, constantly increases. The tragic shortage of low and middle-income housing, which is the very reason for the existence of the Rent Control law, is aggravated. And so the housing crisis deepens. The mad scramble for modest rental housing intensifies. Where are people of limited income to live?

It is for these reasons that the Committee to Save Our City's Homes urges:

1. A MORATORIUM ON THE DEMOLITION OF STRUCTURALLY SOUND, HABITABLE, RENT-CONTROLLED HOUSING.

2. A MASSIVE PROGRAM TO INCREASE THE LOW AND MIDDLE-INCOME HOUSING SUPPLY BY CAREFUL AND DETAILED PLANNING FOR SUCH HOUSING, COMMUNITY BY COMMUNITY.

In almost every neighborhood there is some vacant land or commercial property which is either badly used or not essential. On such land low and middle-income housing can be built. As soon as this program provides enough apartments to meet our City's basic need, a continuation of the moratorium will be unnecessary.

Thus the proposal for a moratorium is not designed to stop building. Quite the contrary. It is a breathing spell during which time housing in the low and middle-income categories can be increased.

The Committee to Save Our City's Homes urges the Mayor to sponsor, and the City Council to enact, a law embodying this concept. A law providing for a moratorium will, for legal reasons, apply only to demolition by private real estate. However, since the City itself is responsible for the widespread demolition of structurally sound, habitable, rent-controlled buildings in its urban renewal, public improvements and public housing programs, we would urge the City administration to follow the spirit of the proposed law. As it is now, our government spends millions of taxpayers' dollars to create new units of low and middle-income housing, while it devastates the existing inventory in the same categories. This is not common sense. It is the City's responsibility to search for vacant land or commercial property which can be spared, community by community, and build there, before taking down existing homes.

The moratorium policy would not obtain where an overriding public improvement, such as a school or hospital were needed on a particular site and could not be built elsewhere—even though there were structurally sound, habitable, rent-controlled buildings on it.

New York City has the power to deal with this burning issue of the destruction of homes. The City can legally determine the kind of buildings it wants and needs. It has control of all zoning. This is entirely within the province of our municipal government, as it is a home-rule issue.

Based upon the critical needs of its people, our City took the initiative in 1955, when our State Legislature failed to act, on the prohibition of conversion of apartments into single-room occupancy. At the request of the Mayor, our City Council passed a two-year moratorium on further conversion, because of the deplorable situation which had been created. This two-year moratorium was extended, and finally was made permanent. A similar situation exists with regard to the desperate need for a moratorium on the demolition of structurally sound, habitable, rent-controlled housing. The constitutionality of such legislation has been indicated by New York State's Attorney General, who proposed such a law in his recent mayoralty campaign.

The Mayor and the City Council should again, therefore, take the lead and guarantee sensible planning in the housing field to prevent further hardship and suffering on behalf of the beleaguered tenants of our City. The residents of New York City want their homes saved, not sacked.

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December, 1961.

office copy

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
CO rtland 7 6270 April 2, 1964

TO: NEW YORK AREA

FROM: NORMAN HILL / Program Director

RE: PUBLIC HEARING

URGENT URGENT URGENT URGENT URGENT URGENT

TIME: 10:00 AM DATE: APRIL 13th, 1964

PLACE: STATE COMMISSION FOR HUMAN RIGHTS, 270 BROADWAY, NYC

ISSUE: ENFORCEMENT OF THE LAW REQUIRING INDIVIDUAL HOME OWNERS TO SELL ON AN OPEN OCCUPANCY BASIS

This is the first public hearing regarding a complannt against an indivdual home owner.

The applicant is required to leave public housing because of high income. Therefore he desires to buy a home in Yonkers, New York. The owner, not wishing to sell to the applicant took his house off the Brokers list.

The applicant made a formal complaint with the State Commission; at the time of writing this flyer the owner has been enjoined from selling his home. If the case is won, the laws involving the sale of homes will have teeth!

We must have people at the hearing. It is not being held in Yonkers as other hearings by the Commission have been. Therefore if this public hearing is to be public, New York people must attend.

This is a precedent setting case! The individual home owner must learn he cannot evade the law by taking his listing away from the Brokers.

FOR MORE INFORMATION, CONTACT:

BOB JOSEPHSON
20 Stuyesant Oval
New York, New York

house sold to ~~the~~ this applicant, not necessary to hold public hearing

April 1964

NEW MIDDLE INCOME APARTMENTS

(Government Financed)

OPERATION: OPEN CITY . . . . A Pilot Project of

THE NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
426 West 58th Street, New York, New York 10019
JUdson 6-3462

NEW APARTMENTS FOR NEW YORK FAMILIES

Under special legislation New York State and New York City finance the building of apartment houses for people of middle income throughout the city. These limited-profit apartments are excellent values, offering new housing which has been approved and supervised by city or state governments -- in design, location, building and price. We believe minority group homeseekers will find it worthwhile to investigate the developments which we have listed below.

Applications are taken far in advance, often while the buildings are still in the plannig stage. In the case of rental apartments letters are kept on file and the writers notified when the sponsor of the building is ready to take applications. In the buildings which are cooperatives, apartments are often selected from floor plans several years in advance, and held with a deposit. Thousands of New Yorkers who have done this now have good homes at modest cost in pleasant neighborhoods.

Letters and applications are made directly to the sponsor or agent. It is entirely proper to apply to more than one, and we advise homeseekers to act without delay, stating the size apartment desired. If the vacancies listed should not be available, we suggest that homeseekers ask to be put on the "stand by" list, as there are often drop-outs and changes by the time a building opens.

FINANCING PURCHASE OF COOP. APARTMENTS

Most cooperative developments have some kind of financing plan to offer. Inquire of the agent or sponsor. The HOPE Loan, or Home Owners Purchase Endorsement Plan, arranged by New York State, is available from certain sponsors. Under this long-term, low interest loan, only $200 in cash is needed as a down payment.

If you are a member of any credit union, or employed in an organization which has a credit union, such as the Municipal Credit Union for city employees, we suggest that you inquire about a loan. There are also open credit unions such as Sixth Avenue Credit Union, 217 Park Row, New York, N.Y. 10038, through which loans may be arranged.
TEL: BE 3-4800

HRB AND STATE

The two government agencies which administer these programs will provide a complete list of all their developments upon request. We have indicated in each case whether the building is under the HRB (Housing and Redevelopment Board, New York City) or STATE (New York State Division of Housing) program:

Housing & Redevelopment Board (HRB)
2 Lafayette Street
New York City, New York

Tel: WO 4 - 5656

N.Y. State Division of
Housing
393 Seventh Avenue
New York City, New York

Tel: 971 - 1600

The Following Apartments Are Now Available (March 1964)

SURFSIDE PARK (Queens)

Location	Type	Size Apts.	Price
Shore Front Parkway & Beach 108th Street, Rockaway Freeway	Rental	Studio	fr. $ 97 monthly
		1 bedroom	fr. $139 "
		2 bedroom	fr. $202 "
		3 bedroom	fr. $221 "
		Jr. 4 room	fr. $151 "

Features	Transportation
All apartments with ocean view. Beaches, parks, new schools; good shopping; Dishwashers, very modern kitchens.	Subway: IND & IRT, 1 hr. to Times Square. Bus routes locally, and to Woodside, Queens.

Agent: Dayton Management Co., on premises. Tel: NE 4-0121

Apartments shown 7 days a week. Brochure on request.

(HRB)*

TRUMP VILLAGE (Brooklyn)

Location	Type	Size Apts.	Purchase Price
2028 West 5th Street & Brighton Beach	Coop	2 bedroom	$2,000 - $2,500
			Monthly
			$139 - $153

Features	Transportation
On Brighton Beach; apartments overlook ocean. Good schools, parks, fine community centers. Active group, "Shorefront Committee for Integrated Housing" ready to help newcomers.	BMT Brighton Line, 45 minutes to Times Square one fare. By car - 45 minutes.

Agent: Trump Village, 3050 Ocean Parkway. Tel: ES 2-3700

Model apartments being shown.

(STATE)**

INWOOD TOWER (Manhattan)

Location	Type	Size Apts.	Purchase Price
St. Nicholas Ave. at Fairview Ave. (Inwood)	Coop	3 bedroom	$3,600 - $3,700
		Efficiency	$1,850
			Monthly
		3 bedroom	$160
		Efficiency	$89

Features	Transportation
Splendid views of Hudson. Highest point in Manhattan; parks; George Washington High School near.	7th Avenue IRT - one fare.

(HRB)

Agent: Philips Wood Dolson, 241 West 72nd Street, N.Y.C., EN 2-8900

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* HRB - Housing & Redevelopment Board

** STATE - New York State Division on Housing

The Following Apartments Are Now Available (March 1964)

BRIDGE APARTMENTS (Manhattan)

Location	Type	Size Apts.	Price
At Manhattan Approach to George Washington Bridge	Rental	2 bedrooms, with balcony	$151 - $174 monthly, including utilities

Features	Transportation
Unique towers offer dramatic views of Hudson River and entire area. Modern design and facilities.	IND -- 181st Street stop. IRT - 7th Ave., Line,

Agent: Kratter Corp., 1379 St. Nicholas Avenue. Tel: SW 5-9300

Showing apartments 7 days a week. Brochure available.

(STATE)

HARWAY TERRACE (Brooklyn)

Location	Type	Size Apts.	Purchase Price
Stillwell, Bay 50th & West 16th Streets. (½ mile from Coney Island)	Coop	1 bedroom	$1,980 - $2,150
		2 bedroom	$2,380 - $2,680
			Monthly
		1 bedroom	$88.50 - $97.00
		2 bedroom	$106.50 -$121.50

(Vacancies expected in both these sizes)

Features	Transportation
Residential area, near beach. All apartments with terraces. Elementary school across street. Convenient shopping; playgrounds.	BMT subway - Bay 50th Street Station, West End Line, 35 minutes to Times Square. Bus service at door to all major sections of Brooklyn.

Agent: Phillips Wood Dolson Co., 241 West 72nd Street, N.Y.C.
Tel: EN 2-8900

Brochure available.

(HRB)

The Following Apartments Will Be Ready for Spring Occupancy - 1964

GOUVERNEUR GARDENS (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
East River, Jackson, Montgomery & Henry Streets.	Coop	1 bedrooms	$2,100 - $2,700	$ 98 - $117
		2 bedrooms	$2,700 - $3,000	$120 - $151
		3 bedrooms	$3,600 - $3,900	$147 - $181
	(many with balcony)			

Features
Overlooks East River. Enclosed gardens, outdoor sitting areas; playgrounds. Walking distance to municipal buildings.

Note: Long-term, low-interest rate loans may be arranged through this sponsor.

Agent: Middle Income Housing Corp., 217 Park Row, NYC. TEL: BE 3-4800

Sales office on premises, week days 12-5 p.m.
Sat. & Sun. 11 a.m. - 5 p.m. Apartments shown.

(HRB)

VILLAGE VIEW (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
1st Ave to Ave. "A"; 2nd - 6th Streets	Coop	2 bedrooms	$2,700	$121 - $124
		3 bedrooms, with balcony	$3,000	$127 - $146

Features
Tree-shaded gardens. Elementary school adjoining. Near Greenwich Village, museums, theaters, life of the East Village.

Note: Long-term, low-interest rate loans may be arranged through this sponsor.

Sponsor: Middle Income Housing Corp., 217 Park Row, NYC. TEL: BE 3-4800
Brochure available.

(HRB)

THE BRONXWOOD (Bronx)

Location	Type	Size Apt.	Purchase Price	Monthly
East 233rd St., Bussing & East Bronxwood Aves.	Coop	3 bedroom, (6½ rooms, only size available)	$3,400	$157 - $161 incl. utilities

Features
Attractive small building, 108 units, designed for large families.

Transportation
IRT Jerome Avenue Line.
½ hr. to midtown Manhattan.

Agent: Artpaul Realty Co., 746 East 233 Street, Bronx. TEL: KI 7-1400

Open 7 days a week. Selling apartments from floor plans.

(HRB)

The Following Apartments Will be Ready For Spring Occupancy - 1964

MORRIS HEIGHTS (Bronx)

Location	Type	Size Apts.	Price
Tremont & Sedgewick Avenues, West Bronx	Rental	2 bedrooms	fr. $142
		3 bedrooms	fr. $174

Features	Transportation
16 story bldg., 147 apts. Every apartment with terrace and river view. Near uptown Campus, N.Y.U.	Near N. Y. Central R.R. stop - 20 minutes to midtown, Manhattan. Also subway.

Agent: Helen Savaron, East Island Mgt. Co., 147 East 50th Street, Manhattan.
Tel: TR 8-6455 and MU 8-4808

Model apartments now being shown.

(STATE)

MAYFLOWER TERRACE (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
1700 Mayflower Ave., corner, Westchester Avenue.	Coop	1 bedroom (standby list for 2 bedroom apartments)	$1,630	$117 - $119

Features	Transportation
Nice residential area near Pelham Bay Park. Good shopping and schools.	IRT Express stop

Agent: Phillips, Wood Dolson Co., 241 West 72nd Street, N.Y.C.
Tel: EN 2-8900

Brochure available, mailed on request.

(HRB)

The Following Apartments Are Planned For Summer & Fall Occupany 1964

DAYTON BEACH PARK (Queens) -- July 1964

Location	Type	Size Apts.	Purchase Price	Monthly
Rockaway Beach Blvd.,	Coop	Studio	$1,500	$ 74-$85
Beach 81st to 90th		1 bedroom	$2,000	$ 96-$107
Streets.		2 bedrooms	$2,500	$107-$137
		3 bedrooms	$3,250	$147-$172

Features	Transportation
Ocean front, good beaches, swimming pools, boardwalk. New schools; playgrounds. Shopping center; banks; bowling alley on site.	IND subway, 1 hour to Times Square, Express. Bus routes locally and to IRT subway.

Agent: Dayton Management Co., Shore Front Parkway & Beach, Rockaway Beach. Tel: NE 4-6784

(HRB) Brochure available, mailed on request.

FOREST PARK CRESCENT (Queens) -- late Fall 1964

Location	Type	Size Apts.	Purchase Price	Monthly
Union Turnpike &	Coop	2 bedrooms	$3,265-$3,360	$138-$142
Trotting Course Lane,		3 bedrooms	$3,800-$3,950	$159-$169
West Side of Forest Park.				

Features	Transportation
Curving structure of unusual design, adjoining lovely Forest Park. Planned for light, privacy and to take full advantage of park. Good schools; Queens College and St. Johns nearby.	Local bus to Jamaica and Forest Hills. Parkside Station of Long Island R.R.

Agent: Forest Park Sales, 114-02 Queens Blvd., Forest Hills. Tel: BO 3-4482

(HRB) Brochure available, mailed on request.

TRUMP VILLAGE -- Section II (Brooklyn)

Location	Type	Size Apts.	Price
Ocean Parkway and West Brighton Ave.	Rental	1, 2, 3 bedrooms	To be announced.

Features	Transportation
On Brighton Beach, fine year-round recreation. Good schools; parks. Many community facilities. (See Trump Village, Page 2)	BMT Brighton Line, 45 minutes to Times Square, one fare. By car - 45 min.

Agent: Trump Village, 3050 Ocean Parkway, Brooklyn. Tel: ES 2-3700

Now taking names for applications.

(STATE)

Following Apartments Are Planned For Occupancy By The End of 1964

KINGSBRIDGE TERRACE (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
Kingsbridge Terrace	Coop	1 bedroom	$2,000-$2,150	$110.80-$116.50
& West 229th Street		2 bedrooms	$2,500-$2,800	$130.40-$141.00
		3 bedrooms	$3,050-$3,500	$146.80-$168.30

all with balconies

Features	Transportation
Nice, residential area, near parks, recreation and shopping. Elementary, Jr. and Sr. High Schools.	IRT Broadway Line, West 231st Street Station. IRT Jerome Ave., Line, Bedford Park Station. Sedgewick Ave. Bus Line, Major Deegan Expressway, 2 blocks away.

Agent: Michael Pemenidis, 2914 Eastchester Road, Bronx. Tel: KI 7-8500

Open 7 days a week. Brochures and floor plans available, mailed on request.

(HRB)

CANNON HEIGHTS (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
Cannon Place & Ft. Independence Ave.	Coop	1 bedroom	$2,050	$100 - $110

Features	Transportation
Same lovely part of West Bronx as Kingsbridge Terrace, above. Space, outdoor recreation, playgrounds; good community centers. Parking; near Montefiori Hospital.	Same subway lines as Kingsbridge Terrace above.

Agent: Michael Pemenidis, 2914 Eastchester Road, Bronx. Tel: KI 7-8500

Open 7 days a week. Floor plans and full information available at office.

(HRB)

OAK TOWERS (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
Cruger Ave. between	Coop	1 bedroom	$2,500	$117 - $127
North & South Oak		2 bedrooms	$2,800	$142 - $156
Drives.Northeast Bronx.		3 bedrooms	$3,200	$156 - $171

Note: HOPE Loan available.

Features	Transportation
Residential area, public and parochial schools. Good shopping 2 blocks away.	IRT White Plains Road line.

Agent: MUHS Servicing Inc., 92-31 57th Ave., Elmhurst 73, N.Y.,
TEL: TW 8-2484

Open weekdays 12-7 p.m., Sunday 10 a.m. - 7 p.m.
Brochure available on request. Selling apartments now from floor plans.

(STATE)

The Following Apartments Are Planned For Occupancy By The End of 1964

ORLOFF TOWERS (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
Bailey & Orloff Aves. at 238th St.	Coop	1 bedroom with terrace	$1,950 - $2,350	$112 - $118

Features	Transportation
Beautiful area, south of Van Cortland Park	IRT subway; one fare

Agent: A & S Management Corp., 945 Coney Island Ave., Brooklyn.
Tel: BU 4-8500

Selling apartments from floor plans. Open Monday -- Friday 9 a.m. - 4 p.m.

(STATE)

WALDO GARDENS (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
3000 Waldo Avenue at 238th Street	Coop	1 bedroom	$1,950 - $2,070	$ 82 - $125
		2 bedrooms	$2,450 - $2,840	$120 - $159
		(Many with terrace)		

Features	Transportation
Overlooks Hudson River, George Washington Bridge and Van Cortland Park. Playgrounds, community rooms. Near schools, shopping and Manhattan College	IRT - 238 Street Station.

Agent: Van Cura - Pemenidis, 2914 Eastchester Rd., Bronx 69.
Tel: KI 7-8500

Brochure and floor plans available on request.

(HRB)

Planned for Occupancy -- Spring 1965

CHATHAM TOWERS (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
Park Row & Worth Street	Coop	Studio	$3,980	$105-$116
		1 bedroom	$5,630 - $6,180	$151-$193
		2 bedrooms	$6,730 - $7,280	$187-$227
		3 bedrooms	$8,380 - $8,930	$230-$270

Note: Long-term, low interest loans may be arranged through sponsor. Higher income limits are allowed in this coop.

Features
Only 5 apts. per floor, private corner terraces. In heart of new civic center, on East River, beautiful site, unusual building.

Sponsor: Middle Income Housing Corp., 217 Park Row, N.Y.C., BE 3-4800

Deposits now being taken on future apartments.
Information and floor plans available from sponsor.

(HRB)

Ready In Approximately Two Years -- Now Taking Names

BRANFORD HOUSE (Bronx)

Location	Type	Size Apts.	Price
Westchester Avenue between Cores and Noble Avenues	Rental	1, 2, 3 bedrooms	To be announced

Features	Transportation
Near Soundview Park, area of single family homes; shopping near by. Elementary Jr. and Sr. High Schools. Public Library branch.	IRT subway and bus lines.

Agent: Rose Associates, 529 Fifth Avenue, N.Y.C., TEL: YU 6-1700

Write letter asking to be notified when ready for applications.

(HRB)

MALBOROUGH TOWERS (Bronx)

Location	Type	Size Apts.	Price
Randall, Zerega, Cicero and Havemeyer Avenues	Coop	To be announced	To be announced

Agent: Herbert Charles & Co., 545 Madison Ave., N.Y.C.,
Tel: PL 1-0500

Write asking to receive information when it is ready.

(STATE)

ADELPHI HOUSE (Bronx)

Location	Type	Size Apts.	Price
Undercliff Ave. at 174 - 175th St.	Rental	1, 2, 3 bedrooms	$29.75 per room (estimated)

Features	Transportation
Undercliff Park and playgrounds 1 block away. Shopping close. Indoor parking. Public library. Two elementary, one Jr. High School and Taft High School (bus stops at door) in area.	IRT Jerome Avenue Line. Two bus routes near.

Sponsor: Irving Seidman & Chester Siling, 147 East 50th Street, New York, N.Y. 10022.

Write asking to be notified when ready for applications.

(HRB)

Ready In Approximately Two Years -- Now Taking Names

WINTHROP HOUSE (Bronx)

Location	Type	Size Apts.	Price
Olinville, Mace, Waring Avenues & White Plains Road	Rental	To be announced	$30 per room (estimated)

Features	Transportation
Nice, quiet residential area. Good schools. Near Pelham Parkway	IRT Express stop, 241st Street, White Plains Road

Agent: Rose Associates, 529 Fifth Ave., N.Y.C., TEL: YU 6-1700

Write asking to be notified when ready for applications.

(HRB)

YORK HILL II (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
East 88th Street 2nd - 3rd Avenues	Coop	1, 2, 3 bedrooms	$600 per room (estimated)	$27.83 per room (estimated)

Sponsor: Lenox Hill Neighborhood Association, 331 East 70th St., N.Y.C. TEL: RH 4-5022

Write asking to be put on list for information when ready.

(HRB)

STRYCKER'S BAY (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
Columbus Avenue 93rd - 94th Streets	Coop	2½ (studio) 1, 2, 3, 4 bedrooms	$450 per room (estimated)	$21 per room (estimated)

Note: Priority given to people displaced by West Side Urban Renewal

Sponsors: Strycker's Bay Housing Corp., 554 Columbus Ave., NYC TEL: TR 4-2901 or UN 6-9870

Floor plans and building design on view here.
Deposits now being taken on apartments.

(HRB)

Ready In Approximately Two Years -- Now Taking Names

GODDARD RIVERSIDE (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
Amsterdam Avenue 94th - 95th Streets	Coop	1 bedroom	$2,200	$ 72 - $128
		2 bedrooms	$2,750	$ 90 - $160
		3 bedrooms	$3,300	$108 - $208
		4 bedrooms	$4,125	$135 - $240

Features
Planned for family living, with many large apartments. Lovely plaza, trees, raised platform for cultural programs. Community rooms, play yards for chilren.

Sponsor: Goddard Riverside Housing Corp., 672 Columbus Ave. (92nd - 93rd Streets) TEL: RI 9-3920

Monday - Friday 1 - 5 p.m. Monday evening 7 - 9 p.m.

Brochures, floor plans available. Deposits now being taken on future apartments. Help and advice on financing available from sponsor.

(HRB)

COLUMBUS PARK APARTMENTS (Manhattan)

Location	Type	Size Apts.	Price
Columbus Avenue 93rd - 94th Streets	Coop	2, 3, 4 bedrooms	To be announced.

Sponsor: Columbus Park Towers, Inc., 2572 Broadway, NYC.
TEL: UN 4-5094

Write asking to be put on list for information when ready.

(HRB)

RNA HOUSE (Manhattan)

Location	Type	Size Apts.	Price
West 96th Street between Columbus & Amsterdam Avenues	Coop	1, 2, 3 bedrooms	To be announced

Sponsor: Riverside Neighborhood Assembly, 300 West 96th Street, NYC
TEL: RI 9-6659

Write asking to be put on list for information when ready.

(HRB)

Ready In Approximately Two Years -- Now Taking Names

LACOMBE MANOR (Bronx)

Location	Type	Size Apts.	Price
Bronx River, Lacombe, Street, Lawrence, Beach & Patterson Avenues.	Rental	Efficiency 1, 2, 3 bedrooms	$27.50 monthly per room (estimated)

Features	Transportation
Soundview Park, Hunts Point and Ferry Point Park near by. Three elementary and one Jr. High Schools in area. James Monroe High School 3/4 mile away. Parking	IRT Pelham Bay Line Soundview Station.

Agent: Hamilton Corp., 717 Fifth Avenue, NYC., TEL: PL 2-2813

Write asking to be notified when ready for applications.

(HRB)

NOBLE MANSION (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
Noble Avenue and Mansion Street	Coop	1, 2, 3 bedrooms	$500 per room	$27.50 per room

Agent: Jerome Belson, Bader & Belson, 32 Broadway, NYC.
TEL: HA 2-5266

Write asking to receive information when ready.

(HRB)

SCOTT TOWER (Bronx)

Location	Type	Size Apts.	Purchase Price	Monthly
Paul Avenue & West 205th Street	Coop	Efficiency 1, 2, 3 bedrooms	$520 per room (estimated)	$26.95 per room (estimated)

Features	Transportation
Parks, schools, lovely reservoir in area. Bronx High School of Science, Hunter College & Walton High School near.	IRT Jerome Ave. Line, one fare, Mosholu Parkway and Bedford Park Stations.

Agent: Apt. Development Sales & Mgt. Co., 843 Sheridan Ave., Bronx.
TEL: MO 5-3111

Taking names now for future applications.

(HRB)

Ready in Approximately Two Years -- Now Taking Names

OLD RIDGE GARDEN APARTMENTS (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
145 - 149 West. 93rd Street	Small Coop. made from group of old brownstones. Will have large common garden.	1 bedroom	$2,000	$150 - $170
		2 bedrooms	$3,000	$170 - $175
		studio apts.	$1,500	$110

Sponsor: Eldridge Group, 473 West End Avenue, N.Y.C., TEL: TR 3-1512

Now taking deposits on specific apartments.

(HRB)

COLUMBIA HOUSES (Manhattan)

Location	Type	Size Apts.	Purchase Price	Monthly
Stanton, Columbia & DeLancey Streets	Coop	Efficiency, 1, 2, and 3 bedrooms	$576 per room (estimated)	$27.69 per room (estimated

Sponsor: Abbott & Adams, Inc., 292 Madison Avenue, N.Y.C.
TEL: MU 6-1900

Write asking to receive information when ready.

(HRB)

CADMAN PLAZA (Brooklyn Heights)

Location	Type	Size Apts.	Purchase Price	Monthly
Monroe Place, Clark, Pineapple, Henry, Fulton & Clinton Streets	Coop	Efficiency, & 1, 2, 3 bedrooms (some with 2 baths & balcony)	$400 - $750 per room (estimated)	$29-$45 per room (estimated)

Also: 2 and 3 bedroom Duplex Town Houses at $5,000 and $6,000 purchase price; $350 and $390 monthly charges.

Features
Part of Urban Renewal Plan to recevelop area -- into new center of homes at several economic levels. Very convenient to Manhattan. Well designed.

Agent: Mutual Housing Sponsors, Inc., 7101 Austin Street, Forest Hills 75, Queens. TEL: BO 1-6518

Now taking deposits on apartments.

(HRB)

Ready in Approximately Two Years -- Now Taking Names

BRIGHTWATER TOWERS (Brooklyn)

Location	Type	Size Apts.	Price
Surf Avenue between West 5th and West 8th Streets. (Coney Island) Adjoins Trump Village, (see pages 2 & 6).	Rental	1 bedroom	fr. $125 monthly
		2 bedrooms	fr. $150 monthly

Features

Every apartment with balcony, overlooking water. Next to Sea Breeze Park. Aquarium across street. Part of whole new area completely redeveloped. New schools; shopping. Active "Shorefront Committee for Integrated Housing" in area.

Agent: Glick Associates, 2640 Cropsey Avenue, Brooklyn 14.

Tel: HI 9-8200

Taking names for information when ready.

(STATE)

FAIRFIELD TOWERS (Brooklyn)
Section I and II

Location	Type	Size Apts.	Prices
Cozine, Elton Flatlands, and New Jersey Avenues. (East New York)	Rental	To be announced	To be announced

Features

All apartments with balcony. Area of single family homes; Linden Homes project near.

Transportation

IRT New Lots Station. ½ hour to Manhattan.

Agent: George H. Nutman, Inc., 172-13 Hillside Ave., Jamaica 32, NY

Tel: AX 7-9000

Taking names to send information when ready.

(STATE)

Future Developments Just Announced - Taking Names for Information When Ready

CAROL GARDENS (Bronx)

Location	Type	Size Apts.	Price
Story, Leland, Theriot & Lafayette Avenues	Rental	1, 2, 3 bedrooms (many with balcony)	$27.83 per room monthly (estimated)

Features	Transportation
Residential area, playground across street. Schools and shopping near by. Indoor swimming pool; parking.	IRT Pelham Bay Line 4 blocks away; bus routes

Sponsor: B.H. Richardson, Edward J. Fee, Jerome Chatzky,
733 Third Avenue, New York, N.Y. 10017

(HRB)

THE LINDVILLE (Bronx)

Location	Type	Size Apts.	Price
Bronx Boulevard, East 213 Street, Olinville Avenue	Rental	1, 2, 3 bedrooms	To be announced

Features	Transportation
Residential area, playgrounds, schools, shopping.	IRT White Plains Road, 7th Ave. Line, Gun Hill Road Station. Bus routes.

Sponsor: First National Realty & Construction Corp., 845 Third Ave.,
New York City, N.Y. 10022

(HRB)

CORLEAR GARDENS (Bronx)

Location	Type	Size Apts.	Price
Tibbett Ave., West 232nd Street Corlear Ave. and West 231st Street	Rental	1, 2, 3 bedrooms	To be announced.

Sponsor: Same as for "The Lindville" (see above)

Features	Transportation
Two parks near; Public Library branch; schools; shopping; parking.	IRT Broadway subway 231st Street Station. Bus routes.

SAM BURT HOUSES (Brooklyn)

Location	Type	Size Apts.	Purchase Price	Monthly
Bayview Ave., West 35th-36th Streets, Coney Island	Coop	1, 2, 3 bedrooms	$600 per room (estimated)	$26.18 per room (estimated)

Features
Near Beach; many schools; shopping; Public Library; health center.

Sponsor: Joint Board, Fur, Leather & Machine Workers Union,
109 West 26th Street, New York, N. Y.

(HRB)

MAY 5, 1964

New Buildings Here Called Unlivable By Advisory Board

Poor design and thin, inadequate building materials make virtually all of the new luxury apartment houses here "unlivable," a planning advisory boar reported yesterday.

"Nobody knows it's so bad because everything looks so good," said Mrs. Howard Bachenheimer of 440 East 57th Street, where she and her husband pay $100 a room. She is a committee chairman of the Manhattan Community Planning Board No. 6, an advisory group appointed by Borough President Edward R. Dudley.

"I come home and smell a delicious dinner cooking, but I'm not cooking. In fact I am hardly in yet," Mrs. Bachenheimer said. "So you see, we're people who are just on the edge of moving to the suburbs."

A study made by the board disclosed that new construction in its district, 14th Street to 59th Street and from Park Avenue to the East River, is characterized by cracking walls, drafty windows, ill-fitting doors, faulty ventilation and sloping floors. Sounds reverberate and kitchen odors penetrate other apartments. The report also noted that "most architects, very wisely, live in old buildings."

Lightweight buildings filled with ducts for heating and air circulation, telephone and light conduits, and with cabinets, laundry hampers and closets make the walls "as full of holes as a Swiss cheese," one tenant said.

The planning group sent its report to the Polytechnic Institute of Brookyn, which is preparing a new Building Code.

Spring 64

VILLAGE CONCEPT REVIVED IN BRONX

Community Planning Board Finds a Recent Increase in Neighborhood Spirit

OLD PATTERNS RETURN

Riverside Homes on Stilts in Harding Park Inspected on First Orientation Tour

By ROBERT TRUMBULL

Old village patterns of life that were mostly lost long ago in the urban spread of New York City are being made the focal point of new community efforts in the Bronx.

A revival of the warm community spirit that distinguished the American country town of an earlier time has been one product of a development program for the Bronx initiated this year by Borough President Joseph F. Periconi.

The renaissance of neighborhood spirit was reflected on an inspection tour yesterday by one of the 14 new Bronx community development boards. The boards were formed to advise Mr. Periconi on the specific development needs of their areas.

The purview of each board corresponds in general to the geographical boundaries of almost-forgotten villages absorbed by the borough.

Village Concept Back

"We are now returning to the village concept in the Bronx," Mrs. Shirley Kronberg of 1194 Ward Avenue, chairman of Bronx Community Planning Board 8, said yesterday. "We are becoming so neiborhood-conscious that the old communities are being reactivated."

In their first orientation tour of the Soundview-Bruckner-Clason Point section, 11 members of Board 8 came upon an odd waterside community along Leland Avenue, with white picket fences and houses on stilts, that looks like a country village transplanted to the banks of the East River.

The 250 families living rustically in Harding Park, as this little-known part of the Bronx is called, have cottage homes in physical surroundings resembling a fisherman's cove on the New England shore.

Yet, from their verandas over the salt water of the East River, they gaze upon the skyscrapers of Manhattan. It is a half-hour trip by bus and subway to Grand Central terminal.

Neighborhood Boat Club

Many of the Harding Park residents have lived there all their lives. They are mostly of German, Swedish and Irish stock, and their social life revolves around boating and catching flounders, snappers and crabs in the river. Wild ducks flock to the area in winter.

The boat-lovers of Harding Park have a club, the Mouse Pack, which meets in a nautical bar in the waterside home of Mr. and Mrs. Edward J. Loehmann, 1124 Leland Avenue.

This open way of life, an anachronism in New York City, contrasts with nearby apartment complexes like the Lafayette-Morrison Houses on Story Avenue, where 900 families live in one building.

Mrs. Kronberg and her Community Planning Board are concerned that the rapid expansion of housing in the neighborhood will soon outstrip the public facilities. James Monroe High School already is running on triple classroom shifts and so is the local junior high school, says Mrs. Kronberg.

'64 Real Estate #3

THE CITY OF NEW YORK

ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the multiple dwelling law in relation to the removal and remedying of conditions which constitute a serious threat to life, health and safety

The object of this bill is to amend Section 309, subdivision 5, paragraph d. 1. of the Multiple Dwelling Law so as to provide that the receiver may cure all violations that may arise during his stewardship as receiver. The existing law states that the receiver shall remove all violations. Presumably, this means all those violations which have been noted and included in the petition submitted to the court in connection with the application for the appointment of a receiver. The statute, at present, is silent as to whether the receiver may cure those violations which arise or are noted subsequent to his appointment but prior to his discharge.

Since this type of statute is to be strictly construed, a judicial interpretation of the existing statute could conclude that the receiver is limited to curing only those violations existing at the time of his appointment. In such instance, the receiver would be required to go back to the court in order to get permission to cure violations which have come to light subsequent to his appointment.

The experience to date has demonstrated that the receiver appointed under this law may be required to perform this function for a period of many months, and possibly years. During that extended period, it is likely that additional violations will be revealed. It is administratively time-consuming, costly, and otherwise undesirable for the receiver to be required to go back to court for permission to remove the additional violations.

'64 Real Estate #3 (cont'd.)

The spirit and intent of the law is to permit the receiver during his stewardship to restore the property to a habitable condition, and remove all serious and hazardous violations, irrespective of when they arose or were noted.

This amendment would remove any ambiguity presently existing and would permit the receiver to remove all such violations existing either at the time of his appointment or at any time prior to his discharge as receiver.

Accordingly, it is requested that this bill be favorably reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Real Estate #3

AN ACT

To amend the multiple dwelling law
in relation to the removal and remedying
of conditions which constitute a serious
threat to life, health and safety.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph d. 1. of subdivision five of section three hundred nine of the multiple dwelling law, as added by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

d. 1. Any receiver appointed pursuant to this subdivision shall have all of the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, together with such additional powers and duties as herein granted and imposed. The receiver shall with all reasonable speed remove the delinquent matters and deficiencies in the dwelling constituting a serious fire hazard or a serious threat to life, health or safety which may exist not only at the time of his appointment, but at any time prior to his discharge as receiver, and shall have the power to let contracts therefor in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts for public works. Notwithstanding any such laws, ordinances, rules or regulations, the receiver may let contracts or incur expenses for individual items of repairs, improvements or supplies without advertisement or the procurement of competitive bids where the total amount of any such individual item does not exceed five hundred dollars. The receiver shall not be required to file any bond. He shall collect the accrued and accruing rents, issues and profits of the dwelling and apply the same to the cost of removing or remedying such nuisance, to the payment of expenses reasonably necessary to the proper operation and management of the property, including insurance and the fees of the managing agent, if any, and to unpaid taxes, assessments, water rents, sewer rents and penalties and interest thereon. If the income of the property shall be insufficient to cover the cost of remedying or removing such nuisance, the department of real estate shall advance to the receiver any sums required to cover such cost and thereupon shall have a lien against the property having the priority provided in paragraph e for any such sums so advanced. Any excess of income of the property in the hands of the receiver shall be applied to the necessary expenses of his office as receiver and then to sums due to mortgagees or lienors.

§ 2. This act shall take effect immediately.

'64 Real Estate #4

THE CITY OF NEW YORK

ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the multiple dwelling law in relation to the removal and remedying of conditions which constitute a serious threat to life, health and safety

The object of this bill is to amend Section 309, subdivision 5, paragraph d. 1. of the Multiple Dwelling Law so as to permit the receiver to award certain contracts without advertisement.

Under existing law, contracts may be let only in accordance with the provisions of local law applicable to contracts for public works. This requires that all contracts in excess of $2500 must be advertised for at least ten days, competitive bids be obtained, and that the contract be awarded to the low bidder.

The requirement of advertisement serves no useful purpose with respect to the awarding of contracts for the curing of hazardous violations in properties taken over in receivership. For one, it delays the commencement of work for a minimum period of two to three weeks which is consumed in preparing specifications, submitting copy to the printer, advertising for ten days, and awaiting the procurement of the necessary bonds by the successful bidder. At a time when these buildings are in such extreme conditions as to warrant being taken over in receivership, such a delay is potentially dangerous, unnecessary, and thus contrary to the public interest. Secondly, under the system of advertised bids, any stranger may bid and the contract is awarded to the low bidder provided he can furnish the necessary bonds. Occasionally, such low bidder turns out to be unqualified and eventually defaults under the terms of his contract.

The proposed amendment would eliminate the requirement of advertised bids for contracts not in excess of $5,000; it would not, however, disturb the safeguards of competitive bidding. Under the proposed amendment, the receiver would invite competitive bids from several experienced and qualified contractors, as is presently done in those instances where open market orders are issued. He would then award the contract to the low bidder who could immediately commence work to cure the hazardous violations.

The effect of this amendment would be to save at least two or three weeks time in commencing the work, and would eliminate the ever-present possibility of awarding a contract to a low bidder who turns out to be unqualified and thus unable to perform the essential work particularly required in buildings taken over pursuant to the provisions of the Receivership Law.

Accordingly, it is requested that this bill be favorable reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Real Estate #4

AN ACT

To amend the multiple dwelling law
in relation to the removal and remedying
of conditions which constitute a serious
threat to life, health and safety.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph d. 1. of subdivision five of section three hundred nine of the multiple dwelling law, as added by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

d. 1. Any receiver appointed pursuant to this subdivision shall have all of the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, together with such additional powers and duties as herein granted and imposed. The receiver shall with all reasonable speed remove the delinquent matters and deficiencies in the dwelling constituting a serious fire hazard or a serious threat to life, health or safety and shall have the power to let contracts therefor in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts for public works [.] except that advertisement shall not be required for each such contract which does not exceed five thousand dollars. Notwithstanding any such laws, ordinances, rules or regulations, the receiver may let contracts or incur expenses for individual items of repairs, improvements or supplies without [advertisement or] the procurement of competitive bids where the total amount of any such individual item does not exceed five hundred dollars. The receiver shall not be required to file any bond.

He shall collect the accrued and accruing rents, issues and profits of the dwelling and apply the same to the cost of removing or remedying such nuisance, to the payment of expenses reasonably necessary to the proper operation and management of the property, including insurance and the fees of the managing agent, if any, and to unpaid taxes, assessments, water rents, sewer rents and penalties and interest thereon. If the income of the property shall be insufficient to cover the cost of remedying or removing such nuisance, the department of real estate shall advance to the receiver any sums required to cover such cost and thereupon shall have a lien against the property having the priority provided in paragraph e for any such sums so advanced. Any excess of income of the property in the hands of the receiver shall be applied to the necessary expenses of his office as receiver and then to sums due to mortgagees or lienors.

§ 2. This act shall take effect immediately.

'64 Real Estate #5

THE CITY OF NEW YORK

ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the multiple dwelling law in relation to the removal and remedying of conditions which constitute a serious threat to life, health and safety

The object of this bill is to amend Section 309, subdivision 5, paragraph d. 1. of the Multiple Dwelling Law so as to permit the receiver, without resorting either to advertisement or to competitive bids, to incur expenses for individual items of repair not to exceed $2500 in cost.

Under existing law, the receiver may incur such expenses up to $500 without advertisement or competitive bidding. This provision is intended to cover the emergency situations where the receiver must take immediate action to correct an extreme situation such as a plumbing leak or a failure of the heating system during the winter months. Experience has shown that the present limitation of $500 is too low. Emergency repairs to plumbing and heating invariably cost considerably in excess of $500. Under present provisions, therefore, the receiver, as well-intentioned as he may be, is thus prevented from taking the immediate emergency action required.

This amendment is not intended to enlarge the powers of the receiver. It will serve to strengthen and bolster a provision already in the law and inserted by the original draftsmen specifically to cope with the emergency situation. This amendment merely modifies an unrealistic maximum figure of $500 and substitutes, in its place, a more practical maximum of $2500 which should permit the receiver sufficient flexibility to complete the emergency repairs which frequently arise in connection with the type of building taken over in receivership.

Accordingly, it is requested that this bill be favorably reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Real Estate #5

AN ACT

To amend the multiple dwelling law
in relation to the removal and remedying
of conditions which constitute a serious
threat to life, health and safety.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph d. 1. of subdivision five of section three hundred nine of the multiple dwelling law, as added by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

d. 1. Any receiver appointed pursuant to this subdivision shall have all of the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, together with such additional powers and duties as herein granted and imposed. The receiver shall with all reasonable speed remove the delinquent matters and deficiencies in the dwelling constituting a serious fire hazard or a serious threat to life, health or safety and shall have the power to let contracts therefor in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts for public works. Notwithstanding any such laws, ordinances, rules or regulations, the receiver may let contracts or incur expenses for individual items of repairs, improvements or supplies without advertisement or the procurement of competitive bids where the total amount of any such individual item does not exceed [five] twenty-five hundred dollars. The receiver shall not be required to file any bond. He shall collect the accrued and accruing rents, issues and profits of the dwelling and apply the same to the cost of removing or remedying such nuisance, to the payment of expenses reasonable necessary to the proper operation and management of the property, including insurance and the fees of the managing agent, if any, and to unpaid taxes, assessments, water rents, sewer rents and penalties and interest thereon. If the income of the property shall be insufficient to cover the cost of remedying or removing such nuisance, the department of real estate shall advance to the receiver any sums required to cover such cost and thereupon shall have a lien against the property having the priority provided in paragraph e for any such sums so advanced. Any excess of income of the property in the hands of the receiver shall be applied to the necessary expenses of his office as receiver and then to sums due to mortgagees or lienors.

§ 2. This act shall take effect immediately.

'64 Real Estate #6

THE CITY OF NEW YORK

ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the multiple dwelling law in relation to the removal and remedying of conditions which constitute a serious threat to life, health and safety

The object of this bill is to amend Section 309, subdivision 5, paragraph d. 1. of the Multiple Dwelling Law so as to clarify the existing provisions appertaining to the disbursement of rents received by the receiver towards the various expenses incurred by him during his stewardship.

Under existing law, the receiver is authorized to utilize the rents received to pay for the cost of removing the violations, the management expenses incurred, and for the payment of taxes, assessments and water and sewer rents.

The present statute is silent as to whether a priority should be given by the receiver to the payment of the costs of removing the violations and to the payment of management expenses over payment of taxes and assessments. The question arises whether the receiver should immediately pay real estate taxes on the property in order to prevent an In-Rem foreclosure by the City, thus divesting the property owner of title to the property, or whether this obligation to pay taxes only arises after all costs of removing violations and the expenses of management have been met, leaving a surplus of moneys in the receiver's hands.

The spirit and intent of the law would dictate an obligation upon the receiver to pay taxes, if at all, only after first completing his prime functions, i.e. the curing of the hazardous violations and the managing of the property in his possession.

The effect of this amendment would be to clarify the priorities of payments to be made by the receiver and re-affirm the concepts intended by the original draftsmen of this law.

Accordingly, it is requested that this bill be favorably reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Real Estate #6

AN ACT

To amend the multiple dwelling law
in relation to the removal and remedying
of conditions which constitute a serious
threat to life, health and safety.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph d. 1. of subdivision five of section three hundred nine of the multiple dwelling law, as added by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

d. 1. Any receiver appointed pursuant to this subdivision shall have all of the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, together with such additional powers and duties as herein granted and imposed. The receiver shall with all reasonable speed remove the delinquent matters and deficiencies in the dwelling constituting a serious fire hazard or a serious threat to life, health or safety and shall have the power to let contracts therefor in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts for public works. Notwithstanding any such laws, ordinances, rules or regulations, the receiver may let contracts or incur expenses for individual items of repairs, improvements or supplies without advertisement or the procurement of competitive bids where the total amount of any such individual item does not exceed five hundred dollars. The receiver shall not be required to file any bond. He shall collect the accrued and accruing rents, issues and profits of the dwelling and apply the same to the cost of removing or remedying such nuisance, to the payment of expenses reasonably necessary to the proper operation and management of the property, including insurance and the fees of the managing agent, if any, and the necessary expenses of his office as receiver, and then, if there be a surplus, to unpaid taxes, assessments, water rents, sewer rents and penalties and interest thereon[.] , and then to sums due to mortgagees or lienors. If the income of the property shall be insufficient to cover the cost of remedying or removing such nuisance, the department of real estate shall advance to the receiver any sums required to cover such cost and thereupon shall have a lien against the property having the priority provided in paragraph e for any such sums so advanced. [Any excess of income of the property in the hands of the receiver shall be applied to the necessary expenses of his office as receiver and then to sums due to mortgagees or lienors.]

§ 2. This act shall take effect immediately.

'64 Real Estate #9

THE CITY OF NEW YORK

ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the multiple dwelling law in relation to the removal and remedying of conditions which constitute a serious threat to life, health and safety

The object of this bill is to amend Section 309, subdivision 4(a) and subdivision 5(e) of the Multiple Dwelling Law so as to give the receiver a lien against the property taken in receivership for all expenses incurred by the receiver in removing the violations which lien would have priority over all other mortgages, liens and encumbrances except taxes and assessments.

Under present law, the lien of the receiver is subject to existing mortgages or other liens of record except that such mortgagees or other lienors are not entitled to the rents, issues or profits deriving from the property until such time as the receiver's lien has been fully paid and satisfied.

As a practical matter, the rent rolls on properties taken over by the receiver under this law are exceedingly low. In many instances, it is possible that the costs incurred by the receiver would not be repaid for many years, if at all. Unless the City acquired the property through an In-Rem foreclosure as a result of the failure of an owner to pay taxes for a four year period, the receiver could only be reimbursed from whatever rentals, if any, the property might yield. Under existing law, the receiver has no way of enforcing his lien except as mentioned, nor may he participate in the proceeds of a foreclosure sale.

The proposed amendment would give the receiver a priority over other lienors and would assure the receiver being reimbursed for all expenditures incurred by him in connection with the property.

It should be further noted that the objections raised in previous years as to the constitutionality of granting a receiver such a priority have been successfully overcome even in the present law by a strict requirement which gives all mortgagees and other affected lienors full and proper notice of the institution of the receivership proceeding in court, and which further gives them the opportunity of curing the violations in lieu of the appointment of the receiver, or of coming in at any time after the appointment of the receiver, reimbursing the receiver for his costs, and receiving an assignment of the lien granted to the receiver.

Accordingly, it is requested that this bill be favorably reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Real Estate #9

AN ACT

To amend the multiple dwelling law
in relation to the removal and remedying
of conditions which constitute a serious
threat to life, health and safety.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph a of subdivision four of section three hundred nine of the multiple dwelling law, as amended by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

a. The department or receiver appointed pursuant to subdivision five of this section shall have a lien in favor of the department of real estate upon the property constituting such multiple dwelling for the amount of such deficiency and for the expenses necessarily incurred in the execution of an order, upon the premises upon or in respect of which the work required by said order has been done or expenses incurred, which lien shall have priority over all other mortgages, liens and encumbrances of record, except taxes [,] and assessments levied pursuant to law. [and mortgages recorded previously to the existence of such lien, except as may otherwise be provided by subdivision five of this section.] In the event that a receiver having a lien in favor of the department of real estate is discharged and such lien is in effect at the time of such discharge, such lien shall continue to vest in the department of real estate.

§ 2. Paragraph e of subdivision five of section three hundred nine of such law, as added by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

e. Any lien of a receiver, in favor of the department of real estate, arising under this [subdivision] section shall [be subject to any mortgage or lien which shall have been recorded prior to the filing of a copy of the department's order in the office of the county clerk and the rights of the holders of such mortgages or liens shall not in any way be impaired by the appointment of a receiver as herein provided or by the existence of such lien; provided, however, that no such mortgagee or lienor who has been duly served with the notice, the department order and the order to show cause shall be entitled to any of the rents, issues and profits of the property, nor, in any action to foreclose his mortgage or lien, to a discharge of the receiver appointed pursuant to the provisions of this subdivision until the lien of the receiver in favor of the department of real estate shall have been fully paid and satisfied. Notwithstanding anything herein contained, no lien shall have priority over taxes or assessments by reason of the provisions of this subdivision.] have priority over all other mortgages, liens and encumbrances of record except taxes and assessments levied pursuant to law.

§ 3. This act shall take effect immediately.

'64 Real Estate #10

THE CITY OF NEW YORK
ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the multiple dwelling law in relation to the removal and remedying of conditions which constitute a serious threat to life, health and safety

The object of this bill is to amend Section 309, subdivision 5, paragraph d. 1. of the Multiple Dwelling Law so as to permit the receiver not only to cure the actual violations noted on the premises but also to make such other improvements as he may deem desirable in order to increase the rental value of the dwelling by performing such substantial rehabilitation which would materially add to the value of the property or appreciably prolong its life, in addition to such ordinary repairs, maintenance and replacement as may be necessary.

The existing law provides that the receiver may only remove violations existing on the premises. Experience has indicated that a prudent businessman would, at the time of curing violations, also perform such other rehabilitation to enhance the rental value of the dwelling, and prolong the life of the building. For example, if there were a violation in connection with part of the plumbing, only that part which was the subject of the violation would be repaired under the present provisions of law even though it was apparent to the receiver that, as a practical business judgment, the entire plumbing system should be replaced. Similarly, in connection with violations pertaining to heating, electricity, and structural matters, the receiver should be empowered to make repairs beyond the mere curing of the violations in order to effectively restore the dwelling to the housing inventory of the City.

The effect of this amendment would be to permit the receiver to perform such rehabilitation (other than ordinary repairs, maintenance and replacement) which would accomplish the objective of adding to the value of the property or appreciably prolonging its life.

'64 Real Estate #10 (cont'd.)

Accordingly, it is requested that this bill be favorably reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Real Estate #10

AN ACT

To amend the multiple dwelling law
in relation to the removal and remedying
of conditions which constitute a serious
threat to life, health and safety.

The People of the State of New York, represented in Senate and ssembly, do enact as follows:

Section 1. Paragraph d. 1. of subdivision five of section three hundred nine of the multiple dwelling law, as added by chapter four hundred ninety-two of the laws of nineteen hundred sixty-two, is hereby amended to read as follows:

d. 1. Any receiver appointed pursuant to this subdivision shall have all of the powers and duties of a receiver appointed in an action to foreclose a mortgage on real property, together with such additional powers and duties as herein granted and imposed. The receiver shall with all reasonable speed remove the delinquent matters and deficiencies in the dwelling constituting a serious fire hazard or a serious threat to life, health or safety and may, in addition, make such other improvements as he deems desirable in order to increase the rental value of the dwelling by performing such substantial rehabilitation which would materially add to the value of the property or appreciably prolong its life, in addition to such ordinary repairs, maintenance and replacement as may be necessary. He shall have the power to let contracts therefor in accordance with the provisions of local laws, ordinances, rules and regulations applicable to contracts for public works. Notwithstanding any such laws, ordinances, rules or regulations, the receiver may let contracts or incur expenses for individual items of repairs, improvements or supplies without advertisement or the procurement of competitive bids where the total amount of any such individual item does not exceed five hundred dollars. The receiver shall not be required to file any bond. He shall collect the accrued and accruing rents, issues and profits of the dwelling and apply the same to the cost of removing or remedying such nuisance, to the making of such other improvements as aforestated, to the payment of expenses reasonably necessary to the proper operation and management of the property, including insurance and the fees of the managing agent, if any, and to unpaid taxes, assessments, water rents, sewer rents and penalties and interest thereon. If the income of the property shall be insufficient to cover the cost of remedying or removing such nuisance, or to making such other improvements as aforestated, the department of real estate shall advance to the receiver any sums required to cover such cost and thereupon shall have a lien against the property having the priority provided in paragraph a for any such sums so advanced. Any excess of income of the property in the hands of the receiver shall be applied to the necessary expenses of his office as receiver and then to sums due to mortgagees or lienors.

§ 2. This act shall take effect immediately.

'64 Relocation #1

THE CITY OF NEW YORK

ROBERT F. WAGNER, MAYOR

BERNARD J. RUGGIERI
ASSISTANT TO THE MAYOR
TEN EYCK HOTEL
ALBANY, NEW YORK

MEMORANDUM IN SUPPORT OF

AN ACT To amend the General Municipal Law, in relation to authorizing municipalities to provide an additional relocation benefit in the form of rent assistance for individuals or families displaced from urban renewal areas; providing for partial reimbursement by the state of such benefits and making appropriation therefor

The Object of this bill is to amend paragraph (e) of subdivision 4 of section 505 of the General Municipal Law, and to add a new section 507 to such law to permit the governing body of any municipality undertaking an urban renewal program to adopt a resolution providing an additional relocation benefit in the form of rent assistance to or for families or individuals who are displaced from an urban renewal area, to assure that such family or individual is able to be relocated into a decent dwelling, as provided for under an approved plan for the feasible relocation of such families or individuals. The relocation benefit would be equivalent to the difference between the amount of annual income such family or individual can afford to pay for rent as determined by the administering agency or department and the annual amount of rent required to be paid for the dwelling to which relocated, provided that in no event shall such relocation benefit exceed $500 a year for such family or individual. Such relocation benefit is to be provided to or for such family or individual, in monthly installments, for a period of five years, unless within such five year period such individual or family voluntarily removes from such dwelling.

The resolution is required to designate a local agency or department to administer its provisions. Such agency or department shall have the power to make rules and regulations regarding the providing of such benefit.

The State is required to reimburse the municipality one-half of all expenditures and costs made or incurred in providing such relocation benefit. The measure appropriates $2.5 million to cover the State's share.

The crux of this proposed legislation is to provide an additional relocation benefit which is very badly needed. This benefit, in the form of rent assistance, will give many site tenants of urban renewal areas a financial boost into better residential neighborhoods. Today, lacking this benefit many tenants relocate themselves to decent, safe and sanitary apartments in areas they would avoid if they had this rent assistance. Today, many tenants residing in slums are there because of their low incomes and relative low rents. However, the moment an urban renewal plan is adopted for the area these tenants are faced with relocation and the increased rents elsewhere. Their incomes remain the same so they normally are attracted, by financial necessity, to those decent, safe and sanitary apartments at rents comparable to their former apartment without any substantial consideration of the new neighborhood.

By adopting this proposed legislation, New York State will be taking another progressive step in the field of housing and urban renewal by providing rent assistance to the site tenant who thus will get a greater equitable share in the benefits of the urban renewal program.

Accordingly, it is requested that this bill be favorably reported out of Committee and enacted into law.

Respectfully submitted,

Bernard J. Ruggieri
Assistant to the Mayor

'64 Relocation #1

AN ACT

To amend the General Municipal Law, in relation to authorizing municipalities to provide an additional relocation benefit in the form of rent assistance for individuals or families displaced from urban renewal areas; providing for partial reimbursement by state of such benefits and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (e) of subdivision four of section five hundred five of the General Municipal Law, as added by chapter four hundred two of the laws of nineteen hundred sixty-one, is hereby amended to read as follows:

(e) There is a feasible method for the relocation of families and individuals displaced from the urban renewal area into decent, safe and sanitary dwellings, which are or will be provided in the urban renewal area or other areas not generally less desirable in regard to public utilities and public and commercial facilities [at rents or prices within the financial means of such families or individuals] and reasonably accessible to their places of employment.

§ 2. Article fifteen of the general municipal law is hereby amended by adding thereto a new section, to be section five hundred seven-a, to read as follows:

§ 507-a. Relocation benefit: Rent Assistance. 1. (a) Notwithstanding any general special or local law or charter or administrative code provision to the contrary, the governing body of any municipality undertaking a program or programs of urban renewal is hereby authorized and empowered to adopt a resolution providing a relocation benefit in the form of rent assistance, to or for families or individuals who are displaced from an urban renewal area in order to assure that such families or individuals are able to be relocated into decent dwellings as provided in paragraph (e) of subdivision four of section five hundred five of this article.

(b) Any such resolution shall provide that such benefit allowed to or for such family or individual shall be equivalent to the difference between the amount of annual income such family or individual is able to pay for rent as determined by the administering agency or department and the annual rent such family is required to pay for such decent dwelling into which relocated, provided that in no event shall such benefit exceed five hundred dollars per year for a family or individual.

(c) Any such resolution shall provide that such benefit shall continue to be allowed to or for such family or individual on the basis provided in paragraph (b) of this section, in monthly installments, for a period of five years, unless within such five year period such individual or family voluntarily removes from such dwelling.

(d) Any such resolution shall provide for the designation of a local agency or department to administer its provisions. Such resolution shall also provide that such agency or department shall have power to make, promulgate, modify, amend and repeal supplementary rules and regulations to carry out its provisions.

2. One-half of all amounts expended or costs incurred, including administrative costs in providing such relocation be reimbursed to the municipality by the state.

§ 3. The sum of two and one-half million dollars ($2,500,000), or so much thereof as may be necessary, is hereby appropriated out of the moneys in the state treasury in the general fund to the credit of the state purposes fund not otherwise appropriated, for reimbursement by the state as required by the provisions of this act. The moneys hereby appropriated shall be paid out of the state treasury on audit and warrant of the state comptroller upon vouchers approved by the state commissioner of housing, in the manner prescribed by law.

§ 4. This act shall take effect July first, nineteen hundred sixty-four.

not sent –

Memo/ to: NYC chapters
from N Hill/ Pro Dir
RE – Disc in Hsg. + mortgaging

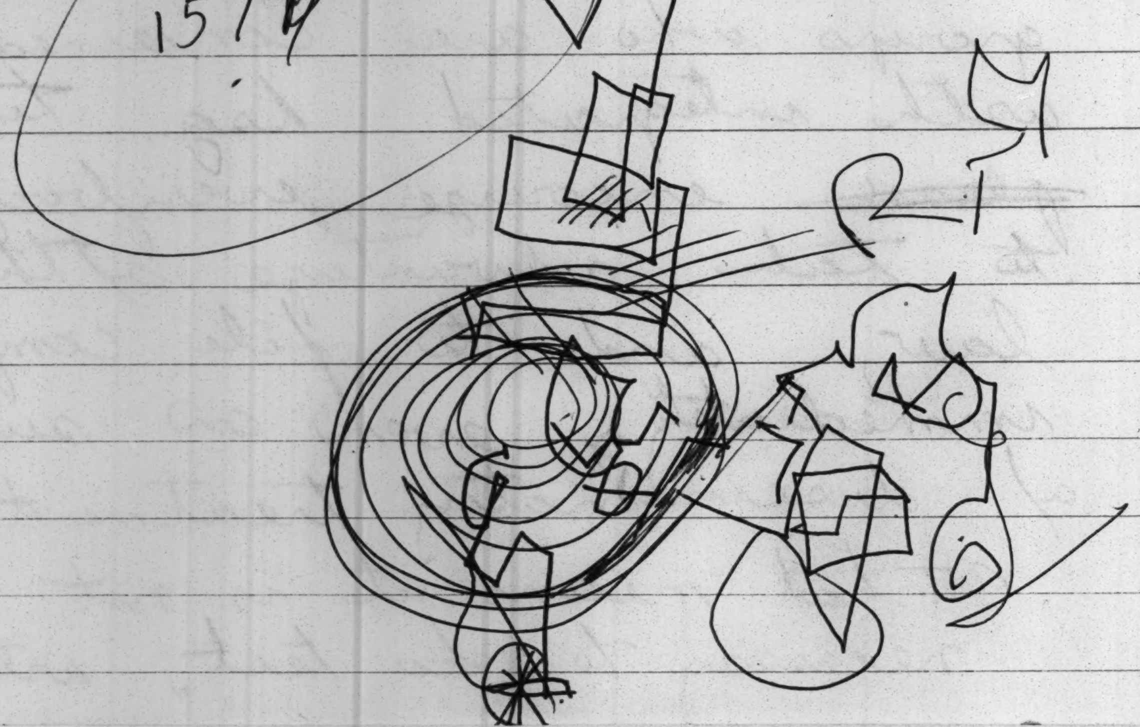
There is an allmost total open occupancy law in NYC. ~~The only types of occupancy which are not co~~ Everything is covered except 2 family dwellings, ~~to which~~ where the owner lives in 1 part.

The City Commission on Human Rights, Jack Wood Housing Director, has increased its staff and is SOLICITING hsg discrimination complaints. They have invited Core, + ~~15~~ other metropolitan groups who are concerned with integrated hsg, to ~~please~~ encourage everybody to take advantage of this law, and to file complaints immediately, or even on suspicion of discriminatory treatment (That means it is not necessary to ~~to~~ test, with white + non-white personell, to prove disc. practises;

sect. ____ makes it illegal for banks to discriminate, either ~~by~~ through unnecessary red tape or over charging on interest rates, against anyone who wants to take out a mortgage.

There are very few complaints along this line although ~~we all~~ it is allowing well known that the practise exists.

It is up to you to ~~s~~ ~~sy~~ make these channels available in your community.



Enc. ~~is~~ are sev. copies of the complaints. The 2cnd sheet is for the research dept. of CCHR, & does not need to be filled out in full if there are any objections. These sheets *do* need to be notarized. Complaments can be filed at National if it is more convenient, or someone in your chapter can take the notary exam.

Please contact the program dept. on the extent of your chap's partic. in this program.

Code Enforcement Check List

Address of building: ______________________ Building # ________

Violations outside Apts. or Rooms (Check or Comment.

I. Garbage Collection
Insufficient number of covered metal cans ____________________
Cans not available frequently enough ____________________

II. Front entrance
Mail boxes broken ________________
Front door broken or doesn't lock ____________________

III. Stairways
Broken or dangerous railing ________________
Broken steps or dangerous treads ________________

IV. Halls
Walls, ceilings, doors need painting, plaster cracked, etc.
____
Poor or defective lighting or wiring ____________________
Halls dirty or unswept ______________
Broken sashes or windows ________________
Insufficient or defective radiators in halls ___________ (which?)

V If bathrooms are in halls (Indicate which floors),
Are they dirty ____________
Need painting, plaster cracked, etc. ______________
Poor or defective lighting ______________________
Defective or leaky sink, toilet, shower, bath (which?) ________ ____________
Poor water pressure ________________________
Broken windows ____________________
Ventilation Insufficient ________________

VI. Cellar and yards
Accumulation of junk or dirt ____________________
Water leaks ________________

VII. Exits
Defective fire escapes (where?) ____________________
Blocked exit ____________________

Additional Comments: ____
____
____
____
____
____
____
____
____

Violations in Apt.s or Rooms

(For each violation,
list Apt. number &
Comments)

I. Front door -- broken or no lock ______________________

II. Walls & ceilings
Need painting ______________________
Cracked or loose plaster (note danger of falling)
____
Evidence of leaks above ______________________
____
Holes in walls or baseboards ______________________
____

III. Lighting
Inadequate outlets ______________________
____
Dangerous or defective wiring ______________________
____

IV. Windows
Broken panes ______________________
Rotten or broken frames ______________________
Broken sash cords ______________________

V. Bathroom (if inside Apt.)
Broken toilet, sink, or tub, (which) ______________________
Stopped or leaky plumbing (which) ______________________
Inadequate hot water ______________________
Low water pressure ______________________
Insufficient ventilation

VI. Kitchen
Defective stoves or refrigerator (which) ______________________
____
Defective or leaky plumbing ______________________
____

VII. Vermin (Ask tenant)
Evidence of or complaints of rats, mice, roaches
____
Failure of owner to exterminate (how often) ______________________
____

VIII. Heating

Inadequate heat, day or night ______________________

____

Insufficient radiators (One in every room) ____________

____

Defective radiators, leaks, valves, etc. __________

____

IX. Janitorial and Maintenance Service (ask tenants)

Owner or janitor fails to make repairs on request ________

____

____

Adequate janitorial service (one full time janitor covering more than three buildings) ______________

____

Other complaints or poor conditions observed (If pertaining to apts, or rooms, give number) ____________

____

Additional Comments:

____

____

____

____

____

____

____

____

____

____

____

____

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Workers Defense League

ALGONQUIN
4-4953

112 East 19th Street, New York 3, N. Y.

MANUAL

FOR

CIVIL RIGHTS ACTIVISTS

I. Legal Aspects of the Rent Strike ... 1
II. How to file a complaint against the police department 6

* * *

The Workers Defense League is a human rights organization devoted to full equality before the courts, on the job and in the union. Founded 25 years ago, WDL has steadily fought racial, economic and political exploitation. From Negro sharecroppers to British West Indian migrants and the Freedom Fighters of Hungary, WDL has stood for the rights of free men everywhere. By means of legal defense and public action it stands between the individual and injustice.

For legal assistance call AL 4-4953
For more information clip and send to:
WDL, 112 East 19th St., N.Y. 3, N.Y.

- -

☐ I would like _____ additional copies of this manual.

☐ Please send me more information about the WDL.

☐ Enclosed is my contribution to the work of WDL.

Name ______________________________

Address ______________________________

____

I - RENT STRIKES

Since the commencement of the recent spontaneous wave of rent strikes, the Workers' Defense League has had innumerable requests for information and guidance relating both to the practical and the legal aspects of rent strikes. This pamphlet is being issued by the Workers' Defense League at the request of many individuals and community leaders. In doing so, the Workers' Defense League is not attempting to supply an exhaustive statement of all of the relevant law or an exhaustive treatment of all of the practical aspects of organizing and conducting a rent strike. It aims only at furnishing such general information as will answer the questions which have thus far most frequently arisen.

What is a rent strike?

A rent strike is an organized refusal by the tenants of a building to pay their respective rents predicated on the failure and neglect of t their landlord, to provide them with essential services.

Are rent strikes legal?

The answer is that rent strikes are legal and that the lower court in New York City have established methods of dealing with them. Those methods are applicable where the apartment building suffers from violations which are "hazardous or dangerous to life, limb, or health." In such instances the tenants may withhold the payment of rent to the landlord. The withholding, however, takes one of two forms:

1. Under the first line of cases which are based on a decision of Judge Sallotolo, provision is made for the payment of the withheld rent to the clerk of the court to be withdrawn by the landlord by court order upon proof that the money will be used to correct violations in the building. Under this line of decisions when the violations are removed, any monies remaining with the clerk of the court would be paid to the landlord.

2. The second line of cases is predicated on a decision of Judge Moritt, which holds that where hazardous violations are present, it acts to "suspend the entire rent." Under this decision, tenants are not required to deposit the withheld rents with the clerk of the court and never have to pay their rent for a month in which they were not supplied with essential services or during which hazardous violations were permitted to continue to exist.

Can rent strike tenants be evicted?

Tenants on rent strike CAN NOT BE EVICTED if their apartments or buildings contain hazardous violations.

Does the violation have to be "Of Record"?

There is nothing in the law which requires that hazardous violations be of record (that is, be recorded in the records of the Department of

Buildings) in order to constitute a defense to an eviction proceeding for failure to pay rent. Consequently, tenants (or any other persons) who have observed the defective conditions should be brought in to court as witnesses. Photographs are very useful if they are large and clear. They should be labelled in order to indicate who took them, when they were taken and precisely where.

How to get the violation on record.

When a violation is of record with the Department of Buildings, its existence will normally be beyond dispute. The existence of a violation "Of Record" renders any testimony of the landlord to the effect that he has no knowledge of the particular violation almost incredible as a matter of law. The tenant should make a thorough inspection of his building. All violations should be entered on "Rent Commission" (Rent and Rehabilitation Administration form: "Tenants Application for a Decrease in Rent".) At least four copies of the form should be prepared for each apartment: one copy for the tenant's records, one for the Buildings Department and two for the City R.R.A. The original of the form must be notarized. The list of violations should be specific and complete, not simply "many rat holes". Instead, specific entries such as "rat hole in northwest wall of bedroom and rat hole under sink in kitchen." The tenant should not forget to repeat all violations in the public areas of the building on the list for his own apartment. The tenant should not fail to include "invisible" violations, that is, insufficient heat, lack of hot or cold water, or neglect with respect to sewage disposal, garbage collection and extermination services. As soon as possible, copies of the list of violations for each apartment should be taken to Mr. Judah Gribitz, Deputy Commissioner, Departmebt of Buildings, Municipal Building, Chambers and Centre Streets, N.Y.C. with the demand that there be an immediate inspection. These copies should be left for him for his inspectors' use and the tenants should be notified of the date of the inspection. If any eviction, "dispossess" or other court proceedings are pending against tenants in such building, Mr. Gribits should be informed of the date the case is to be heard in court. It is important that you impress upon him that he make sure to have the premises inspected and the violations entered on his record before that date.

Using the City R.R.A.

The New York City Rent and Rehabilitation Administration supervises rent control in New York City and consequently has the power to reduce rents (even to $1.00 per month) where there has been substantial deterioration in the premises or services. The tenant should push vigorously for these rent reductions because they result in a permanent saving of rent. That is to say, that when services are restored and rents are returned to their original level, the tenant would not have to make up the difference between the reduced rent and the original rent, for the months during which the services were deficient. Two copies of the "Tenant's Application for Decrease in Rent" for each apartmant (see below) should be sent to the Rent Commissioner. In the more serious cases, a telephone call to Mr. Ed Davis, Chief of the Enforcement Division, will result in accelerated action by the otherwise "pokey" Rent Commission.

What is a hazardous violation?

Whether a violation is "hazardous" is a question of fact for the trial judge and will vary somewhat from case to case. The Department of Buildings itself labels violations of record as being either "hazardous" or "non-hazardous." The court, however, makes its own decision on this matter. The following are examples of hazardous violations:

1. Violations affecting sanitation: no cold water; leaking sewage pipes; protracted failure to remove garbage; failure to employ extermination; and extreme conditions of rodent or insect infestation.

2. Violations affecting heat: no heat or insufficient heat for protracted periods.

3. Violations which increase fire hazards: obstructed or broken staircases; or bannisters; broken fire escape treads or stringers; accumulation of rubbage or other combustibles; dangerous defects in boiler or heating system; failure to have fire retarding material where required; failure to have self-closing fire doors in bulkheads or where other wise required; overleaded, insufficient insulation, or otherwise hazardous electrical wiring; defective fire escape windows, broken plaster on ceilings or walls which are in danger of collapsing; leaking gas; exposed electrical wires; and defective flooring.

When the tenant is in doubt about whether the condition would be considered hazardous, he should consult first a housing attorney.

Custody of rent monies.

Tenants should purchase money orders or bank teller's checks (no personal checks, unless certified) in the exact amount of his rent at the beginning of the month. These should be made out in the tenant's own name and deposited in a safe deposit box. (Withdrawal from an escrow account is very cumbersome and perhaps dangerous when time is of the essence.)

Tenants on welfare.--

Should a tenant on Welfare receive a "dispossess" or eviction notice, his welfare investigator should be notified immediately in order that the welfare attorney may be advised to assist the tenant's attorney in the defense of the welfare recipient-the tenant.

When the Welfare Department is informed that one of its clients is on rent strike, the Welfare Department will withdraw an amount equal to the tenant's rent from its semi-monthly welfare check. The tenant should keep a record of these withholdings since, in such event the Welfare Department becomes an escrow depository for the rent of its client, subject to the order of the court.

When a "Dispossess" comes

A "Dispossess" is the common word to describe the "precept" which summons the tenant to court and the "petition" in which the landlord or his agent requests the court to allow the eviction of the tenant from the apartment. The petition should be examined to see if it is for non-payment of rent (see upper left hand corner of "petition"). If it is for any other reason than non-payment a lawyer should be consulted immediately. These two papers are printed on both sides of an 8" by 13" sheet of paper. The original petition signed by a Marshall or any other person is invalid and A FRAUD ON THE COURT. The "dispossess" may be served either in person or, as is more likely, by "nail and mail."; that is, after attempting unsuccessfully to serve it upon a person of suitable age in the apartment, one copy is attached to the door and one copy of it is mailed to the tenant at his home address. The "disposses must be answered within the prescribed five day period. This may be done in writing by the tenant's lawyer or by the tenant in person at th office of the clerk of the court. If there is a legitimate question as to whether proper service of the "dispossess" was made on the tenant, or whether the "petition" was signed by the landlord or his authorized agent, the tenant should make a "Special appearance" and put the case down for "traverse". To answer the "dispossess" where the service is not in question, the tenant should state to the clerk that he wishes to enter a "General Denial" and in addition state that he wishes to raise the issue of "abatement of rent" because of constructive eviction -- to wit, failure to repair hazardous violations." The tenant, and all witnesses must be in court on the trial date. The tenant should also have with him the money orders for the rent in the event the Judge requires that the rent be deposited in court.

What if the Tenant receives an eviction notice?

An eviction notice may not be issued except after a trial or after the failure of the tenant to answer a dispossess. It is not inconceivable however, that a Marshall's eviction notice will be the first paper which the tenant receives. In such a case, a tenant may apply to have the judgment dispossessing him because of his default vacated with the request that a new trial date be set in order that he may present his defense. This must be done by an "ORDER TO SHOW CAUSE" supported by an affidavit by the tenant telling the facts of the case (see appendix for samples of such order to show cause and affidavit). At least four copies of the show cause order and affidavit must be prepared. The "Original Order" should be signed by the judge sitting in Civil Court, Special Term, Part II, or, under emergency conditions, by any judge of the Civil Court of Supreme Court. All changes and additions on the "Original Order" must be copied in block printing on the copies and one copy must then be served on the Marshall and another on the landlord's attorney or on the landlord, if no attorney is liste

What if the Landlord or his agent evicts the Tenant?

An eviction by any person other than a Marshall of the City of New York (or a sheriff under certain circumstances) is a CRIMINAL OFFENSE.

How to take the Landlord to Court.

Many of the more serious willful violations will subject the landlord to criminal penalties. Section 2040 of the Penal Law provides: Any leasor, agent, manager, superintendent or janitor of any building or any part thereof, the lease or rental agreement whereof by its terms, expressed or implied, requires the furnishing of hot or cold water, heat, light, power, elevator service, telephone service or any other service or facility to any occupant of said building, who willfully or intentionally fails to furnish such water, heat, light, power, elevator service, telephone service or other service or facility at any time when the same are necessary to the proper or customary use of such building, or part thereof, or any leasor, agent, manager, superintendent or janitor who willfully and intentionally interferes with the quiet enjoyment of the leased premises by such occupant, is guilty of an offense, punishable by imprisonment in a county jail or workhouse for a term not exceeding six months, or by a fine not exceeding fifty dollars, or by placing on probation for a term not to exceed two years, or by all or any of these punishments.

A summons for such violation will be issued by the clerk of Part 7B of the Criminal Court, 52 Chambers Street, upon application by the tenant. A violation by the landlord may be considered willful or intentional if it is a repeated or continuing one and/or if he has knowledge of a serious deficiency and does nothing to remedy it. It is probable that the hazardous violations outlined above would fit the language of the statute which refers to "any other service or facility" When the summons is served it must be served on the landlord or other person named as defendant. It is suggested that the summons not be sought against a landlord in his corporate name by the tenant who is making the complaint. If necessary, the tenant may request the assistance of any police officer in making service of the summons on the landlord.

******

II. HOW TO FILE A COMPLAINT AGAINST THE POLICE DEPARTMENT

Civilian Complaint Review Board

This Board was established five years ago as the result of citizen pressure. It was a compromise, as the demand had been for a review agency independent of the police department. (A bill, #394, has now been introduced into the City Council to do this. Philadelphia and Rochester have such boards.)

Despite its name, the present Board is an agency within the Police Department composed entirely of high-ranking police officials. It is headed by Deputy Police Commissioner Walter Arm; who is, roughly speaking, the Police Department's public relations man.

All complaints about actions by the police are forwarded to this Board, whether made to the Mayor, the Police Commissioner, or other officials.

Who can make a complaint?

The complaint can be made by the aggrieved person (the victim) or by another citizen, such as a lawyer or an organization officer.

Where to send it?

It is a good tactic to send the complaint to the Mayor or the Commissioner, even though you know it is going to be referred to the Board. This lays a better basis for going back to the Mayor with a political demand for justice, as contrasted with the technical, legal process within the department. It is also better for publicity purposes if the case is one you want to take to the press immediately.

Send a carbon of your complaint to the Workers Defense League, 112 East 19th Street, New York 3, N.Y. You are more apt to get attention if the police know an independent agency is interested. And it will alert the WDL in case you need legal help from them on the case

What to say?

Tell the nature of the injury (beating, interference with legitimate acitivty such as distributing leaflets, etc.). Identify the police involved if you can (i.e., by number on badge, licence plate of police car, etc.). If you can't, give the exact time and place. The department can identify an officer from that, unless he was off duty.

Follow-up

Write a follow-up letter once every week to ask what is being done. A case has been reported which was investigated and closed by the Police Department in two weeks without any notification to the complaining party.

Procedure

The complaint is forwarded from the person to whom it is originally made to the Board. (The complainant may be told to file a complaint at the precinct; and if so this should be done; but having notified a higher authority will help ensure his being treated with respect at the precinct.) The Board then will refer the complaint to the area divisional commander. Either the commander or someone appointed by him serves as investigating officer. This officer notifies the complaining party of a time for an investigating conference.

This conference is the only hearing.

The entire police contingent involved is present, including the commanding officer responsible (usually the precinct captain unless special police are involved). A representative of the Civilian Complaint Review Board attends.

The person making the complaint should bring all his witnesses and all evidence available (evidence other than witnesses might be doctor's or hospital bills in case of injury if medical personnel will not come or send affidavits; injured property such as torn up leaflets, and so on); his lawyer if he has one. This will be the only opportunity to to present evidence.

Time Involved

If pressed, the investigation can be carried through to its final decision by the Board in five to six weeks. Follow-up must be continue after the hearing as regularly as before.

Suits against the City

In cases of assault by police, suits can be filed against the City of New York. This is true regardless of whether or not an arrest and/or conviction has taken place.

Such suits cause trouble for the Corporation Counsel and expense to the City. They are therefore very useful as an indirect means of getting the City to influence the police to cut down on brutality, regardless of the outcome in the Courts.

If a suit has been filed, the CCR Board will not consider a case. But an injured party has 90 days to file suit. Therefore a complaint can be filed with the Board and pressed to conclusion well within the 90 day limit and a court case filed afterwards. This is another reason for continuous follow-up.

East Harlem Committee.

People who live or work in East Harlem who have complaints against the police should know that a local committee to help them has been formed there. It is called the Police-Community Relations Committee and its chairman is Hector Valez. He should be telephoned at AT9-7023 and told about any incidents.

APPENDIX

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK

- - - - - - - - - - - - - - - - - - -

Landlord

-v-

Tenant

- - - - - - - - - - - - - - - - - - -

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss

, being duly sworn, deposes and says

That I am the tenant herein and am fully familiar with all the facts and circumstances of the within matter. That I am making this affidavit in support of my application for an ORDER requiring the landlord to SHOW CAUSE why the judgment and Final Order for the Landlord entered herein ON DEFAULT should not be vacated and set aside and why the case should not be put down on the Landlord and Tenant Calendar for trial.

That this is an action by the landlord for my eviction from my apartment in a rent-controlled multiple dwelling located at , County of , City and State of New York because of non-payment of rent.

That the first knowledge I received that the landlord had commenced this action was on the day of , 1964 when I received a Marshall's Notice of Eviction stating that I would be physically evicted from my apartment on the day of . I never received the Precept and Petition, either personally by mail, by finding it attached to my door, by having it left with a member of my family in my apartment or by any other means. Had I known that the landlord had commenced this action, I certainly would have entered an answer.

That (I have been advised by my attorney and) I truly believe that I have a good and meritorious defense to the action herein-to wit: that I have been constructively evicted from my apartment due to the landlord's willful failure to correct numerous hazardous violations and that therefore I am entitled to an abatement of rent.

That I feel entitled to my day in Court and to a trial of the issues herein. That failure to grant this application will create a hardship to myself and my family consisting of

That no previous application has been made for the relief sought herein.

WHEREFORE I respectfully request that this Court Order the landlord TO SHOW CAUSE why the Final Order and judgment should not be vacated and set aside, why my default should not be reopened, why the case should not be set down on the Calendar for trial and for such other and further relief as to the Court may seem just and proper.

Tenant's Signature

Sworn to before me this
day of 1964.

Notary's Signature

Notary's Stamp

State of New York, County of

PETITIONER'S AFFIDAVIT AS TO MAILING

being duly sworn, says that he is Petitioner in the within proceeding.

That the property sought to be recovered is No.

That copies of the petition and precept in the within proceeding were mailed to No.

(a) That the Petitioner has information or written notice that the Tenant—resides—is employed—has a place of business—has its principal office—has its place of business at said address. That the source of Petitioner's information or notice is

(b) That the Petitioner lacks information or written notice of any address where the Tenant—resides—is employed—has a place of business—has its principal office—place of business in the State of New York, other than the address of the property sought to be recovered.

NOTE: Use either paragraph (a) or (b)—strike out unused paragraph.

Sworn to before me this *day of* 19 .... *Petitioner*

Index No..............

19

Civil Court of the City of New York
County of

Landlord

against

Tenant

Undertenant

Premises..............................

Precept and Affidavit(s) of Service
Non-Payment

Rent $..................

Precept served.................. 19

ADJOURNMENTS: **MEMORANDA:**

Attorney for Landlord

Address

State of New York, County of

PERSONAL SERVICE OF PRECEPT AND PETITION

being duly sworn, says that he is over the age of 18 years and not a party to this proceeding, that on the day of , 19 , at o'clock in the noon, he served the within Precept and Petition on the Tenant therein by delivering to and leaving with personally, true copies thereof, and that such service was made at No. Borough of City of New York, and that he knew the person (*corporation*) so served to be the person (*corporation*) mentioned and described as the Tenant in said petition and precept *and the said* *to be an officer thereof, to wit: its*

Sworn to before me this *day of* 19 . ...

State of New York, County of

SERVICE OTHER THAN PERSONAL

being duly sworn, says that he is over 18 years of age and not a party to this proceeding, that on the day of 19 , at o'clock M. he served the within precept and petition with a copy of section 1422 of the Civil Practice Act endorsed thereon, upon the Tenant therein named, at No. the property sought to be recovered,—

SUBSTITUTED SERVICE by gaining admittance to said property and delivering to and leaving true copies thereof personally with a person of proper age and discretion, who was willing to receive same and who resided — was employed at said property.

CONSPICUOUS PLACE SERVICE by affixing true copies thereof upon a conspicuous part, to wit: — the entrance door of the said property; that he was unable to gain admittance thereat or to find a person of proper age and discretion willing to receive same.

MAILING That on the day of 19 , he mailed copies of the petition and precept in the within proceeding with section 1422 of the Civil Practice Act endorsed thereon, properly enclosed in a post-paid wrapper addressed to the Tenant at which is the Tenant's residence—principal place of business—the property sought to be recovered—by depositing the same in a post office—branch post office—sub-station—finance station—letter box—mail chute—official depository maintained by the United States at

Sworn to before me this *day of* 19 ....

B 207D—Original Precept. Non-Payment of Rent.
(For Dwelling) Civil Court.

b

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS
80 EXCHANGE PLACE AT BROADWAY, NEW YORK

Civil Court of the City of New York,
County of Index No. 19

Landlord
Address

against

Tenant
Address

Undertenant
Address

First name of Tenant and/or Undertenant being fictitious and unknown to petitioner,
Person intended being in possession of the premises herein described

Precept
Non-Payment
(Dwelling)

The People of the State of New York:

To the Tenant

and Undertenant above named and described, in possession of the premises hereinafter described or claiming possession thereof:

Greeting: You are hereby required forthwith to remove from the premises designated and described as follows, to wit:

the rooms on the floor, Apartment No. side in house and premises known as Number Ave., Street, Borough of City of New York, or show cause at the Civil Court of the City of New York, County of before the Clerk of said court at his office at in the Borough of , in the City of New York, within *FIVE DAYS after the service of this precept, why the possession of said premises should not be awarded and delivered to the said landlord.

TAKE NOTICE that if you fail to interpose and establish any defense that you may have to the allegations of the petition, you may be precluded from asserting such defense or the claim on which it is based in any other proceeding or action.

Take notice that demand is made in the petition herein for judgment against you, the tenant for the sum of $ with interest thereon from , 19 .

Witness, Hon. one of the Judges of our said Civil Court at the City of New York, dated the day of , 19 ,

....
Clerk

(READ CAREFULLY)

To the above named Tenant:

TAKE NOTICE that, if the premises designated and described in the foregoing precept are occupied by you for DWELLING PURPOSES, and you file no answer with the clerk WITHIN FIVE DAYS after service thereof upon you, the issuing of a WARRANT DISPOSSESSING you from said premises will be STAYED without application to the Court until TEN DAYS AFTER SERVICE OF THESE PAPERS upon you. This provision shall apply only to property actually occupied for dwelling purposes by the tenant named in the precept.

....
Clerk

* *Court hours, 9 a. m. to 5 p. m.*
During July and August, enquire about earlier closing hour.

IMPORTANT TO TENANT—If you are dependent upon a person in the military service of the United States or the State of New York, advise the Clerk immediately, in order to protect your rights.

B 206D—Original Petition, Non-Payment of Rent. Dwelling, Civil Court. b

JULIUS BLUMBERG, INC., LAW BLANK PUBLISHERS
80 EXCHANGE PLACE AT BROADWAY, NEW YORK

To the Civil Court of the City of New York, County of
The petition of of said City, respectfully shows that
your Petitioner
is the Agent in respect to the premises hereinafter described of

who is the Owner in fee and Landlord of the premises hereinafter described, and that your petitioner as such Agent for said Landlord on or about the day of 19
entered into an agreement with

First name of Tenant and/or Undertenant being fictitious and unknown to petitioner, Person intended being in possession of the premises herein described

as Tenant thereof, and that by the terms of said agreement, the said Tenant hired from said Landlord **FOR DWELLING PURPOSES** the premises described and designated as follows:

the Rooms on the floor, Apartment No. side in house
and premises known as Number
Street which is situated within the territorial jurisdiction of the Civil Court of the City of New York, County of and that the said Tenant, in and by said agreement undertook and promised to pay to the said Landlord the sum of $ per payable monthly
in advance on the day of each month for the use and occupation of said premises.

That said Tenant entered into the possession of said premises and still occupies the same.

That on the day of , 19 , there was due to said Landlord under and by virtue of said agreement the sum of $ for
rent of said premises before described, to wit, from
the day of , 19 to the day of , 19
and your petitioner further shows that said rent has been duly demanded personally from the said Tenant since the same became due, and that said Tenant has made default in the payment of said rent pursuant to the agreement under which the said premises are held, and that said Tenant and
Undertenant
holds over and continues in possession of said premises without the permission of the said Landlord after default in the payment of the rent as aforesaid and that your petitioner is duly authorized to institute and maintain these *Proceedings* to dispossess said Tenant and those claiming possession under the said Tenant. That your petitioner herein demands judgment from the Tenant

for rent in arrears during the month of
at $ per month; said rent being due and payable on the day
of said respective month , and that the total rent in arrears is $

That the rent demanded herein is no greater than the maximum rent established and fixed by the City Rent and Rehabilitation Administrator or prescribed by the City Rent and Rehabilitation Law of The City of New York. That the property herein sought to be recovered (is) (is not) the residence address of the Tenant and Undertenants herein.

WHEREFORE, your petitioner prays for a *final order* awarding to the Landlord the possession of said premises together with costs of these proceedings, and for a Warrant to remove said Tenant and Undertenant from the possession of said premises; and for a judgment for rent in arrears for the sum of $ with interest from the day of , 19 , together with costs and disbursements in this action.

Dated, New York, , 19 .

Petitioner.

STATE OF NEW YORK, COUNTY OF ss.

being duly sworn deposes and says that deponent is the petitioner in the foregoing petition and has *heard* read said petition and that the contents of said petition by said petitioner subscribed are true to the knowledge of deponent, except as to those matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.
That deponent is the agent of said Landlord and all the material allegations set forth in said Petition are within the personal knowledge of deponent as agent for said Landlord for which reason this verification is made by this deponent and not by said Landlord. That the reason this verification is not made by the Landlord in person is that the said Landlord is a domestic corporation and your deponent is an officer thereof to wit its............and that the information above stated is from the books and records of the corporation.

Sworn to before me this
day of , 19 .

Attorney for Landlord
Office and Post Office Address

Civil Court of the City of New York

County of ....

Index No..................... **Year.....................**

Landlord

Address..

against

Tenant

Address..

Undertenant

Address ....

Petition — DWELLING — Non-Payment

Precept issued...........day of.............................., 19.........

Precept served...........day of.............................., 19.........

Precept returned...........day of.............................., 19.........

Tenant appears...........day of.............................., 19.........

but fails to answer.

Tenant answers...........day of.............................., 19.........

Answer is ....

....

Set for trial...........day of.............................., 19.........

Landlord notified...........day of.............................., 19.........

Tenant notified...........day of.............................., 19.........

Sufficiency of answer referred

to court.............................., 19.........

Raises.............................issue.

....

Judge

That the rent demanded herein is no greater than the maximum rent established and fixed by the City Rent and Rehabilitation Administrator or prescribed by the City Rent and Rehabilitation Law of The City of New York. That the property herein sought to be recovered (is) (is not) the residence address of the Tenant and Undertenants herein.

WHEREFORE, your petitioner prays for a *final order* awarding to the Landlord the possession of said premises together with costs of these proceedings, and for a Warrant to remove said Tenant and Undertenant from the possession of said premises; and for a judgment for rent in arrears for the sum of $ with interest from the day of , 19 , together with costs and disbursements in this action.

Dated, New York, , 19

Petitioner.

STATE OF NEW YORK, COUNTY OF ss.

being duly sworn deposes and says that deponent is the petitioner in the foregoing petition and has heard read said petition and that the contents of said petition by said petitioner subscribed are true to the knowledge of deponent, except as to those matters therein stated to be alleged on information and belief, and as to those matters deponent believes the same to be true.

That deponent is the agent of said Landlord and all the material allegations set forth in said Petition are within the personal knowledge of deponent as agent for said Landlord for which reason this verification is made by this deponent and not by said Landlord. That the reason this verification is not made by the Landlord in person is that the said Landlord is a domestic corporation and your deponent is an officer thereof to wit its .... and that the information above stated is from the books and records of the corporation.

Sworn to before me this

day of , 19

Attorney for Landlord
Office and Post Office Address

A STATEMENT ON HOUSING POLICY

CITY COMMISSION ON HUMAN RIGHTS
OF NEW YORK

1664

The following is a reprint of an address by Mayor Robert F. Wagner, delivered at the Joint Conference of the National and New York State Committees Against Discrimination in Housing at the Park Lane Hotel, October 12, 1956.

The City Commission on Human Rights accepts this document as a basic statement of policy and an official charge to achieve a truly open city—a city in which all families may bargain competitively for available housing with the knowledge that none shall be barred the right to seek shelter because of race, color, religion or ethnic origin.

STANLEY H. LOWELL
Chairman

In behalf of the people of New York City, I take particular pleasure in greeting this Joint Conference of the National and New York State Committees Against Discrimination in Housing. Your cooperation with members of the State Legislature and the City Council has been largely responsible for the enactment of comprehensive statutes prohibiting discrimination in publicly-aided housing because of race, color, religion, national origin or ancestry. Your consistent collaboration with the Office of the Mayor and City agencies responsible for administration of these housing programs has served to assist in the day to day implementation of these statutes.

We believe our town provides an especially apt forum in which to consider your program and policies for the year ahead. This is so, first, because we are able to cite with you distinctive achievements in the attainment of non-discrimination in publicly-assisted housing, and secondly, we are concerned as you are with the ways and means to meet new problems which have arisen to challenge our pre-eminence as a City with truly democratic living patterns.

We early realized that the fundamental approach to the elimination of discriminaton in housing was and is the production of large supplies of new dwellings for families of low and moderate incomes and the opening up of new and old housing to families of all racial and ethnic groups in accordance with their need and ability to pay. In the face of all types of difficulties, we have driven ahead with the building of low rent and middle income housing. We have used all types of Federal, State and local aids, and discovered new ones; we have had the aid of unions, profit and non-profit corporations, private foundations, cooperatives. These thousands of new dwellings every year come under the jurisdiction of our public policy requiring non-discrimination. In the implementation of this policy, the City Housing Authority and other municipal agencies have attained a high measure of success in assuring equal opportunity to all residents to live in decent, sanitary and healthful living quarters. Our City thereby has helped to establish the fact that families of various racial, ethnic and religious backgrounds may live as neighbors in mutual respect and harmony. We have been able to utilize governmental aids and powers to assure to minority group families in publicly-assisted housing that which was and still is denied them in private housing—the right to bargain for shelter in an open market.

WE HAVE come to recognize, however, that in the face of recent population shifts in our city, the general application of non-discrimination in the selection of tenants may still result in *de facto* segregation in publicly-assisted housing which is also prohibited by the laws and public policy of this city. In response to job opportunities, the numbers of our Negro, Puerto Rican and other racial and ethnic group citizens have rapidly increased. Private housing, new or old, is not freely available to them in all parts of the city; this results in heavy concentration of these families in those sections of the city which are open to them. Further, these same over-crowded neighborhoods have generally been the ones designated for clearance and redevelopment. Displaced low-income families are granted tenant selection priority by law in public housing; the other relocatees must be absorbed in private housing in those sections where they are accepted.

Early in August, your State Committee cited the fact that the location of publicly-assisted housing within such neighborhoods of minority concentration could but serve to effect *de facto* racial or ethnic segregation in spite of, or even as the result of, the enforcement of non-discrimination regulations in the selection of tenants. You suggested site selection principles, the further exploration of management techniques to achieve integration, and you recommended that, for the next two years, we avoid the clearance of minority slums for the development of publicly-assisted housing. Your Committee and other groups have cited the inordinate impact upon minority group families, small businesses and churches of displacement and relocation associated with slum clearance. As the result of our discussion in August, I appointed an interdepartmental committee for further study and recommendations to me. My statement to you tonight is based upon the findings of that Committee. In addition, representatives of your New York State Committee have held a number of conferences with the New York City Housing Authority relative to racial aspects of site selection and the application of management techniques to achieve integration. I trust that those conferences will continue and achieve productive working agreements. In addition, I anticipate and urge your holding such conferences with other city departments concerned with the planning and production of housing, with clearance and redevelopment and with the relocation of families.

Further, in the matter of relocation, the Board of Estimate at my suggestion issued a set of seven principles to guide relocation in the effectuation of the Lincoln Square Project. It is our intent that these principles will serve as guides to assure the best possible job of relocation wherever displacement of families and businesses is involved. We ask your careful appraisal of these principles and your cooperation in attaining their consistent application and improvement.

In reference to sites for publicly-assisted housing developments, we have consistently sought to utilize open land wherever feasible. A considerable proportion of the public housing program has been developed on vacant sites. However, the really available supply of such land diminishes with the expansion of the city. In some areas, we are faced with local community opposition to the use of vacant land for public housing. The cooperation of your constituent organizations in various parts of the city could prove helpful in the reorientation of neighborhood and borough-wide attitudes in this regard. Our City Housing agencies will continue to exert every effort to utilize vacant land in every possible instance and confer carefully with public interest groups and the Commission on Intergroup Relations* wherever racial and ethnic considerations are involved in clearance operations.

IN ORDER that we may avoid racial or ethnic segregation or other forms of discrimination I am calling upon our City Commission on Intergroup Relations, working in association with my office and the City Planning Commission, to consult with city agencies concerned with the planning, site selection, development, marketing, tenanting and management of housing accommodations and associated facilities. The purpose will be to recommend any shifts in emphasis or adaptations of policy and procedure to assure the maintenance and extension of sound, democratic living patterns wherever public assistance is involved. I will expect that the Commission will also help to mobilize community resources for the wide interpretation of the city's objectives. In this regard, its work will parallel and complement the work of the Commission on Integration now at work in the Board of Education to effect the integration of public schools. The relation of schools, neighborhood and housing are inextricably intertwined.

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*Since March 1962, the City Commission on Human Rights (CCHR).

THROUGH these steps, we should be able to continue to assure that public-assisted housing will make its measure of contribution to a truly integrated city. The chief obstacle to the attainment of this goal, however, lies in the practices of the owners and managers of private housing, new and existing. This housing is not subject to anti-discrimination housing laws although it constitutes the major proportion of the city's dwelling accommodations. In our efforts to clear slums and renew areas of our city, these restrictions in the housing market prevent the free movement of our families of different backgrounds in accordance with their desires and ability to pay. Numerous analyses by governmental and private organizations have found that racial discrimination and segregation in housing constitute a major barrier to city improvement. The tenant relocation report of the City Planning Commission adopted by the Board of Estimate in January 1954, and the report of the Mayor's Committee for Better Housing of June 1955, documented this finding. There is wide agreement also that housing discrimination provides a sharp focus for intergroup tension and conflict which are detrimental to sound relationships between groups in our city.

The Sharkey-Brown-Isaacs Law, enacted by the City Council in 1951, declared that any discrimination and segration in housing is against public policy. In Local Law No. 55, which took effect July 1, 1955, the City Council found that "discrimination" threatens the rights and privileges of the city's inhabitants and "menaces the institutions of a free democratic state." The Council defined "discrimination" as "any difference in treatment based on race, creed, color, national origin and ancestry and shall include segregation." This law created the Commission on Intergroup Relations as a city department to eliminate "discrimination" whether it be effected by public agencies or private corporations, groups, or individuals. It is clear that private as well as public housing falls within this jurisdiction. I shall, therefore, expect that the Commission working in association with my office and in cooperation with other city departments shall take every step within its power to attain the cooperation of private builders, lenders and real estate interests with the city's open housing policy. I am asking that the Commission, based on its negotiations and findings, will recommend to me any additional administrative or legislative steps found necessary to apply the city's declared open housing policy to the private housing supply.[1]

THE OBJECTIVE of this city's policy is clearly that every resource and facility of the city and its departments be utilized in every possible way to remove from the housing supply any restrictions based upon race, religion and national origin. As a matter of morality as well as law, all New Yorkers must have the right to bargain for their shelter in a freely open, competitive housing market. Our effort is to establish the right and the opportunity of anyone to live in any neighborhood or move to any other neighborhood as his desire and income may dictate.

As our city departments apply the policies and practices I have outlined to achieve the public policy reaffirmed herein, we shall not find it necessary to deprive any neighborhood of the opportunity for redevelopment. Instead, we should drive ahead, full speed, with the development of housing to meet the needs of all of our people, clear slums, and renew neighborhoods in all parts of the city. Our city has led the nation in its adoption and implementation of non-discrimination requirements in the selection of tenants for publicly-assisted dwellings. We ask the continued cooperation of governmental agencies and private organizations to help us accept the higher challenge of a free, open, integrated city. Our appeal is for the fundamental property rights of all individuals, the sanctity of law and the highest morality of man's relation to man. I will anticipate that you of the State Committee on Discrimination in Housing will be with us in this fight for the duration.

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1. In December, 1957 the City of New York enacted the Sharkey-Brown-Isaacs law, prohibiting discrimination in all private multiple dwellings and in one or two family homes which are built in developments of 10 or more houses. The Law was later amended to cover all private housing in New York City, except in apartments or houses in which the owner or owners continue to reside.

CITY COMMISSION ON HUMAN RIGHTS OF NEW YORK

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lock-busting, (blok-busting) n. 1. (MIL.) In World War II a term referring to the devastation of an entire city block by the single strike of a huge aerial bomb; 2. devious method used (today) by unscrupulous real estate promoters to prevent the integration of a white neighborhood by encouraging rumors that property values will go down and the community turned into a "ghetto" if Negroes are permitted to move in; 3. Instigation of panic-selling, at great loss, of homes by white owners to conscienceless realtors who resell same homes to Negro buyers at shockingly inflated prices; 4. to cause collapse of a peaceful, friendly community and create a newly segregated neighborhood.

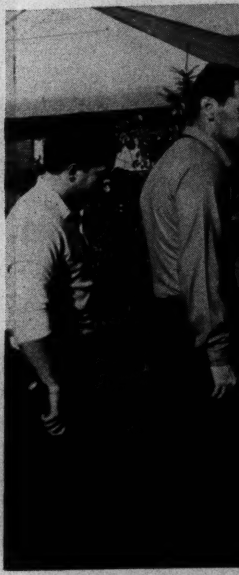
No Hiding Place

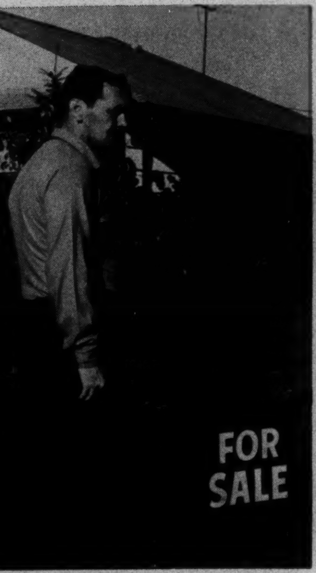
A film revealing shocking practices by unethical real estate dealers which foment discrimination in home ownership.

George C. Scott as Neil Brock, the social worker, and Ruby Dee and Earle Hyman as the Marsdens, star in "No Hiding Place," a realistic drama which poignantly traces the events that befall a white community into which the Negro family has just moved.

Suburbia is the setting for this prize-winning TV play, but the story can, and is, taking place in cities and towns across the country . . . in the north . . . the south . . . the east . . . and west.

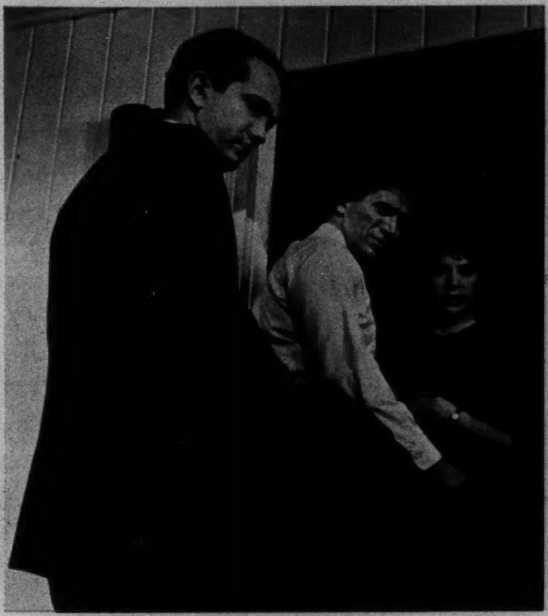
"NO HIDING PLACE" provides no pat answers or solutions, but it does provoke earnest soul-searching on the part of all who see it. WHAT WOULD YOU DO? SELL? STAY PUT? BECOME FRIENDS WITH YOUR NEW NEGRO NEIGHBORS?





Fears that their neighborhood will disintegrate and property values will be deflated, beset the home-owners as the scheming real estate agents launch their block-busting attack.

Dissension and mistrust add to the perplexing dilemma facing the neighbors as they consider the advice of the social worker against the dire warnings of the local real estate dealers.



No Hiding Place

A film revealing shocking practices by unethical real estate dealers which foment discrimination in home ownership.

"No Hiding Place," of the popular CBS-TV series "East Side-West Side," received the 1964 Television Award of the Anti-Defamation League. A David Susskind Production written by Millard Lampell; executive producer, Arnold Perl. A black and white, 16 mm. sound film running for 50 min., it is available for rental at a nominal fee. Purchase price: $250.

Real estate associations and home owner groups, educators, students, church organizations and other civic and human relations groups will find this an entertaining and provocative film for study and discussion of a most timely theme. (Free discussion guides accompany the film.) *Not cleared for TV*

For further information
write to:

Anti-Defamation League
of B'nai B'rith
315 Lexington Avenue, New York, N.Y. 1001
or Contact your
Regional ADL Office

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CHAPTER I

PROGRAM FOR THE ANALYSIS OF RENT CONTROL

In developing this program, considerable attention has been paid to several non-technical elements in the situation: The claims of the landlord group, the need to dramatize rent control issues, the relation of the housing problem to rent control, tenant-group pressure to strengthen rent control, and, finally, the desirability for recommending or proposing solutions to housing problems through other means than decontrol.

It has further been assumed that the landlord's and city's points of view will be fully and adequately expressed by those groups, but that the point of view of the tenant will primarily be explored by this study. This is a simplification of the fact, of course, since the studies undertaken by the RRA generally are favorable to the position of the tenant. It is a necessary bias, nevertheless, for the RRA has obligations to both landlords and tenants, and carefully avoids presenting the tenant argument as forcefully as it can be made. This is not only because RRA finds it necessary to stay somewhat in the middle of the landlord-tenant conflict, but because the RRA may also not be as responsive to tenants in their own programs and administration as tenants would like.

This program has therefore been developed with a built-in bias in favor of the tenant point of view. While every effort is made to maintain an objective position and to base conclusions or positions on facts, no appreciable effort has been made to solve problems to everyone's satisfaction. What is being aimed for is a program which is satisfactory to the tenants, which is responsive to their needs, which takes their problems into account.

The Landlord Argument

There are several basic issues in rent control, many of which are necessarily dealt with summarily in this report. One of these is the question of constitutionality. In brief, the landlord argument is that no emergency exists, and that rent control is defeating its own stated purposes. Briefly the arguments are as follows:

1. No housing emergency exists: The vacancy rates (which should include all vacant units whether not ready for occupancy, seasonal, or withdrawn from the market) are large enough to return the housing market to private control. Even if the vacancy rate (as expanded) is less than 5 percent, no housing emergency would exist. The 5 percent rate is unreasonable, and it was declared unreasonable in Philadelphia where rents were decontrolled despite a less than 5 percent vacancy.

2. Rent control is now defeating its own purpose. The unequalized rents now prevailing in many buildings means that newer tenants are subsidizing older tenants with the same space. Residential slums are being created by rent control - maintenance is worse. Rehabilitation will never get under way until controls are eased. Too many people - who have good incomes - are getting a free ride under rent control. New housing demand is being depressed by people who can pay more for housing, but who prefer to remain in their rent-controlled apartments at low rents. Rent control shows small families in big apartments.

In this study, we will not deal with the constitutional question as such, though landlord groups insist they will test the issue in court. But the study will attempt to throw some light on some of the claims of the landlord:

a. Vacancy rates are high enough to justify decontrol even if less than 5 percent. There is no housing emergency.

b. Unequalized rents in the same building means that newer tenants are subsidizing older tenants with the same space.

c. Residential slums are being created by rent control.

d. Rehabilitation will never get under way until controls are eased.

e. Too many people are getting a free ride under rent control.

f. New housing demand is depressed by higher income families living under rent control.

g. Rent control induces small adult families to retain large apartments.

If rents are decontrolled, the landlords claim that rehabilitation will get under way, that the subsidizing of older by newer tenants will cease, that maintenance will improve, that few hardships will be suffered, that rent increases will not be exorbitant, that new building will be spurred, that the city's tax base will be improved, the free ride of many middle income families will cease, and that small households will stop holding big apartments, all of which, when added up amounts to a general increase in housing quality and quantity and in the city's financial position.

Even if rent controls are not completely removed, these landlord arguments are the crux of the developing rent control battle. In addition to the demands for total decontrol, the landlords will be making demands for easing of controls and improvements in administration - all of which reflect their basic position. These include the following:

a. Remove small property owners, those owning less than 12 (or 9) units, from all controls.

b. Fair and equitable treatment for landlords by the RRA. The implication of this general demand is reflected in the individual demands, but has a life of its own. It says that if rents must be controlled, at least let the landlord make a "fair" profit, unfettered by masses of red tape.

c. Offer "fair" rent boosts to property owners who expend considerable sums of money in the process of modifying outmoded units.

d. Offer "fair" rent boosts to property owners who create large apartments from small apartments through rehabilitation.

e. Eliminate the administrative snarl by which the "city is bogged down with a mass of applications that will require years to dispose of under current administrative practises."

f. Give a 15 percent rent increase to all apartments which haven't had one since 1953.

g. High operating costs such as union wages and tax increases should be the basis for automatic increases passed on to the tenants.

h. Decontrol vacancies as they develop.

i. Immediate decontrol of luxury apartments - at $250 a month or more.

j. Prepare phased decontrol orders for all housing, leading to the final elimination of rent control.

Summary of the Landlord Argument: Rent control is not needed because of any housing emergency. If one existed, it no longer does, even if the vacancy rate is not 5 percent. If people getting a free ride on rent control and if those small households holding larger apartments were forced to look to the private market for new housing or for smaller apartments for the price they are now paying, the critical shortage would not exist. Not only would the housing emergency be revealed as something actually perpetuated by rent control, but decontrol would spur new building, the possibility of reasonable profits would spur rehabilitation, the tax base would be improved, rents would not rise appreciably, there would be few hardships, etc. But if the city were to continue to deal with rent control politically rather than realistically, the city should at least take steps to free the landlord from unreasonable restrictions. It should drastically revise administrative practices, make it possible to get commensurate increases in rent for improvements of a basic sort, give 15 percent increases to those who haven't had them (equalize upward), decontrol vacancies and luxury apartments, and in general, work toward ultimate decontrol. If we lose in court to have constitutionality challenged, if it is too politically dangerous to remove controls immediately, at least move to eliminate hardships on landlords, remove basic restrictions on housing improvement, and gradually move toward decontrol.

The Tenant Case

By contrast with the landlord argument for decontrol, the tenant groups have a different assessment of the housing problem and therefore a different position on rent control. They see, particularly for the low-income tenant, that the housing shortage is of an emergency nature, one which will not be eliminated until there is a massive building program of low-rent housing. They view rehabilitation with alarm until and unless there is a massive subsidization program that goes along with it. Creating better housing conditions - whether the landlord makes a profit or not - is the general position of the tenant groups. As a matter of fact, tenant groups blame the landlord as well as the city for the lack of maintenance of buildings. They believe it is no better with rent control than it is without.

As with the landlords, tenant oriented groups and individuals have a variety of positions, ranging from considering housing as a public utility with control of incomes as well as rents and group management of tenements, to those who merely want to see rent control extended and loopholes eliminated. Below are some of the more significant and general elements of a tenant position:

a. Moratorium on the demolition of structurally sound, habitable, rent-controlled housing.

b. Elimination of the 6 plus 2 "hardship" provision of the rent law.

c. Strengthening of the provisions on SRO's, particularly with respect to the enforcement of codes and registered rents.

d. Limiting the voluntary increases (15 percent) to two for any one apartment. Where there are more than two, rents should be rolled back.

e. Amortizing increases for new equipment (such as stoves and refrigerators) over a longer period of time, making the monthly increase to the tenant smaller, and having the increase cease when the equipment has been fully paid for.

f. Allowing major capital improvements only with consent of 75 percent of the tenants, except where violations must be eliminated.

g. Put income maximums on rent-controlled apartments.

h. Put household size minimums and maximums on rent-controlled apartments.

i. Re-control all decontrolled apartments.

j. Moratorium on conversions to types of apartments not needed in the community.

k. Strict code enforcement - at a much more rapid pace - of all rent-controlled and other housing stock.

l. Vest-pocket building in built-up areas on vacant land and massive low-rent building programs in predominantly vacant areas.

m. Relocation program to permit overcrowded families to move into low-rent apartment areas in decent housing.

n. Empower RRA to make building inspections so that rent decreases can be processed rapidly.

o. City or non-profit takeover of properties whose landlords will not comply with the codes.

p. Subsidization of rehabilitation so that tenants will not have to pay more than they can afford for rent.

q. Group ownership or management of tenements to insure adequate maintenance.

Summary of Tenants Position: Tenants are largely considering the total housing picture in their approach to rent control. So long as low-income groups are having trouble getting decent apartments at rents they can afford, they will oppose decontrol and will want to strengthen rent control further. Their solution to the problem is to stop demolition of low-rent apartments and to build more of them on vacant land wherever it can be found. Until this is done and the supply of low-rent housing comes into balance with demand, they will fight to keep rents as low as possible.

The most effective way this can be done is through limiting the increases available to landlords for new leases, for "hardship" cases, for major capital improvements, and for new equipment. They would further recontrol all decontrolled apartments. To increase the quality of housing, they would subsidize rehabilitation, institute group management of buildings, takeover buildings landlords do not maintain properly, and take steps to make code enforcement work more rapidly and effectively. To make sure that the most efficient use is made of the standing stock of housing, they would want controls extended to include income maximums, household size minimums and maximums for apartments, recontrol of all decontrolled apartments, and a moratorium on conversion of large apartments to small ones (of types not needed by community). Finally, to begin to equalize opportunity, they would want a relocation program which would permit overcrowded families to move into decent housing at rents they could afford.

Comparison of Landlord and Tenant Positions

Both tenants and landlords agree that there is a housing problem, but they disagree on the seriousness of the problem and on the extent to which the landlords should be responsible for solving it. The landlords come out the worst in this general argument: Their contention that decontrol will ease the shortage by forcing those who can afford it into new apartments and those with too-large quarters into smaller ones ignores a basic effect of decontrol: The end of full occupancy. Since profits are at a maximum when some apartments are vacant, decontrol will have all the beneficial effects suggested by landlords, but some decidedly undesirable disadvantages as well. It reduces the total space available for tenancy; it increases the percentage of income paid for rent for those who can least afford it, and thus worsens the housing shortage.

It is also clear that landlords and tenants have in common several criticisms of the city. Neither is happy with the administration of rent control, and there is a general implication that neither landlords nor tenants should bear the burden of poor housing. By imputation of both landlord and tenant positions, the city is negligent in its treatment of the low income family. It is not providing housing for the low income groups through its subsidy programs. On the one hand it is asking tenants to put up with bad housing; on the other it is asking landlords to put up with low profits. Neither alternative is acceptable. The city must really take this responsibility on, accept it, and provide the housing.

The tenants are willing to sacrifice landlord profits to get decent housing. The landlords, on their part, are willing to sacrifice decent housing to keep their profits. This suggests that as a point of accommodation between landlords and tenants, a joint effort to get the city to accept its responsibility for the decent housing of low-income families would be a judicious move. Thus, one of the basic issues revealed is the question of providing decent housing at rents people can afford. While this question would seem to be removed somewhat from the rent control argument, it is central to it. Among the elements of this issue are the following:

a. Since landlords will not willingly accept reduced profits and tenants will not willingly accept rents higher than they can afford, it behoves the city, state and federal government to promote a program of low-rent housing, both new and rehabilited, which will result in a massive net gain in housing for low income groups.

b. Since some landlords will not willingly maintain their properties, the city must devise a way for taking over such properties and developing ownership and management structures which will permit proper maintenance at rents people can afford.

c. In order to make sure that people who need rent controlled apartments get them, re-control or income maximums and household size minimums should be added to the control mechanisms. Similarly, to insure that the greatest use is made of existing stock, conversion controls should be added, and reasonable restrictions against the demolition of structurally sound, habitable low-rent housing should be enforced.

The question of increased controls runs headlong into general opposition. Landlords will oppose any form of increased control; tenants, too, would not like some of the suggested additional controls. But it is perhaps only with additional controls that there can be a maximization of housing utilization.

While landlords and tenants should band together to demand a responsible attitude on the part of the city, toward the provision of decent housing, a general improvement in the situation will not follow immediately even if they do band together. Even if the city does accept the responsibility, it will be years before the situation will permit for decontrol - if ever. Therefore, the battle on rent control must still be fought. And landlords and tenants must be on opposing sides. And in order to be effective, the tenants must demolish landlord arguments for decontrol, substituting as a solution this joint attack on the city. Tenants must show that there will be hardships, that decontrol does not mean better housing, that it does mean rents people cannot afford, that even in its present state it is a threat to tenants, that it needs to be strengthened.

An unfortunate consequence of this long-continuing struggle between tenant and landlord is that it makes them both blind to situations which should bring about a change in their positions. The landlords, for example, complain that newer tenants, paying the higher rents, are forced to subsidize the older tenants. But instead of suggesting some method whereby rents in a building are equalized (equitably), they vapidly suggest decontrol (the great equalizer). Tenants claim that the low-income aged person and large family need this "older" space at a low rent - neglecting the fact that thousands of the "newer" tenants are low-income Puerto Ricans, who are doing the subsidizing.

Another blind spot is in both tenant and landlord approach to the administration of rent control. By now it is clear to all that the administration of rent control is shot through with inefficiencies, that enforcement has all but broken down in several sectors, that the bundle of regulations has become so complex that success is more a matter of landlord goodwill and tenant knowledge than agency directive. Both sides should make a concerted effort to work out formulas which will drastically simplify the controls and make them work. (Tenants claim that the breakdown of administration puts off the rent increases a little bit longer; and landlords claim that the breakdown of enforcement permits them to cheat their tenants a little more. Yet both get a little more dissatisfied every year.)

Nevertheless, the basic assumption is that the City of New York shares basic responsibilities for the provision of decent housing with the landlords, and that neither has done their share. And as long as neither do their jobs constructively and in good conscience, the fight for strong rent control has to continue.

The City Point of View

Sitting in the middle of the landlord-tenant conflict is the Rent and Rehabilitation Administration of the city. On the one hand it faces a test of the constitutionality of the rent control laws at the hands of the landlords. On the other, it is besieged by an increasingly restive tenant movement which not only finds fault with rent controls as they are, but which is hitting hard at poor maintenance and inadequate services through demonstrations and rent strikes. The RRA can satisfy neither group without outraging the other, and while rent controls have been established to protect the tenant, the RRA has a responsibility to treat landlords fairly as well.

Because of the explosiveness of the issues, the rapid course of events and the precariousness of the perch, the city's position is always changing. At this particular juncture, when the very continuation of rent control is being decided, the RRA must strongly establish a case for continued controls - without upsetting the landlords too much.

To prepare its case, the RRA has made extensive use of People, Housing and Rent Control, a study of the impact of rent controls prepared by Dr. Frank S. Kristoff and others under contract to the RRA.* The study was based on special tabulations of the 1960 Census and on a 1962 vacancy Survey done by the U.S. Bureau of the Census especially for the City of New York. His report was issued by the City Rent and Rehabilitation Administration in December, 1963.

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*The following summary of Dr. Kristoff's report was written by Ruth Beinart for this report.

The tabulations include data on rent, quality of housing (standard or substandard, dilapidated), income, age, mobility, color and ethnic group, SRO's, number of units in structure, age of structure, crowding (rooms per person).

Other relevant questions on housing were not included and the introduction to People, Housing and Rent Control expresses the hope that further studies will cover these. These questions include "analysis of comparative levels of operating and maintenance expenditures, and expenditures for improvement, for controlled compared with uncontrolled properties; the comparative rates of return to property owners of controlled and uncontrolled units and the effect of rent control upon capital values of controlled properties" (page vi).

The "Summary of Findings" in People, Housing and Rent Control begins by pointing out that up to 1950 little change had occurred in the rent structure although rent control had been in force since 1943. Few rent increases were permitted until then; the vacancy rate was very low (only 1.2 percent in 1950); most rental housing was covered (96 percent of all rental units in 1950).

By 1960 only 77 percent of all rental units were covered; median contract rent had risen 51 percent; and the vacancy rate had inched up to 1.8 percent.*

By 1960 the City's housing inventory had increased by about 250,000 units due to building, subdivision of units, conversion, etc. To this figure may be added another 75,000 dwelling units, called a "definitional increment" because it is due to a redefinition of terms between 1950 and 1960. In other words, 75,000 units not counted in 1950 were counted in 1960.

Quality of housing: Judging housing quality by whether a unit lacks or shares plumbing facilities and whether a unit is classified as "dilapidated," New York City in 1960 had only 11 percent substandard rental housing. This includes SRO's, which are 97 percent substandard (because they lack or share facilities). In this respect New York City compares favorably with other large cities.

The difference between quality in controlled and uncontrolled units is small (95 percent were standard in controlled; 98 percent in uncontrolled) probably due chiefly to the fact that controlled housing is older.

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*The vacancy rate is also given as 2.2 percent. This was the rate found in the 1960 Census by including partially finished units. But in the 1962 Vacancy Survey, a rate of 1.8 percent was arrived at by counting only units with Certificates of Occupancy since only these were available for tenancy.

More of the "dilapidated" units are found in the controlled sector, again due to the much greater age of controlled housing. Twenty-two percent of all the "dilapidated" units are SRO's, although only 6 percent of all units are SRO's.

Rents: New York City is the only major city, except Buffalo, which has rent control. The effect of controls can be shown by comparing the trend here with that in other large cities. Median contract rent in New York rose 51 percent since 1950; median gross rent rose 49 percent. During the same ten years median gross rent rose 60 percent in central cities and 71 percent in five large cities in which more than three-fifths of the units were renter-occupied. (One might comment that the housing shortage was less severe in these five cities and that rents would have risen much more than 71 percent in housing-tight New York without controls.)

However despite the limiting effect of rent control on increases, the "largest contribution to the change in structure of gross rents in the City over the decade" came from controlled units. In contrast to the strict control over rents before 1950, the last decade saw a slackening of controls and many opportunities for landlords to get increases.

Many of these increases occurred outside of the regulations. In 1950 most contract rents were the same as registered rents. In 1960, 25 percent of all contract rents were higher than registered rents. In other words, 1 out of 4 tenants in rent controlled units are paying illegal rents, illegally high. The median excess is $13.

A small sample of decontrolled units was tabulated with the result that rents were found to have risen from a median of $47 to a median of $73 over a four year period. This gives some idea of the impact of decontrol.

Household size: Following the trend in other large central cities, household size in New York declined substantially. In 1950, 14 percent of all renter households were 1-person; in 1960, 23 percent were. The total number of 1-person households in the City doubled during the ten year period.

This partially accounts for the improvement in space utilization. In 1950 space utilization by renters was 1.21 rooms per person; in 1960 it was 1.31.

Crowding: Although the number and proportion of "crowded" units declined, there were still 5,000 families of 5-or-more persons in one or two room units.

Mobility: Mobility in uncontrolled apartments is almost twice as high as in controlled. However, this is partially accounted for by the fact that many uncontrolled apartments are newly-tenanted and thus 100 percent of these would record move-ins during the period from January, 1958 to March, 1960 on which mobility is based.

Age: Median age in controlled apartments is higher (51 years for head of household as opposed to 43 years in uncontrolled).

Income: During the last decade median income of all renter-households increased by 52 percent (from $3,300 to $5,000). The median income for families in controlled units was $5,800; in uncontrolled, $7,100.

Rent-income ratio: This is a complicated problem because the ratio varies so much. Low-income families have much higher ratios (35 percent of income or more) than high income families. In general the ratio in New York City for renters declined from a median of 18.9 percent to 18.4 percent. Nationally it increased from 18.6 percent to 19.9 percent.

In controlled housing the ratio was 17.7 percent in New York; in uncontrolled 20.4 percent.

Even with rent controls, 18 percent of all controlled households paid more than 35 percent of their incomes for rent.

Color and ethnic group: The number and proportion of Negroes and Puerto Ricans in New York City increased from 1950 to 1960. This increase was only partially reflected in the change in the proportion of renters covered by rent control from 1950 to 1960.

Although the total decline was from 94 to 75 percent, the proportion of Puerto Ricans under control only declined from 86 to 77 percent. Negroes fared worse. The proportion declined from 90 to 69 percent. For white renters the drop was from 95 to 76 percent. The proportion of Negroes and Puerto Ricans in SRO's was substantially higher than their proportion in the general population.

The report points to the increase in home-ownership among non-whites (an increase from 15,000 to 47,000) as a bright spot in the picture.

Rents and rent-income ratio are analyzed by color and ethnic group. The data shows that white families pay higher rents but get more for their money, pay less of their incomes, and suffer less crowding. Quality and crowding are worst for Puerto Ricans but their rent-income ratios are lowest (when families of the same income are compared).

SRO's: In these units, rents are high ($50 for 1 room and $65 for 2 rooms), quality is low, incomes are low and more than ½ of all SRO's are occupied by Negroes and Puerto Ricans. "Although single-room occupancy units are under rent control, enforcement in this sector is weak."

Vacancies: There was no increase in the vacancy rate from 1960 to 1962. The 1962 survey showed that the median size of vacant units was 2.7 rooms; the median rent was $86.

Number of units in structure: Increases in small structures (3 to 9 units) were higher than in larger ones; 41 percent of the increases were unregistered. Median income is slightly lower; families are larger, have larger apartments and slightly lower rent-income ratios. Mobility is a little greater. The report concludes that there is "little justification for adjustment in rent control treatment of units by size of structure."

Over-$250 apartments: Controlled and not controlled apartments are analyzed by two categories of contract rent, those renting for $200 to $249 and those renting for $250 or more. Median room size varies from 4.1 to 5+; persons varies from 2.2 to 2.8; and persons per room varies from .50- to .68. The chief variation seems to be in income and rent-income ratio. In controlled apartments the $200-$249 households have median incomes of $12,300 with a 22.8 percent rent-income ratio; in the over-$250 apartments the comparable figures are $18,500 and 21.3 percent. In uncontrolled apartments the $200-249 households have median incomes of $15,300 with a 20.4 percent rent-income ratio; in the over-$250 apartments the figures are $25,000 and 15-%.

The last paragraph of this section states that there has been "considerable easing of the market in recent years" in the over-$250 apartments, and that most of these tenants are "in a good position to compete for shelter in a free market." No supporting evidence is given.

Based on this evidence, Hortense Gabel, Rent Administrator made public the following conclusions:

a. The public emergency that requires rent control still exists. The vacancy rate is 1.80.

b. The critical housing shortage still exists.

c. Without continued rent controls, the existence of this housing shortage would permit the exploitation of tenants.

d. Unjust, unreasonable and oppressive rents have been prevented for those who live in rent controlled houses.

e. Reasonable rent increases have been permitted under rent control while incomes have kept pace.

f. The quantity of housing has increased and its quality improved in post-war years.

g. Only at the rent level of $250 per month or more is there evidence sufficient to justify any relaxation of rent control.

The city proposes to decontrol apartments with more than $250 per month rent, providing adequate safeguards including waiting time of at least six months, perhaps waiting until people have moved, or have negotiated new increases.

Mrs. Gabel also suggests that she is going to ease hardship provisions for the group of owners of buildings containing less than 9 units, and that she will issue shortly Schedules of Rental Values which will provide landlords with incentives for modernization of heating plants.

Summary of the City Position: In brief, the city position is one of preserving the status quo and giving the landlords a bone or two, some of which could be injurious to rent control. Thus, the easing of hardship provisions for buildings with less than 9 units affects hundreds of thousands of units. It has become obvious from a review of the Frank Kristoff monograph that the RRA study is not going to strengthen the tenant position, and is certainly not geared toward strengthening rent control. For this reason, a tenant-oriented study of the data is absolutely necessary. Further, the city has not accepted responsibility for the provision of housing, nor has it used rent control to insure better housing for people at rents they can afford. The RRA is part of the problem besetting the tenants, and is in competition with them for public attention.

The RRA has joined other city housing agencies in a rehab program in which the burden for rent increases falls on the tenants. This reinforces the argument that RRA and the city generally have not accepted responsibility for providing decent housing at rents that people can afford.

The Program of Study

With the foregoing as a background, a program for study can be more adequately set forth. It must be understood at the outset that with limited time and energies at our disposal, a number of restrictions on the scope and breadth of the study have had to be adopted. In the first place, no attempt is being made to delve into basic problems which have not been articulated. If such questions do arise they may be dealt with, but not necessarily fully nor will we actively be looking for them. In the second place, our major efforts in research will be limited to the analysis of the U.S. Census study prepared for the RRA. This is where the greatest need exists. Thirdly, as stated before, the study will be tenant oriented. And finally, while recommendations on rent control may well be included in the study report, no deep search for the best solutions will be made. By and large, solutions proposed by others will be tested against facts and modified or presented as it appears advisable.

Basically, the approach is to counter landlord arguments, to use the Census data and the Kristoff report (where its findings are useful in making the tenants arguments), and to support the demands of tenants groups for strengthening of rent control to the extent that the Census material documents the case. A request may also be sent to the RRA asking for summary information on increases and decreases which will further support the tenant case, but it is not known whether this data could be made available in time. Similarly, in other peripheral fields, where data or information exists which is useful to the tenant case it will be used, but no great efforts will be made to develop such data.

Based on Ruth Beinart's initial memorandum, an approach has been developed which (in addition to much of what is suggested above) calls for the kind of data that will convince the Mayor and City Council that strengthening rent control is important politically, that will convince tenants and other organizations that they must actively fight for rent control (non-minority tenants and unions, for example). While such politically oriented approaches are always in mind in such a study as this, it is useful to call attention to them directly.

With this overall background, the limitations of the study and the political orientation all in mind, we shall now turn to the specific organization of the study and the specific questions to be asked and answered. These are abstracted from the landlord, city and tenant positions and arguments, organized into a coherent whole:

WORKING OUTLINE FOR RENT CONTROL STUDY

I. The Housing Emergency - Need for Continued Control

Is there a housing emergency? Landlords say no. Tenants say yes. Whether or not there is a 5 percent vacancy rate would not seem to be the basic element in the argument. Most significant is the building up of the tenant case for continued control. It must be shown that there is indeed a housing emergency that cannot be resolved by decontrol. The most fruitful areas of inquiry (as seen at this point) include the following:

a. Vacancy rates. To show the general vacancy condition by rent level, size of apartment, borough, and percentage. To check if vacancies decline with standard apartments, controlled vs. decontrolled, rents, etc. Check particularly on vacancies in apartments renting for $100 or more - where vacancies are higher.

b. What proportion are tenants paying now compared with 1943 and 1950. Breakdown by ethnic, family size, age, income. Show that most families are still paying excessive amounts. Oppressive rents - who pays them. Who benefitted from rent-income ratio decline.

c. Quality of housing. How are different ethnic groups and other disadvantaged groups affected by quality of housing by controlled and uncontrolled. Which groups suffer from bad quality uncontrolled housing. Condition vs. income, ethnic, age, number of persons. (The data is completely inadequate. Hit its quality.)

d. Summation; need for continuing controls. Who benefits from controls, who is still in precarious positions. Who is worse off in uncontrolled, SRO's, fate in store if controls are lifted. Compare large group of disadvantaged with smaller group holding large apartments or paying low percentages of income for rent. Economy of N.Y. based on low rents, low wages.

II. Discussion of Landlord Claims

Landlord arguments cannot easily be systematically presented. For this reason, it seems best to deal with these claims on the same piecemeal basis they are made. In general, landlords are claiming that conditions under rent control are worse than if controls were lifted.

a. Persons per household by number of rooms. Four and five rooms by 1 to 6 persons. Controlled vs. decontrolled vs. never controlled. Page 7 and 8 of Kristoff says no major differences, but our census study shows twice as many 1 and 2 person families in large apartments. Check,

b. Are newer tenants subsidizing older tenants. How large is the disparity. Who benefits and who is hurt. Perhaps query Gabel if cannot find from figures. Check into the size of buildings, other items which may tell.

c. Lack of tenants for new housing cannot be attributed to rent control. It does not discourage new building. Excessive rent in new construction. But must check for rent-income ratios of higher income families in rent controlled apartments. Check "too many are getting a free ride," and see if there is a lack of large apartments.

d. Year moved in. Develop average period of stay, relate to number of rooms, rent, rent-income ratio. Which families really have the low rates. Who is paying "too little for rent." What is the difference between controlled and uncontrolled.

e. Moratorium on conversions to types not needed by community. Show how decontrolled stock which is mostly conversion stresses the small apartment for one and two person families. Compare the large apartment, small family for controlled and never controlled to get a better picture. Using the 20, 25, 30 percent increase groups, and perhaps the never controlled, see if you can show that large numbers of single persons with large apartments are among those with highest rents.

f. Have rent increases brought about improved quality? Study quality vs. first registered rent and 1960 and dollar differences between 1950 and 1960. But is not a good study of quality. Does not show deterioration of services (no super, no painting, dirty halls, erratic heat and hot water). Can we show these by complaints or summonses?

III. Trends in Rent Increases

What is the trend in rent increases. What percentage of families are hit by hardship increases. Should operating costs such as union wages and tax increases be the basis for automatic increases. Amortizing equipment increases and capital improvements over a longer period of time. Do something with rate of increases given by Gabel over a period of time. Why should tenants pay for new heating equipment? It is a cost which should be paid for through depreciation reserves.

To make such an analysis, data similar to that provided by the State Rent Control Commission would have to be made available by the RRA. The following information covering the period from May to December of 1962 as well as 1963, would seem to be most pertinent at this time.

1. How many applications for increases have been made by landlords under the following provisions of the law:

   a. Increased services or facilities
   b. Substantial rehabilitation
   c. Major capital improvement
   d. Voluntary written agreement
   e. Increase in subtenancy or occupants
   f. Unique or peculiar circumstances
   g. Net annual return (hardship)
   h. Increase in operating costs in small structures
   i. Increase in operating costs in other specified structures

2. In each of the above categories, how many increases were granted, how many rejected, what is the average amount of increase granted?

3. In each of the above categories, how many increases were granted in buildings with 3 to 12 units; with 13 to 39 units, with 40 units or more?

4. In each of the above categories, how many increases were granted on apartments renting for $250 or more?

5. For the first three categories, what is the average cost of additional services or facilities, rehabilitation or improvement on which increase was based?

6. What is the current pending backlog of applications for increases in each category and for the various decrease categories? At what rate is the backlog disappearing?

7. On which types of applications are inspections actually made? How many inspectors are now employed by the RRA local offices? How many inspections per 1000 applications are made?

8. What have been the results of re-registering the SRO's in terms of reducing the disparity between registered rents and rents actually paid?

9. How many increases have been granted for improvements in heating plant? What is the average amount of increase and the average cost of the improvement? If it is possible to find out, how many such increases were granted under state rent control?

IV. Attack on Various Decontrol Proposals

Starting out with a general attack on decontrol, move into specific questions raised by landlords. Decontrol would weaken any chance of SRO's getting standard apartments. Hardships decontrol will effect. Will it mean better housing? Will it solve questions raised by landlords or will it merely precipitate new ones.

a. Vacant Apartments: Argue against decontrol of vacant apartments. What were rents in 1 and 2 family houses before and after decontrol. Using average length of stay, calculate the effects of decontrol of vacant apartments. Show what would happen and what it would cost. Show particularly who it would hurt. Pay attention to minorities, low incomes, aged and families who seek larger apartments as children are born.

b. Excessive 15 Percent Increases: Divide all housing units into three groups: Those with less than 25 percent, those with between 25 and 50 percent and those with over 50 percent increases. How many, what percent of total, how many NA. Compare housing quality, rent-income ratios, can they up their rents? Ethnic, age, number of persons. Effect of 15 percent increase for all with less than 25 percent increase. How much money would it cost?

c. $250 and Over: Attack on $250 per month decontrol. Analyze income, age, number of rooms, number of persons, etc. Cost per room - over what figure would it be a hardship. What is luxury cost per room. How many hardship increases have been granted for apartments of $250 or more? How many voluntary increases? Show how conversion of these larger apartments will be used to drive out middle income families. Do we find a large number of small households occupying apartments of five rooms or more? Gabel says density in $200 to $250 group is higher than in $250 and above. Figures disprove it. Check landlord idea of vacancies based on 1950-1960 housing unit "definitional increment" squabble, in connection with $250 apartments.

We should have information on uncontrolled housing renting above $250. Does the private market supply enough housing for people in this range? How many with high incomes might fall into this category. Those with average $18,000 incomes.

d. 1-9 Unit Structure Decontrol: Removing small property owners from control (3 to 9 or 12 units) or easing the restrictions on them. Evidence already suggests large irregularities in contract vs. registered rent. Beinart suggests 3 to 9 units in controlled and SRO separately for income, ethnic, contract rent, gross rent per room, rent as percent of income, contract rent more than registered rent. She says we can ignore 10-49 and 50 or more in analysis, but perhaps not fully. Should ask for removal of irregularities, not easing of controls. Turnover rates, p. 151, Kristoff. Higher median in 10+ but not in 10-40 - luxury buildings.

V. Recommendations

A. Develop data to show that recontrol is desirable. This can be done by showing the higher percentages of income paid for rent in such housing, the ethnic, income, age distributions, number of rooms, etc., in uncontrolled housing.

B. Show the needs for a relocation, rehabilitation and new building program to give minorities an opportunity to get new housing at rents they can afford. Show the magnitude of the problem in SRO and in controlled and decontrolled overcrowding.

CHAPTER II

THE HOUSING EMERGENCY - NEED FOR CONTINUED CONTROL

Is there still a housing emergency? With a few reservations, the answer is a resounding yes. As the following analysis of the data prepared by the U.S. Census for the RRA demonstrates, the vacancy rates, rent-income ratios, conditions of minority groups and other data clearly show the tenuous position of most tenants even under rent control, and the excessive rent payments and poor housing conditions under which the lower income groups, the minorities, the aged and large families live.

Some of the most interesting and pertinent questions could not be explored because of the inadequacy or unavailability of the data. Most glaring lacks were in the condition of housing (about which the U.S. Census has more information than it gave), housing maintenance, operating costs and landlord profits. These questions, about which there is so little information and so much discussion, need more penetrating study immediately. Many of the arguments of both landlords and tenants cannot be properly evaluated until this information is brought together.

Not all the information gleaned from this data strengthens the tenants case. It was found that SRO's have a vacancy rate which is higher than 5 percent, for example, and this fact will subject the RRA to pressures to decontrol this class of housing. Similarly, it turns out that in the highest income groups, from $10,000 and up, rent-income ratios have been considerably lowered for a disproportionate number of families compared with uncontrolled rents. This too will be grist for the forces of decontrol.

It has been suggested that when such negative facts are found, they should be eliminated from the report. This view has been rejected; it is known that the landlords have retained competent and experienced analysts to go over exactly the same data. They are not likely to overlook these points. It therefore seems most sensible to let tenants know the facts so they can prepare counter arguments and strategies.

In the sections which follow, detailed and often technical manipulations of data will require careful attention on the part of the reader. This study was prepared in some haste, and it has not always been possible to search out the most simple way to present and interpret the facts. While a summary of the principle findings has therefore been appended, those who are more knowledgable and more intimately concerned with the details of the issues are urged to read through the entire report. Tucked away on one of the pages may be just the bit of information needed to counter an argument or make a point. The summaries are not so carefully considered that they eliminate this possibility.

With these introductory remarks, let us turn to the data itself.

The Vacancy Rates

The data on vacancy rates is based on a survey of 22,000 apartments conducted by the U.S. Bureau of the Census. Considering the 2,000,000 or so dwelling units in New York City, a very rough rule of thumb to use in considering the results of the survey is a rate of 1 to 100. For each 100 units, 1 unit was actually surveyed. When vacancy rates are given for specific (and sometimes small) classes of housing, the size of the sample becomes crucial in determining the validity of the vacancy rate found. Where the statistical reliability of the data is in serious doubt, this is pointed out in the text.

Before presenting the findings of the survey, it is of prime importance to review the administrative basis for decontrol, the 5 percent figure. It should first be pointed out that the 5 percent figure is arbitrary, that it is a measure used to determine whether or not a housing emergency exists. Whether or not, therefore, there is or is not a 5 percent vacancy rate in any class of housing, neither side can afford to permit the question to be settled on this basis. The landlords intend to question the constitutionality of the law in any event; the tenants must be prepared to document the existence of the housing emergency in spite of a 5 percent figure in any class of housing, and to thwart decontrol, both in and out of the courts.

A second point is of more immediate concern. There seems to be a general impression (even in tenant circles) that the 5 percent figure can pertain to a class of housing composed of both controlled and uncontrolled units. There is no basis for this conclusion in the wording of the law, and tenants should vigorously challenge any such assertion during the hearings. The section of the law providing for administrative decontrol is reproduced below:

> P Y41-12.0 Decontrol on basis of vacancy rate. Whenever the city rent agency shall find, after making such studies and investigations as it deems necessary for such purpose, that the percentage of vacancies in all or any particular class of housing accommodations in the city is five per centum or more, the controls imposed on rents and evictions by and pursuant to this title, with respect to the housing accommodations as to which such finding has been made, shall be forthwith abolished by order of such agency; provided, however, that no such order shall be made unless such agency shall hold a public hearing on such proposal at which interested persons are

> given a reasonable opportunity to be heard. Notice of such hearing (etc.)..."

Much has been made of the ambiguity of the phrase "in all or any particular class of housing," a phrase which has emboldened landlords and the RRA to claim that it refers to uncontrolled as well as controlled housing. A particular class of housing, under this interpretation, might include both uncontrolled and controlled apartments renting at $250 per month or more. But the law specifically provides that the housing class must be a class of controlled housing where it says "...the controls imposed on rents and evictions by and pursuant to this title, with respect to the housing accommodations as to which such finding has been made, shall be forthwith abolished..." Since you cannot decontrol uncontrolled housing, it is clear the 5 percent vacancy must be in a class of controlled housing.

In Table I are shown the vacancy rates in New York City for controlled, uncontrolled and SRO's.* As is seen, the rates vary from a low 0.8 for controlled units to a high of 8.2 in SRO's, the uncontrolled rate lying midway at 4.2 percent. Combining the rates for both controlled units and SRO's (which are also controlled) results in a total vacancy rate for all controlled units of 1.37 percent. (Real estate analysts describe 2 or 3 percent vacancy as being necessary to cover normal turnover, demonstrating the extremely tight nature of the rental market today.)

TABLE I. VACANCY RATES IN NEW YORK CITY

		Monthly Rent Asked					
Vacant Units	Total	$39-	$40-59	$60-79	$80-99	$100-49	$150+
Number							
All Units	37,402	4250	4733	7519	4750	8558	5856
Controlled	11,517	612	1619	3446	2419	1817	770
Uncontrolled	15,317	59	410	1506	1575	6253	4790
SRO	10,568	3578	2704	2567	756	488	296
Percent							
All Units	1.9	1.8	7.9	1.6	1.9	3.3	5.5
Controlled	0.8	0.3	0.3	0.9	1.4	1.5	1.4
Uncontrolled	4.2	0.6	1.5	3.0	2.1	4.5	9.5
SRO	8.2	8.7	5.9	8.3	11.2	20.8	na

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*SRO's are single room occupancy units. They consist of one or two rooms without kitchen and bathroom facilities, though some do have toilets and/or wash basins but share kitchen facilities.

Aside from the SRO's, the vacancy rate does not rise above 1.5 percent at even the highest levels ($150 and over) in controlled units, starting from a low of 0.3 percent in apartments renting for less than $60 per month. In uncontrolled housing, the range of vacancies starts fairly low at 0.6 percent, but rapidly rises to 4.5 percent in units renting for $100-149 and to 9.5 percent in units renting at $150 or more.

In SRO's, vacancies are generally higher, starting at about 8 percent at the lower rents, rising to 11 percent at the $80 to $99 level, and to 21 percent for units renting at more than $100 per month.

Analysis of the vacancies corroborates the general experience of tenants: That the kinds of housing they need at rents they can afford are simply not available. Aside from the small number of vacancies, less than half are of the size and rent levels needed by most people. Table II, below, is perhaps the most incisive indicator of this fact.

TABLE II. VACANCIES AS A PERCENT OF ALL UNITS BY MONTHLY RENT PER ROOM

Monthly Rent Asked Per Room	Total	Controlled	Uncontrolled	SRO
Under $14	0.4	0.3	1.7	19.2
$15 to $29	1.1	0.7	2.9	7.3
$30 to $49	3.0	1.3	3.5	8.7
$50 to $74	5.1	1.2	7.9	7.0
$75 or more	9.3	7.4	10.0	10.4

Table II shows clearly how the majority of the vacancies in almost all categories rises drastically as rent per room rises. Though 67.5 percent of all units rent for less than $30 per room, only 31 percent of the vacancies are in this group. The abberrations observed in the SRO category are undoubtedly related to the condition of the units involved. Fully 55 percent of the SRO vacancies are deteriorated.

The second measure of interest is the apartment size of the vacancies. Considering controlled and uncontrolled only, 25 percent of the vacancies are in 1 and 2 room units compared with 9.4 percent of all units in the 1 and 2 room category. And though 4 or more rooms account for 55 percent of all units, only 39 percent of the vacancies have 4 or more rooms. Almost 60 percent of these vacancies rent for more than $100, 30 percent rent for more than $150 per month.

On the basis of this analysis, decontrol is unjustified in any category of housing, though SRO's fall technically within the administrative regulations for decontrol. The average vacancy rate for all units available for rent is 1.8 throughout the city. It is less than 1 percent in controlled units and around 4 percent in uncontrolled units. As the examination of the characteristics of vacant units shows, moreover, vacant apartments are at higher rents and of smaller sizes than the occupied portion of the housing stock.

It is considered likely that landlords will press for decontrol of SRO's because of the high vacancy rate, and tenants should prepare to defend SRO controls. There are several basic points against decontrol of SRO's which would be of use in this situation:

1. The law was written for monthly rental apartments, not for SRO's which are rented primarily by the week. Since the length of stay in SRO's is intrinsically lower than in standard apartments, the vacancy ratio of SRO's should be adjusted accordingly. As opposed to the 94.5 month average stay in controlled apartments, the average stay in SRO's is only 47.6 months, about half that in controlled. The vacancy rates for SRO's should therefore be adjusted to match that in controlled apartments, which would bring it down to about 4 percent. (While uncontrolled length of stay is even smaller than in SRO's (40 months), conversion and new construction throughout the decade make these figures atypical; also, it is more logical to compare controlled units with the controlled SRO's in adjusting the vacancy rates.

2. While the SRO's are supposedly under rent control, the degree of non-compliance is astonishing. Out of the 70,000 units for which data is supplied, over 40,000 units are charging rents above the registered rent. This means that 60 percent of the stock is being operated illegally. (This despite the fact that SRO's have gained substantially in rent increases during the decade.) In effect, therefore, SRO's are not being operated under rent controls, the vacancy rates are therefore not true vacancy rates in a class of controlled housing, and the rates obtained should be considered null and void. When the situation has been stabilized and brought under control, another vacancy survey might be in order.

3. Other points can be made to show that severe hardships would be imposed on SRO tenants if decontrol were to be permitted. As is shown in detail later, the lowest income families, the aged and minorities already pay the most rent for the meanest quarters, and would suffer enormously.

It is also likely that landlords will press for decontrol of high rent apartments, perhaps going far further than the RRA's proposal to decontrol apartments renting for $250 or more. The $250 decontrol proposal is discussed in detail later, along with supporting information on still lower rent categories.

For those with an interest in the vacancy situation in a particular borough, a brief summary of the vacancy picture borough by borough is given below:

Brooklyn Vacancies: In Brooklyn, where the vacancy rate for all units is 1.61, about half the 10,639 vacancies are controlled, 20 percent are SRO's, 12 percent are in owner-occupied structures. Most apartments have been vacant for less than two months. Only 10 percent of the vacancies have 5 rooms or more (400 are controlled). Most of the vacancies are in structures built before 1928; almost half are in structures with less than 9 units. Rent asked is between $15 and $39 per room (only 15 percent ask over $50 per room). Most are walkups. The general picture is one of vacancies in small, old, walkups at moderate rents. Few new apartments; very few luxury units.

Bronx Vacancies: In the Bronx, the vacancy rate is even lower. Its 4,999 vacancies are distributed evenly between controlled, SRO and uncontrolled units, the overall vacancy rate being 1.19 percent. While 20 percent have 5 rooms or more, only 200 of these units are controlled. Only 10 percent have 3 bedrooms or more. Only half the structures were built before 1928, half have elevators, most are the average Bronx elevator apartment houses, but there is a large number which is fairly new (739 units built in 1962). Most of the rents asked are between $40 and $79. Only 188 are over $200, all uncontrolled. Over 27 percent are asking $50 per room or more. In this borough, there would seem to be only a very small number of vacancies, distributed in the old elevator buildings, new construction and in SRO's.

Queens Vacancies: The number of vacancies in Queens was 7,403, a vacancy rate of 2.19, the highest of any borough studied. Over 80 percent of these vacancies were in uncontrolled units, most were sound, most had all facilities. The duration of vacancies was also highest in Queens, almost 40 percent being vacant for 3 months or more. Two thirds of the vacancies were in 3 and 4 room units, a quarter of which were built before 1928, somewhat fewer between 1928 and 1946, and the rest were postwar. More than half include gas and electricity in the rent, almost 20 percent include air conditioning, most are in large apartment houses. Most rents are over $100, almost half falling in the $100 to $149 range. Twenty-three percent are higher and a similar number below. The average rent per room is between $30 and $39, though almost a third fall below this level.

Manhattan Vacancies: In Manhattan, the largest number of vacant units (14,289) is found, though the rate of 2.16 percent is below that of Queens by a fraction. Fully 48.3 percent of the vacancies are in SRO's, controlled housing accounting for 23.7 percent and uncontrolled for 28. Only 41 percent are "sound with all plumbing facilities," 31 percent are deteriorating, lacking some or all facilities, another 4 percent are deteriorating with all facilities, the remainder being sound while lacking janitors.

The figures bear out the popular belief that vacancies exist mostly in small apartments. Eighty-one percent of the vacancies are in one and two room units. Fifty-six percent of the vacancies have no bedrooms. Only 404 units (about 3 percent) have 5 or more rooms, half of which are controlled.

In more than half the vacancies, the rent asked is over $100 per month. Ten percent are in the $150 to $199 bracket; 12.2 percent above $200. Of those renting for less than $100, most are in SRO's (54 percent of the SRO's are in the $30 to $59 range. Rents per room are generally high. Almost 75 percent rent for more than $40 per room; 30 percent rent for more than $75 per room. In controlled units, 77 percent rent for more than $40 per room while in uncontrolled units, this figure rises to 95.8 percent. In uncontrolled housing, more than 60 percent rent for $75 per room or more.

As in other boroughs, an interesting characteristic of vacancies is the tendency for asking rents to be higher than registered rents. In 8.3 percent of the controlled units, the asking rent is 50 percent higher than the last registered rent. In Manhattan, almost 30 percent of the vacancies were being offered at rents in excess of registered rents.

Rents and Incomes, 1950-1960

Perhaps the area of greatest controversy between landlord and tenant centers around the question of rents and incomes. Landlords insist that rents have been unduly held down by rent control, that incomes have risen much faster than rents, that many tenants have been getting a "free ride" under rent control. To explore the facts, rent increases, rent-income ratios between 1950 and 1960 and the rent-income ratios of various categories of tenants have been analyzed.

Before getting into the rent-income picture directly, it might be well to discuss briefly the rent rise in controlled units. While in the early days of rent control, rent rises were infrequent, changes in the law and regulations have by now provided what some feel is a frightening potential for rent increases. From the first registered rent (in 1943) to 1950, only 30 percent of the units on which information is available reported an increase. The median increase was $8. From 1950 to 1960, 96 percent of the reporting units showed an increase, the median being $15. Roughly six times as great an increase was registered in the 1950 to 1960 decade as in the previous 7 years.*

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* It would be most important to compare these findings with the rent increases permitted during the past three years. Such information was made available by the State Rent Commission, but has not been reported regularly by the RRA. It is not possible, therefore, to report on the trend of increases in the recent past.

It is interesting to note how these increases were distributed. In Table III below, this is shown.

TABLE III. PERCENTAGE INCREASE FROM FIRST REGISTERED RENT TO 1960 CONTRACT RENT

Percentage Increase	Percent of Units
1 to 14	5
15 to 29	24
30 to 59	38
60 to 89	17
90 to 99	2
100 and over	11
All	97

Only 29 percent of the units had an increase of less than 29 percent, probably involving no more than the mandatory increase of 15 percent plus equipment or capital improvement increases. Most of the units had increases of from 30 to 60 percent, showing at least one and probably two or more rent increases. The 11 percent of units showing increases of 100 percent or more (167,000 units involved), show the effects of multiple lease increases, often obtained by harrassment of tenants, and of major improvements to buildings resulting in tenant displacement and high rents.

Rent increases were also highest in units which were decontrolled over the decade. The Kristoff report analyzed a group of decontrolled units reporting both the last registered rent and the 1960 contract rent after decontrol. The rents had risen by 55 percent from a median of $47 to a median of $73, most of it over less than a five year period.

From 1943, when the median rent was $42, rents have risen in controlled units to a median of $43 in 1950 and to a median of $61 in 1960. About 18 percent of this increase represents illegal charges by landlords. According to the registered rent pattern, the median registered rent in 1960 was only $58. Approximately 25 percent of the units were charging higher than registered rents in 1960, the median overcharge amounting to $13 per month.

Despite this record of rent increases, landlords continue to claim that tenants incomes have risen faster than their rents. This thesis is somewhat reinforced by the findings of the Kristoff report, People, Housing and Rent Control in New York City, a study prepared under contract to the RRA. His data showed that the percentage of income paid for rent was lower in 1960 than in 1950, contrary to experience in other metropolitan areas in the country. The 1950 median rent-income ratio of 18.9 percent dropped to 18.4 percent in 1960. The difference is actually greater since SRO's were excluded from the 1950 calculations. In SRO's the rent-income ratio is quite high, and would have raised the 1950 figure.

While this change tends to support landlord claims, a full exploration of the changes in various rent and income categories between 1950 and 1960 yields a much more varied and meaningful explanation of this decline. Let us first consider how this decline was distributed in general terms according to 1950 income categories. Table IV shows the relative increase and decrease between 1950 and 1960.

TABLE IV. RENT-INCOME RATIOS, 1950-1960, ALL UNITS

	Percentage of Households					
	24.6	19.4	20.0	21.4	10.4	4.1
Income Range						
1950	$-1999	$2000-2999	$3000-3999	$4000-5999	$6000-9999	$10,000+
1960	$-2761	$2762-4641	$4642-6497	$6498-9709	$9710-13,679	$13,680+
Median Income						
1950	$ 956	$2500	$3500	$5000	$8000	$13,000
1960	1566	3702	5570	8104	11,695	20,500
Median Rent						
1950	$37.3	$37.5	$41.9	$46.5	$54.5	$93.7
1960	53.2	57.8	63.6	69.0	77.2	112.4
Median Rent-Income Ratio						
1950	47.0%	18.0%	14.4%	11.1%	8.2%	8.6%
1960	40.8	18.7	13.7	10.0	7.9	7.3

Note: To derive median income in 1960, the 1960 renters were proportioned to equal the renters in each of the 1950 income and rent brackets. The median rents and median incomes were then calculated, and the rent-income ratios taken. U.S. Census of Housing, 1950, Vol.II, Part IV, HB 101-64 and U.S. Census study for RRA.

This table shows how the rent-income percentage increased and decreased for the various income levels. For the lowest income group, it declined by 6.2 percent; for the next, it rose by 0.7 percent, then declined again by 0.7. In the three highest income categories, it declined by 1.1, 1.3, and 1.3 percent respectively. Aside from the decline in the lowest income group, the greatest declines were in the highest income groups.

Because a major income category shows a decline, it doesn't mean that all renters in that income group shared in that decline. In the lowest income group, for example, the 40 percent paying extraordinarily high percentages of income for rent improved their position, but continued to pay more than 60 percent of income for rent. Further, of the 60 percent who were paying between 30 and 39 percent of income for rent in 1950, two-thirds of that group lost ground, and were paying between 40 and 49 percent of their income for rent while one-third bettered its position. This rise in the rent-income ratio is even more visible in the $2000-2999 (1950) group where rent-income ratio increased for all but 14.8 percent, for whom it was reduced.

To judge better the influence of rent control on rent-income ratios, Table V was prepared as shown below:

TABLE V. RENT-INCOME RATIOS, 1950-1960, CONTROLLED UNITS

	Percentage of Households					
	24.6	19.4	20.0	21.4	10.4	4.1
Income Range						
1950	$-1999	$2000-2999	$3000-3999	$4000-5999	$6000-9999	$10,000+
1960	$-2854	$2855-4675	$4676-6416	$6417-9428	$9429-14,492	$14,493+
Median Income						
1950	$ 956	$2500-	$3500-	$5000-	$8000-	$13,000
1960	1632	3780	5546	7923	11,961	20,275
Median Rent						
1950	$37.3	$37.5	$41.9	$46.5	$54.5	$93.7
1960	45.2	57.5	57.8	67.0	74.0	118.7
Median Rent-Income Ratio						
1950	47.0%	18.0%	14.4%	11.1%	8.2%	8.6%
1960	33.2	18.2	12.5	10.5	7.4	7.0

Those in controlled apartments more appreciably bettered their positions, but in highly selective ways. The most sizable gains were made in the lowest income group, where the rent-income ratio dropped from

47 to 33.2 percent. This gain, while true enough, masks some worsening of positions as well as some additional gains. Between 1950 and 1960, some 5 percent of the households materially bettered their positions by jumping from the 60 percent and over class up to the 40-60 percent group - over and above the gains made in "all units." This was the essential gain made by controlled units over uncontrolled units, and was made possible by a slightly higher median income in the controlled over the "all units" group. A secondary gain was the drop in the median rent-income ratio from 95.8 percent in all units to 91.8 in controlled units in the group paying more than 60 percent of income for rent.

This $2000-2999 (1950) level made some clear gains because of rent control, representing a decline of 20 points in the rent-income ratio for 5 percent of the population. (The figures could also indicate a 5 percent decline for 20 percent of the households.) In the $3000-3999 ($4600 to $6500 in 1960) level, about 12 percent of the households showed an average decline of about 6 points, twice the gains made in all units. In the 1960 group between $6500 and $10,000, about 24 percent of the households showed an average gain of 5 percent, compared with about 19 percent making similar gains in all units.

In the next highest category, there were gains and losses in both controlled and uncontrolled, the gains overshadowing the losses in controlled with a decline of 5 percent for 13 percent of the households, compared with a similar decline for only 1 or 2 percent of the households in uncontrolled. In the 1960 group of roughly $14,000 or more, the controlled group gained a 3 percent decline for over 70 percent of the households, compared with a 3 percent decline for 60 percent of the households in all units.

These highly detailed observations are primarily illustrative of several basic facts about the nature of the changes which took place in the 1950 to 1960 decade: 1. That the greatest changes affecting most people took place at either end of the income scale. 2. That relatively large changes affecting relatively small percentages of the total number of households were the means by which a specific class was improved, and 3. That significant numbers (probably the majority) of households actually suffered a rise in the rent-income ratio during the decade.

This observation, which has up to this point been made negatively, can also be positively documented. If equivalent income groups are discussed for 1950 and 1960 as opposed to equal percentages of households over the decade, the picture is remarkably different. If those earning $1999 or less are compared, for example, the rent-income ratio rises in 1960 for both controlled and uncontrolled units. In 1950, this group was paying a rent-income percentage of 47. By 1960, this percentage had risen to 70 percent for all units and 65 percent for controlled units. Groups whose incomes did not rise are therefore worse off than before. While there were 447,000 households in 1950 compared with

332,000 households in 1960 (with incomes of $1999 or less), and they are, therefore, not strictly comparable in terms of numbers, the fact is that on the average, 332,000 households (about 75 percent of the group covered in the comparative study), suffered an increase in their rent-income ratio averaging 13 percent - even though the median for the total group fell by some 13 percent due to the large gains made by the other 115,000 families.

To get some idea of the percentage of the population affected by declines and gains, a crude estimate has been made. It shows that for all units, rent-income ratios have sharply declined by 10 percent or more (in the average case) in about 23 percent of the households. They have risen moderately (about 5 percent) in an additional 15 percent of the households. They have been stable or varied by about 2 percent in the remainder. In the controlled stock, they have sharply declined in 33 percent of the households (most of which is in the lowest income category), moderately declined in 6 percent and varied slightly up or down in the remainder. In effect, rent control has been responsible for holding down rents, most extensively in the lowest income group, less so in the highest income group, and moderately throughout the remainder.

Comparing the above observations with the findings of the Kristoff report indicates that the gains were generally in the public interest, that not enough gains were made in the lowest income groups, that rent control was helpful in keeping rent-income ratios down.

Rent-Income Patterns, 1960

Now let us explore the rent-income ratios for 1960 controlled and uncontrolled units directly. Tables VI and VIA below show the basic rent-income ratios for various income groups:

TABLE VI. RENT-INCOME RATIOS BY INCOME, 1960, PRIMARY FAMILIES

Rent-Income Ratios	Percentage of Families in Each Category				
	All	$-4000	$4000-5999	$6000-9999	$10,000+
0-9 percent					
controlled	31.6	--	12.7	52.0	79.4
uncontrolled	15.6	--	4.6	13.7	38.2
10-19 percent					
controlled	37.5	11.8	72.1	40.4	14.8
uncontrolled	37.6	3.4	22.9	55.9	48.5
20-29 percent					
controlled	19.5	53.4	5.7	5.6	5.8
uncontrolled	20.7	21.5	22.9	24.5	13.3
30-39 percent					
controlled	2.9	5.1	8.8	1.0	--
uncontrolled	13.6	22.8	40.7	3.5	--
40 percent or more					
controlled	8.4	29.7	0.6	1.0	--
uncontrolled	12.6	53.0	8.9	2.4	--
All					
controlled	99.9	100.0	99.9	100.0	100.0
uncontrolled	100.1	100.7	100.0	100.0	100.0

Table VI clearly shows the effects of rent control on rents for various income categories. In the lowest income group, for example, only 34 percent of controlled units cost 30 percent or more for rent compared with 76 percent for uncontrolled. Of all tenants paying more than 30 percent of income for rent, 26 percent are in uncontrolled and 11 percent in controlled units.

In the 10 to 19 percent range, we find equal percentages in controlled and uncontrolled (37.5 percent), but even here, the high rent bias of uncontrolled housing is easily visible. Below the $6000 level, three times as many controlled dwellings have this rent-income ratio as uncontrolled housing, but in the income groups above $10,000, three times as many uncontrolled dwellings have the 10 to 19 rent-income ratio as controlled dwellings.

In the 20 to 29 percent range, the totals are again close (19.5 for controlled vs. 20.7 for uncontrolled). Here again, however, the bias in uncontrolled housing is clearly in favor of the higher income groups.

Controlled housing offers the lowest income group the bulk of this housing (two and a half times the percentage in uncontrolled). In the middle income groups, there is a sharp reversal; almost 60 percent of the uncontrolled units at this level go to families with more than $6000 income.

When one compares the controlled and uncontrolled stock in the highest income groups, one does find that controlled units rent for less, but the disparity is not as large as one might think. Considering all units occupied by households earning more than $10,000, we find there are about 250,000 of them, about 170,000 of which are controlled, while 80,000 are uncontrolled. When the group paying less than 10 percent of their incomes for rent are culled from this group, we find that 135,000 of the controlled and 25,000 of the uncontrolled are in this category. This amounts to 79 percent of the controlled group and 31 percent of the uncontrolled group. To reduce the percentage of the controlled to the uncontrolled group level, 82,000 households would have to be eliminated from the controlled group. These are the ones who might be considered getting a "free ride" under rent control (but it should not be forgotten that 25,000 uncontrolled households pay similar percentages of income for rent). These proportions hold, moreover, only in a system where as much as the traffic will bear is charged for rent in uncontrolled housing because of the continuance of the shortage.

Let us finally consider the $4000 to 10,000 group paying less than 20 percent of income for rent. In controlled housing, 85 percent of the families in the $4000-6000 class pay less than 20 percent compared with 27 percent in uncontrolled, and 93 percent of the $6000-10,000 controlled group compared with 69 percent of the uncontrolled group are paying less than 20 percent for rent. Combining the two groups, we find that 90 percent of the controlled and 54 percent of the uncontrolled pay less than 20 percent of income for rent. Thus, rent control has been very effective in keeping rents within bounds for the middle income groups that the city wants to keep within city boundaries. Only 37 percent in this group pay less than 10 percent.

Table VIA, on the following page, dealing with primary individuals, shows sharp differences from the primary family table, though much the same pattern. Incomes are much lower in this group, 63 percent of the individuals with incomes lower than $4000 compared with 25 percent of the families. This sharply reduces the numbers paying low percentages of income for rent and increases the high percentages. In this income group, 73.5 percent in uncontrolled and 56.1 percent in controlled units pay more than 30 percent of income for rent.

While individuals pay a considerably higher percentage of income for rent, there is not much difference between the levels paid in controlled or uncontrolled housing. Twice as high a percentage of families in uncontrolled units as controlled units pay 30 percent or more for rent.

Among individuals, the percentages are roughly equal. This is true for all rent-income ratios, including those which are less than 10 percent.

TABLE VIA. RENT-INCOME RATIOS BY INCOME, 1960, PRIMARY INDIVIDUALS

Rent-Income Ratios	Percentage of Individuals in Each Category				
	All	$-4000	$4000-5999	$6000-9999	$10,000-
0-9 percent					
controlled	6.3	—	8.0	24.6	53.6
uncontrolled	6.7	—	—	13.1	40.8
10-19 percent					
controlled	21.4	6.2	59.8	50.1	22.9
uncontrolled	17.8	0.9	32.6	48.9	16.5
20-29 percent					
controlled	30.4	37.7	17.3	10.1	23.2
uncontrolled	26.8	25.6	21.1	27.7	42.7
30-39 percent					
controlled	5.2	3.7	11.6	5.9	—
uncontrolled	14.2	9.9	36.6	3.4	—
40 percent or more					
controlled	36.7	52.4	3.3	9.4	—
uncontrolled	34.5	63.6	9.7	6.8	—
All					
controlled	100.0	100.0	100.0	100.1	99.7
uncontrolled	100.0	100.0	100.0	99.9	100.0

Let us now move to consideration of the characteristics of households paying various proportions of income for rent. For this purpose, we will use the breakdowns used in the U.S. Census studies (the 15, 25, 35 breakdown). For purposes of making the data thoroughly compatible, we will repeat some of the rent-income data already given. In summarized form, Tables VII and VIIA following show the rent-income ratio for controlled, uncontrolled and SRO units in 1960.

TABLE VII. PERCENT OF GROSS INCOME PAID FOR RENT, PRIMARY FAMILIES, 1960

	Gross Rent as Percentage of Income					
	less than 15	15 to 24	25 to 34	35 or more	na	All
All renters	40.8	32.2	10.7	12.7	3.6	100
Controlled	44.0	31.7	9.9	10.8	3.4	100
Uncontrolled	30.7	36.0	13.4	16.4	3.6	100
SRO	18.8	16.8	14.6	46.8	3.2	100

TABLE VIIA. PERCENT OF GROSS INCOME PAID FOR RENT, INDIVIDUALS, 1960

	Gross Rent as Percentage of Income					
	less than 15	15 to 24	25 to 34	35 or more	na	All
All renters	14.8	23.9	14.8	31.2	9.2	100
Controlled	13.6	23.2	14.1	39.5	9.6	100
Uncontrolled	11.1	29.2	15.9	36.6	7.2	100
SRO	22.2	22.0	16.3	30.0	9.6	100

These tables show how the rent-income ratio rises much more rapidly for families in uncontrolled and SRO units. For individuals, however, the situation is obviously much worse, and there is less difference between the way they are treated in controlled and uncontrolled housing. What is also pointed up is the great difference in the types of household found in SRO's. Families in SRO's represent only 39 percent of all renters while in controlled and uncontrolled housing they represent 78 percent. Only the most disadvantaged families end up in SRO's while many individuals seek the convenience of furnished room accommodations out of choice. In general, individuals pay a much higher percentage of income for rent in all types of housing. The median rent-income ratio for individuals is about 25 and for families less than 18.

A few isolated figures might be useful at this point. First, the population proportion paying 35 percent of income for rent is twice as high in SRO units as in controlled units (34.7 to 17.1 percent). In uncontrolled units, the percentage is 20.6, just 3.5 percentage points higher than in controlled units. Secondly, the population proportion paying less than 15 percent of income in controlled is 37.3 percent, in uncontrolled is 26.6 percent and in SRO's is 21.2 percent. Third, of all families paying over 35 percent of income for rent, 72 percent are in the lowest income group, and virtually all are found in the two lowest income groups.

Now let us try and delve still further into characteristics of the most disadvantaged groups, those paying more of their incomes for rent, even in controlled housing. And let us also compare their lot in controlled with uncontrolled and SRO units. For this purpose, we will pick three major variables: Ethnic or racial group, age of household head, family size. We are of course concerned with how minorities are making out, how the aged are doing, how large families are coming along.

Since we already have some intimation of how the aged are doing, (since they are often individuals with low incomes), let us follow up that situation first. Table VIII follows:

TABLE VIII RENT-INCOME RATIOS OF HOUSEHOLD HEADS 65 YEARS OF AGE OR OVER COMPARED WITH ALL UNITS

	Gross Rent as Percentage of Income					
	less than 15	15 to 24	25 to 34	35 or more	na	All
All						
All renters	34.3	30.1	11.7	18.9	5.0	100
65 and over	21.6	22.8	11.1	37.0	7.5	100
Controlled						
All renters	37.3	29.8	10.8	17.1	5.0	100
65 and over	23.1	23.4	10.5	35.6	7.4	100
Uncontrolled						
All renters	26.6	34.6	13.9	20.6	4.3	100
65 and over	16.6	20.9	13.6	41.8	7.1	100
SRO						
All renters	21.2	20.5	15.8	34.7	7.8	100
65 and over	8.1	17.8	14.9	50.0	9.3	100

The most immediately striking result in this table is the fact that older people pay more than 35 percent of their income for rent twice as often as the rest of households. In controlled, uncontrolled and SRO's alike, this is the case. The major difference is that lower percentages are found in controlled housing than in uncontrolled and SRO's.

This generally better climate in controlled over uncontrolled or SRO's is general throughout the table. In the less than 15 percent and 15-24 percent categories, the elderly obtain only two-thirds as many apartments as others. Only in the 25-34 category do they share some equality with others.

There are 362,000 aged households, 18.4 percent of the total. Of this number, approximately 134,000 pay over 35 percent of their incomes for rent. This number, which is 36 percent of aged households paying

35 percent of their income for rent (or more) can be compared with 18.9 percent of all households. If we were to add to this the 11.1 percent paying between 25 and 34 percent of income for rent, this would amount to 174,000.

Let us continue this analysis with an examination of the non-white and Puerto Rican groups. To get the situation into some kind of perspective, let us first look at Table IX.

TABLE IX. RENT-INCOME RATIOS OF NON-WHITES AND PUERTO RICANS

	Gross Rent as Percentage of Income					
	less than 15	15 to 24	25 to 34	35 or more	na	All
All						
White	37.3	30.5	10.9	16.7	4.5	99.9
Non-white	19.9	27.8	15.5	28.8	8.2	100.2
Puerto Rican	25.1	28.8	14.6	26.4	5.1	100.0
Controlled						
White	40.2	29.6	10.2	15.6	4.5	100.1
Non-white	22.3	29.7	12.7	26.4	8.9	100.0
Puerto Rican	27.9	32.6	15.6	20.0	4.4	100.0
Uncontrolled						
White	28.1	36.0	13.5	18.4	4.1	100.1
Non-white	14.9	25.5	23.0	32.7	4.1	100.2
Puerto Rican	17.6	20.3	1.7	48.1	12.4	100.1
SRO						
White	28.8	21.2	11.8	29.6	8.5	99.9
Non-white	14.2	22.3	20.6	34.7	8.1	99.9
Puerto Rican	15.3	14.2	16.4	49.2	5.0	100.1

While the ethnic pattern is similar to those of the general rent-income picture and that of the aged, it is not as marked. When this pattern is compared with those of Tables VII and VIIA, particularly in combination, it is seen that the general configurations are the same. It is within this general similarity, therefore, that the differences must be noted.

As a general finding, and one which might be expected, non-whites and Puerto Ricans pay more of their income for rent than whites. While 37.3 percent of whites pay less than 15 percent of income for rent, only 19.9 percent of non-whites and 25.1 percent of Puerto Ricans enjoy similar ratios. Whites paid less than 15 percent of rent 1.9 times as often as non-whites and 1.5 times as often as Puerto Ricans. These same rates hold generally for controlled and uncontrolled housing, though they rise slightly in SRO's to 2.0 and 1.9 for non-whites and Puerto Ricans respectively.

In the highest rent-income groups, (35 percent of income or more), non-whites and Puerto Ricans are similarly disadvantaged. In the 25 to 34 percent group, they fall within this grouping 1.7 and 1.3 times more often than whites in controlled units, 1.8 and 2.6 times in uncontrolled, and 1.2 and 1.6 in SRO's. The unusually high level (2.6 times that of whites) that Puerto Ricans pay 35 percent of income for rent in uncontrolled housing is undoubtedly due to their late and continuing entry into the housing market.

In general, the decline of rent control coverage from 94 percent of all renters in 1950 to 75 percent of all renters in 1960 affected non-whites adversely. While the white proportion protected by rent control is slightly higher than the average (76 percent), non-whites declined to 69 percent and Puerto Ricans actually improved their position (relatively), going from 86 percent protected in 1950 to 77 percent in 1960. This is probably accounted for by the fact that the color barrier is more formidable than the language barrier - and by their low incomes which leads them to seek only controlled housing. Many whites with higher incomes moved out of the controlled sector.

During the same decade, fewer Puerto Ricans moved into SRO's. In 1950, 1 percent of all whites lived in SRO's; by 1960, the percentage had risen to 4 percent. Among non-whites the comparable figures are 9 and 19 percent, but among Puerto Ricans surprisingly enough, there was a very small rise, from 14 to 15 percent.

Though non-whites and Puerto Ricans are not unusually distributed in controlled and uncontrolled housing, they are charged disproportionate amounts for rent. In uncontrolled units, whites pay an average of 59 percent more than in controlled housing, non-whites pay 84 percent more, and Puerto Ricans 65 percent more. Their average incomes are also lower than those of whites. It seems fairly obvious that non-whites and Puerto Ricans, totalling 19.6 percent of the households, do not receive an equal housing opportunity with whites. They pay higher rent-income percentages, pay more for equal space, and cannot compete successfully for standard units. Table X demonstrates this last point, on the following page.

Approximately 108,000 non-whites and Puerto Ricans pay more than 35 percent of their income for rent. This added to the 134,000 aged paying more than 35 percent of income for rent amounts to 242,000 of the 372,000 paying more than 35 percent, or 66 percent. (This is an illustrative point only, as the two categories overlap.)

TABLE X. COLOR AND ETHNIC GROUP BY CONTROLLED, UNCONTROLLED AND SRO, PERCENTAGES

	Total	Controlled	Uncontrolled	SRO
Total	100	75	18.5	6.6
White, non P.R.	80.4	81.3	88.4	46.8
Non-white, non P.R.	12.6	11.5	8.4	37.1
Puerto Rican, white	6.7	7.0	2.8	14.7
Puerto Rican, n.w.	0.3	0.2	0.4	1.4

A few isolated facts on ethnic group may be appropriate at this point. In controlled housing, 26.4 percent of all Negroes pay more than 35 percent of their incomes for rent as compared with 15.6 for whites and 20 percent of Puerto Ricans. In uncontrolled housing, 43 percent of Puerto Ricans, 32.7 percent of Negroes and 18.4 percent of whites pay more than 35 percent. In SRO's Puerto Ricans are even more disadvantaged. 49.6 percent pay more than 35 percent, as do 34.7 percent of Negroes and 29.6 percent of whites.

A revealing point, however, which should not be overlooked, is that rent control is least effective for Negroes. A higher percentage of non-whites pay more than 35 percent of income for rent and fewer pay less than 15 percent than either whites or Puerto Ricans.

Now let us turn to the large households and see what benefits they receive from rent control. Table XI below shows that large families benefit greatly from rent control. 46 percent of families of 4 or more pay less than 15 percent of income for rent compared with 25.8 percent of uncontrolled. By contrast, 8.7 percent in controlled, 16.7 in uncontrolled and 59.5 in SRO's pay more than 35 percent of income for rent.

Families of 6 or more are somewhat less protected than families of 4 or more. 15.5 percent pay more than 35 percent of income for rent compared with 10.5 in families with 4 or more. One and two person families, as is to be expected, pay the highest percentages of income for rent, 25 percent of 1 and 2 person households paying more than 35 percent. Only 12 percent of 3 and 4 person families pay 35 percent and 11 percent of families with 5 or more. There is reason to expect that smaller families will spend more for rent, but not as much as 35 percent of income for single persons. It is almost criminal for the 92,500 households with 5 or more persons.

TABLE XI. RENT-INCOME RATIOS BY FAMILY SIZE

	Gross Rent as Percentage of Income				
	less than 15	15 to 24	25 to 34	35 or more	na
All					
1 and 2 persons	28.0	27.6	13.2	25.1	3.9
3 and 4	41.4	33.6	9.8	11.8	3.5
5 or more	42.8	31.5	10.1	11.1	4.5
Controlled					
1 and 2	29.4	27.7	12.6	24.3	6.1
3 and 4	45.7	32.8	8.7	9.3	3.5
5 or more	45.9	30.3	9.7	9.6	4.5
Uncontrolled					
1 and 2	25.3	30.1	14.0	24.6	5.0
3 and 4	27.8	38.8	14.1	16.1	3.3
5 or more	29.3	36.7	12.8	16.7	4.6
SRO					
1 and 2	23.1	21.0	16.6	30.8	8.5
3 and 4	5.9	10.7	10.7	70.0	2.7
5 or more	---	55.8	---	44.2	---

By contrast with the relatively good position of large families in the rent-income pattern, there is the increasingly serious problem of density. Between 1940 and 1960, there has been a large decline in the percentage of apartments with 5 rooms or more. Kristoff points out that from 525,000 units in 1940 these were reduced to 473,000 in 1950 and 449,000 units in 1960. The effects of this reduction in large apartments over the years is clearly shown in Table XII below.

TABLE XII. PERCENT OF HOUSEHOLDS WITH 1.01 OR MORE PERSONS PER ROOM

Number of Persons	All Units	Controlled	Uncontrolled	SRO
1	0.1	0.1	0.0	---
2	4.1	0.9	3.3	66.7
3	5.4	2.9	4.7	100.0
4	22.0	21.9	16.7	100.0
5	53.8	56.1	39.3	100.0
6 or more	81.7	84.4	67.7	100.0

While the 1.01 or more persons per room figure does not necessarily indicate an undesirable occupancy condition, particularly in the case of large families where several children may be under 12 years of age (where two children to a room is acceptable), it is nevertheless an indicator of the potential for finding those living at densities of 1.51 or more per room - which is generally an overcrowded condition.

Condition of Housing

The data on condition of housing is disappointing. By not presenting data on deteriorating housing, code enforcement, maintenance, it is not possible to draw much that is worthwhile from the data that was made available. It would probably have been possible to develop data on this point starting with the U.S. Census, 1950 and 1960, records of city enforcement agencies, assessment records, studies of rehabilitation areas, etc., but there was no time to develop such an analysis. Below is reported what was made available.

The basic inadequacy of the data which has been reported is the fact that only two categories are reported, both of which include deterioration. One category is defined as "sound or deteriorating, with all facilities," while the other is "sound or deteriorating, lacking or sharing some or all facilities." As a result, the SRO's are neatly separated out, the controlled and uncontrolled units are still jumbled together with very little separating them. In the controlled sector, 95.1 percent are considered standard (with all facilities) while in uncontrolled, the figure is 94.8 percent.

Since SRO's are almost by definition substandard, it is not surprising when they turn up with 87.5 percent compared with 4.4 percent in uncontrolled and 2.0 in controlled.

In addition to the "with" and "without" facilities categories, there is a "dilapidated" category, accounting for 2.9 percent of all units. These are distributed 2.8 percent in controlled, 0.8 percent in uncontrolled and 9.9 percent in SRO's.. The higher percentage in controlled housing is related to the age of housing. Eighty-one percent of all controlled units and 39 percent of uncontrolled units were built before 1930.

As is easily seen, these figures do not show the creeping deterioration which may result from weak, inadequately administered rent control, nor do they show the lack of services, maintenance, lack of heat and hot water and less frequent painting which plagues tenants both in controlled and uncontrolled housing. There is, in fact, absolutely nothing with which to even discuss the situation.

Program Dept.

CORE- Congress of Racial Equality
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1962 CORE EMPLOYMENT - HOUSING INSTITUTE SUMMARY

SECTION I EMPLOYMENT

This summary should serve as an outline and guide in efforts to eliminate discrimination in the specific communities throughout the United States.

I. BACKGROUND INFORMATION

Thoroughly explored during Employment-Housing Institute areas a comparatively new approach in employment. There is increasingly emphasis in terms of manpower needs and labor demands in the skilled occupations. Consequently, there is and will be rapid growth in the number of jobs available in white-collar jobs such as professional, technical, and sales workers, managers and proprietors and in skilled trades such as pattern makers, tool and die makers, lithographers, operating engineers, sheet metal workers, plumbers and electricians.

More widespread use of automatic machinery and new fabricating processes require more technical know-how and versatility. Nonwhites have historically been barred from the skilled occupations and the training programs which are a prerequisite for entrance into many of these jobs.

Higher rates of unemployment among nonwhites, particularly Negro and Puerto Rican youth, necessitate a program with demands designed to create substantial employment opportunities for minority groups in the skilled job categories.

Consequently, in Columbus, our demands with Kroger's were aimed particularly at higher-paying jobs and emphasized not just the token hiring of one or two Negroes, but the employment of a substantial number in managerial posts and executive training programs. In order for these demands to be effective, the burden of recruitment generally has to be placed on the employer, so that his hiring efforts are directed toward sources and areas in the community most likely to produce nonwhite applicants.

II. AIMS

- A. Work for a change in attitude
- B. Specific demands on firm or employer
  - 1. Fair employment and hiring of nonwhites on all levels
  - 2. Recruitment of Negroes through regular channels
    - a) Negro Press
    - b) Schools
    - c) Urban League and State Employment Office
  - 3. Equal opportunity clause in ads and applications
  - 4. Contact Negro press to get them to solicit ads from all companies

III. PROCEDURE

- A. Investigation
  - 1. Specific knowledge needed to determine which firm to choose and project
    - a) Size of operation from Standard and Poore: Directory of Corporations
    - b) Number of nonwhites in various job categories
    - c) Number of Negro clientele
    - d) Power Structure-Chamber of Commerce Business Directory
    - e) Qualifications
    - f) Labor Union's Power
  - 2. Means of obtaining this knowledge
    - a) Inspection (office and door count); whites especially effective
    - b) Public channels
      - 1. Urban League
      - 2. Labor Unions
      - 3. Jewish Community Organizations Anti-Defamation League, American Jewish Congress, Jewish Labor Committee
      - 4. Negro American Labor Council
      - 5. NAACP
      - 6. Local Committees on Human Rights; ie, Near East Side Committee on Human Rights
      - 7. City Mayor's Commission
      - 8. State Commission on Civil Rights
      - 9. Catholic Charities Employment Service
      - 10. City, State, Federal and Private Employment Services
      - 11. Employees
      - 12. Employer
    - c) Private channels such as personal friends

B. Negotiations

1. Written request for negotiations is best to insure record of attempt to secure confrontation. Appointment may be made by phone or in person. Make clear that you are asking for a meeting with CORE. Be firm. Try to obtain specific time and date.
2. Appoint leader of negotiating team. Select a note taker. Determine line of approach before confrontation, making certain every member of team understands the demands. Don't contradict each other during negotiations. If division or confusion become apparent in team, recess negotiations.
3. Make concrete specific demands placing major responsibility for resolving discriminatory situation upon employer.
4. Be prepared to deal with defenses and objections of employer with specific facts.
5. Maintain point of focus, which is the resolution of discrimination by the posing of the demands.
6. Written summary should be kept for record with copy being sent to employer.

C. Appeal to Wider Public and Demonstrations

1. Identify organization, tell what you are trying to do, how you are doing it, and why.
2. Use mass media -- press, radio, television, if possible and available.
3. Leaflet area in which firm is located.
4. Enlist support of other organizations for stand taken.

D. Direct Action Techniques

1. In action identify who you are (what organization), what you are doing, way you are doing it and what you want done by using device appropriate to action - eg. picket signs, leaflets, press releases and statements.

2. In using boycott:

   A. Choose firm carefully

      1) Consider how widespread and common a market there is for item sold
      2) Check to determine if there are purchasing alternatives to item and/or firm boycotted

   B. Have clear direct reason for boycott with termination point dependent on meeting of specific demands

   C. Boycott most likely to be effective when object of boycott is directly responsible for discrimination

   D. Canvas to determine community reaction. Boycott more likely to be successful if firm has large nonwhite clientele and is located in or near area where group discriminated against lines

IV. KROGER SUPER MARKET -- Case Study

A. Purpose of Kroger Project -- to break down institutionalized pattern of discrimination in hiring, not just to obtain job for one Negro.

B. Investigation

1. Checked with Urban League, NAACP and State Commission on Civil Rights to determine previous contact, if any, with Kroger's in regard to hiring policy -- a little or no contact.

2. Talked with personnel, particularly Negro, in several Kroger stores, to obtain information about jobs held by Negroes -- Negroes mostly in low-paying categories -- some salesmen, no managers.

3. Discussed Kroger's hiring policy with Retail Clerks International Association Local to determine union attitude toward non-discriminatory hiring and union influence over hiring; President of Local voiced opposition to discrimination, but union has little say in determining who is hired and when; more influence in cases of dismissal and promotion.

4. Sent Negro woman for job interview -- told no Negroes and no women in managerial posts.

5. White checkers affirmed this by observing managerial training program, interviewing a trainee. Also verified by observation that no Negroes were in clerical positions in central office.

6. Other facts obtained:

   3rd largest super market chain
   1,400 stores nationally
   40,000 employees
   26 stores in Columbus
   76 stores in Region or Ohio
   Competitor - Big Bear
   Kroger's employ some Negro clerks in Stores

C. **Negotiations**

1. Two interviews held - 1 each week
2. CORE demands - Negroes hired in office and in managerial staff
3. Acceptance of policy of change -- agreed to by Personnel Director, Dick Hepp of Kroger's -- by which Negroes hired as office workers and for training for management staff

   Time schedule accepted by company

   No agreement reached on actual substantial number to be hired
4. Means which Kroger agreed to use to obtain Negro applicants:

   Ohio State Employment Service
   Urban League
   Ohio Union of Ohio State University
   Negro Colleges
   Negro High Schools
   Community Talks to Negro Youth re: Food Industry Opportunities

* * * *

SECTION II HOUSING

I. INTRODUCTION

A. The aim of the Housing Institute is to train participants in the use of CORE techniques in combatting discrimination in housing and the development of new techniques leading toward the realization of an open occupancy policy. The achievement of open occupancy requires the turning away from approaches which have led to tokenism and the concentration upon methods which will place the responsibility for changing segregated housing patterns upon the property owners, financiers and realtors who have created them. This may mean that negotiation steps may be used without having an actual applicant once discrimination has been verified by Negro and white testors. Some of the objectives of such a negotiation would be to obtain a public statement of policy of nondiscrimination, removal of race from applications, and an advertising policy directed toward sources likely to produce Negro applicants. The housing activities of the Institute will be presented in the context of the five basic CORE techniques.

B. The Housing Committee's subcommittee on Testing began its research by familiarizing itself with the notes and materials in a folder supplied by Columbus CORE. These sources indicated that they had had a great deal of discussion and some exploration of the laws pertaining to housing, the direct action techniques possible and some work on locating community resources. They set up committees on obtaining Sellers and Buyers, Community Relations, and Financing.

The Ohio Student Civil Liberties Union invited CORE to help end discrimination in rooming houses next quarter. Columbus CORE decided against that at this time.

Recommendations from the Housing Committee of Columbus CORE include the following:

1. that apartment developments be tested
2. that results be referred to Coordinating Committee of Columbus CORE
3. that members speak at a Methodist and a Baptist Church
4. that one member visit with a member of the "Columbus Interracial Housing Group" and 15 industries who have agreed to an appointment
5. that negotiations be carried out, and initial stages of direct action be made in large apartment developments.

Direct Action recommended to the Institute:

1. To investigate apartments in vicinity of University
2. To investigate three apartment developments

    a) University Arms
    b) Beverly Arms
    c) Westgate Manor

Report on these in accompanying form.

II. INVESTIGATION

A. Testing may be done by CORE members or applicants.

Obtaining of applicants:

1. Sources Used

    a) realtists (Negro real estate brokers)
    b) Churches
    c) Projects: Operation Windowshop (See V)
    d) Direct methods: first gain confidence through such means as a housing clinic
    e) Public solicitation in areas of high mobility or relocation from public project using leaflets, tables on street corners, public address systems

2. Handling Process

    a) Contact possible applicant and make appointment for interview; make sure to mention CORE, and that there may be a demonstration but that he does not have to take part in it if he doesn't want to.

    b) Interview with form similar to APPENDIX I; note that personal information is needed to ascertain eligibility for dwelling and certainty of discrimination. See also Appendix II.

B. General Information

1. Specifics

    a) from Negro community

1) % Negroes in neighborhood
2) general economc level
3) mobility

b) from white community

1) artificial barriers
2) property available

c) the law re: housing (ie. Fair Housing Law, etc.)

2. Means of obtaining specific information

a) Survey

1. of white community Teams surveyed the Beverly Manor Apartments posing as OSU students involved in a Sociology class practice survey on inter-group relations. Results generally indicated that while most persons would not object to working next to a Negro, many expressed reservations about living next to a Negro. However it was pointed out that persons will often verbaliz prejudice more readily than they are willing to act on it.

2. of Negro community: . It was found that 47 of 63 families had less than $3,000 annual income and 62 of 63 had less than $5,000 annual income. Approximately half of the families interviewed had been in home less than five years. 21 of 64 families expressed an interest in moving, this almost completely among younger families.

b) Public and Private Organizations

1. NAACP. No information obtained from visit

2. Urban League (Mr. Chester Jones) said that UL unable to directly support CORE because finances from the Community Fund. Negro community had received concessions and therefore fairly passive. Thought Beverly Manor good target for action.

Discussion of block busting legislation, Fair Housing Legislation. Discussion of Colonial Williamsburgh Project, which is in receivorship. Suggestion that CORE participate in Leadership Council, a body of Negro business and professional businessmen.

3. Anti-Defamation League of B'nai B'rith. ADL (Joel Ollander) gave leads to Urban League, two Human Relations Commissions, Mayor's Commission, Columbus Council of Human Relations, Ohio Bureau

of Unemployment Compensation, AFL-CIO COPE and Committee on Civil Rights, and to the Human Relations Conference at OSU from July 23-27.

4. Mayor's Commission on Civil Rights

5. Near Eastside Area Council of Columbus

6. American Freedom of Residence Fund
416 S. Franklin, Chicago 7, Illinois

7. National Committee Against Discrimination in Housing
426 West 58 Street, New York, New York

8. Family Relocation Bureau, (Mrs. Pryor) said that its purpose was to resettle families which move because of UR and expressways; suggested that get list of property managers from real estate brokers; suggested contact City Department of Urban Renewal for information regarding Advisory Board on Urban development.

III. NEGOTIATIONS

A. Negotiations become necessary only after proof of discriminatory practices has been established through the Investigation, and Testing procedures.

A negotiating team is appointed including one person who shall be designated as the main spokesman, one person to be the recorder and the applicant where possible. This team should become thoroughly informed on all facets of the case at hand and determine a list of demands to be presented.

The approach which seems most effective is one in which the focus of the demands rests on not only a statement and or a publication of a fair housing policy, but a demand that specific steps be taken to implement such a policy, responsibility for the implementation rests with the owner of the property in question. The presence or knowledge of an applicant may be helpful, but not necessary to these proceedings. In the development of community contacts and organizational contacts, a CORE chapter might well inform these sources of any housing problem on which it is working.

In the actual proceedings a few mechanical rules might be adhered to and these are the following: The spokesman should sit nearest the agent, and if there is an applicant, said applicant should sit on the far side of the spokesman away from the agent.

After introducing all parties the spokesman should then state the name of the organization and proceed to state clearly the specific evidence of discriminatio Following this a statement of demands should be made. The purposefulness of the team will help the agent realize that he cannot maneuver around the point and make a personal or moral discussion of the proceedings. Endeavor to keep the session short. If it seems vital to consult over a point, the team can always step out a few moments for consultations. It cannot be reiterated too often that the purpose of the talks are around a drastic change in policy, and a clear and distinct evidence of this change.

B. Case Study

Negotiations - Beverly Manor

Tuesday 2:00 PM	Atty Strip	Angela McLinn
July 24, 1962	Mr. John Briar	Arthur Brooks
Atty Strip's Office		Tom Porter
		Eugene Martin

Quotations

"Beverly Manor has never had a policy of discrimination. There have been Negroes living here, however these Negroes moved because of much harassment from the white tenants."

'We would like mutual protection from other developments. We don't want to give our tenants the jitters."

"We are willing to make change as long as we can make money."

"We are not going to put an ad in the paper letting our tenants know of incoming Negroes."

Demands

1. Immediate acceptance of fair housing policy, ie, equal consideration given to all applicants regardless of race, color, etc.
2. A signed statement between representatives of Columbus CORE and Beverly Manor Properties Inc. covering all areas of verbal agreement.
3. A public press release indicating Beverly Manor's policy-to-be of fair housing.

Response

1. Beverly Manor asserts compliance with demand 1. and indicated its awareness of its primary responsibility in securing applicants without suggesting implementation.
2. No resistance to demand 2. was indicated, but may arise when specifics are to be discussed.
3. A draft of the release indicated in APPENDIX III was prepared by Columbus CORE and will be submitted to Beverly Manor's national offices. There is total rejection of applying this release to the white press and minimal acceptance of the notion of making such a statement to the Negro press.

Observations

Gene Martin ---1. Beverly Manor's representatives have verbally accepted the idea that their vested interest now lie in assisting city-wide housing integration to thus remove pressure from their properties.

2. Mr. Strip accepts or rejects argument solely on a money profit basis. Mr. Briar evidenced deep streaks of personal prejudice, but can be expected to respond to "business" arguments.

3. There appears to be a possibility of having Beverly Manor sponsor a meeting between housing agents and Civil Rights organizations. A careful discussion of the separation between this issue and our expectations of theri policy was made.

4. Mr. Strip is presently quite aware of the discrepancy between their recognition of their responsibility in securing applicants and their no implementation of policy. He is therefore somewhat receptive to specific suggestions that will remove CORE pressure by locating several Negro families without any attendant publicity in the white community.

IV. DIRECT ACTION -- The Sit-In

A. Decision should be made by group that sit-in will occur, and sit-in will continue until some satisfaction has been reached.

B. Investigation should be complete beforehand:

1) Who owns building
2) Where office located
3) Where owner lives
4) Other real estate holdings, etc.
5) Where sit-in is going to occur -- physical layout (water, toilet)
6) Plan to get into place of sit-in
7) Access to sit-in site after sit-in begins

C. Accessory Action - planned in advance

1) Picket Line
    a) how many
    b) where - should always be one at sit-in site, may be also owner's home, office building, etc.
2) Leafleting
3) Phone-in
    call owner's home and/or office to protest policy

V. APPEAL TO WIDER PUBLIC: "Operation Window Shop" or "Open Door"

A. Discrimination is widely practiced, and members of minority groups are often reluctant to face rebuff and discouragement in seeking housing . "Operation Window Shop"

1) may be directed at urging people to move out of ghettoes and familiarize themselves with housing market.
2) may be aimed at securing applicants
3) requires considerable publicity, leafleting (See Appendix IV)
4) urge large numbers of people to get out on same day or same week end and look at housing whether they plan to rent or buy immediately or not.

B. Purpose of "Operation Window Shop" in Los Angeles area of California was to help overcome this reluctance and accelerate housing integration.

It also acquainted people of minority groups with the types of housing available in other areas, so that by the hundreds and thousands, we would get the habit of exercising our right of free choice.

To accomplish this project, leaflets were distributed in all community areas and all neighboring cities. Other groups dealing with fair housing were solicited for help and the coordination was wonderful. People were asked to visit new areas and look at homes, even if they weren't ready to buy. Phone numbers were printed on leaflets if more information was needed.

The project was a great success, with over two hundred people actually taking part in the operation.

VI. SPECIALIZED AREAS

A. Civil Rights Law

The object of civil rights law in the field of housing, whether on the local, state of federal level, is the outlawing of discrimination in the sale of rental of dwelling. Eleven state and two cities now have some form of housing legislation. The scope of legislation has broadened since New York State passed the first law, prohibiting discrimination in public housing in 1950. The broadest law is that of Alaska, which prohibits all housing discrimination. But the Alaska statute lacks the power of enforcement. The law with strongest sanctions is that of New York City, which prohibits discrimination in all housing except in two-family houses in which the owner resides.

Federal and state courts have made decision leading to the elimination of discrimination in housing. Probably the two most significant rulings in this area are the 1947 decision making restrictive covenants unenforceable and a recent decision of the highest courts of New Jersey upholding that state's fair housing law in unequivocal terms.

B. The Real Estate Industry

Two Columbus real estate men addressed the Institute. They described the deep-rooted pattern of segregation which permeates the sale and rental of houses. Negroes are generally excluded from real estate boards. The lack of communication is so pervasive that white real estate salesmen are known as realtors, while Negroes in the same profession go by the name of realtists. Builders, lenders, and real estate salesmen work together to prevent Negroes from buying or renting houses except in certain specified areas. Segregation forces Negroes to pay excessively high profits. Frequently, a realtor would be jeopardizing his license and his business by selling to Negroes without the approval of the controlling real estate and financial interests.

C. Federal Housing

The Federal government has supported, condoned and aided housing segregation in the United States almost without exception prior to 1948. This pattern of segregation was actively supported by the federal government prior to 1948 through restrictive covenants contained in mortgages which were FHA and VA supported.

1) In 1948 the Supreme Court ruled that restrictive covenants were unconstitutional.

    a) 60% of mortgaged homes are FHA and VA supported
    b) Since this decision the Government has failed to take concrete steps to implement the Supreme Court decision.

2) 80 % of housing in the United States is federally supported, and racially segregated.

3. Urban Renewal

a) Urban renewal is a smaller part of the greater housing problem. 80% of the persons in the United States who have been affected by renewal programs are Negroes. Too often urban renewal has meant Negro removal from one ghetto to another. Regardless of how liberal or conservative city planning boards may be, such agencies seldom have the time to determine with sufficient thoroughness, neighborhood interest and must serve the city as a whole. Frequently neighborhoods are aroused after a plan is already developed by city agencies. The neighborhood is then placed in the position of expressing its interests from a defensive position. The interests of people in the area to be "renewed" would more likely be heeded if they were initiating the plan for redevelopment themselves and the city reacting. The lack of socio-consciousness and leadership in the area may make this difficult. Nevertheless, the attempt to encourage and develop neighborhood expression should be made.

b) Suggestion: The formation of grass roots organizations withing and of the Negro community for the purpose of formulating renewal programs which will serve their best interests.

****

APPENDIX I

C.O.R.E APPLICATION FOR PROSEPCTIVE HOUSING OCCUPANTS

Name________________________________Age________ time available________

Address______________________________Phone________ ________

Occupation____

Employer____

Length of time at present job _____years, _______months.

If married:

Spouse's name__________________________Age________

Occupation____

Employer____

Number of children_________________Ages_____________

Total Monthly Income $______________________________

Length of time at present residence ________years, _______months.

Length of time in Columbus _______________ years, _______months.

Location of desired housing: general area -- north, east, etc., and street ---

____

Present owner: _____yes, ______no

Present monthly payments: mortgage $___________; rent $_________.

For prospective renters, what monthly rent (including utilities) can be afforded (check one):

up to $40_____
up to $50_____
up to $60_____
up to $70________
up to $80________
up to $90_________
up to $100_______
up to $110_______
up to $120_______
up to $130________
over $130________

For prospective buyers, what can be afforded (check one):

price bracket:
up to $9,000_______
up to $11,000______
up to $14,000_______
up to $18,000________
over $18,000_____

down payment:
up to $500______
up to $750______
up to $1000________
up to $1250________
up to $1500________
over $1500________

monthly payments:
up to $40_____
up to $50_____
up to $60_____
up to $70_____
up to $80_____
up to $90_____
up to $100________
up to $110________
over $110________

Can make down payment now_______; in 3 months________; in 6 months________.

APPENDIX II

CORE TEST FORM FOR HOUSING

1. Name of development or apartment ______________________________

2. Address ______________________________ Telephone ______________

3. Realty handling sale or rentals ______________________________

4\.

Name of tester	Telephone	Applicant	Control

5. Date ______________________ Time ______________

6. Type of housing: apartment building ____________
   apartment development ____________
   housing development ____________
   other (describe) ____________

7. Name(s) of person(s) you spoke with ______________________________

Their position: management ____________________
real estate agent ____________________
other (describe) ____________________

8. Rentals:
   - a. Monthly rent ______________________________
   - b.
   - b. Who pays for utilities ______________________________
   - c. Size of apartment ______________________________
   - d. Furnished __________ unfurnished ________ Stove ______ Refrigerator _____
   - e. Apartment number or letter you were shown ____________________
   - f. How many vacancies now ______________________________
   - g. Date available for rent ______________________________

   (Be sure to include other comments -- #10)

9. Sales:
   - a. Price ______________________________
   - b. Financing: FHA & VA ____________; what bank, insurance company or other agency is furnishing mortgage ____________________
   - c. Mortgage terms ______________________________
   - d. Name of builder ______________________________
   - e. Size and description of house(s) ______________________

   (use other side to complete answers)

10. Other comments (include everything) ______________________________

APPENDIX III

Beverly Manor Properties, Inc. today announced a reaffirmation of its 11 year policy of democratic fair housing. "All applicants for housing in Beverly are treated on the same basis and given equal consideration, regardless of race, color, religion, or national ancestry," said Mr.__________, Beverly's __________. Beverly Manor, a grouping of 1,340 apartments located in the eastern portion of Columbus, offers one and two bedroom, furnished and unfurnished facilities renting from $72.00 to $86.00.

APPENDIX IV

facsimile of leaflet for Operation Windowshop, Los Angeles CORE

CORE invites you to join

OPERATION WINDOWSHOP

Saturday and Sunday, July 7 & 8, 1962

Whether you plan to move or not

WINDOWSHOP HOUSES AND APARTMENTS . . . with yourfamily and friends

IN AREAS THAT ARE NOT INTEGRATED.

WHY WINDOWSHOP?

1. To serve notice on those who rent or sell housing that discrimination will no longer be tolerated - that in housing (as elsewhere) . . . . . JIM CROW MUST GO!
2. To acquaint people of minority groups with the types of housing available in other areas, so that by the hundreds and thousands we will get the habit of exercising our right of free choice.

WHAT ABOUT THE LAW?

California laws prohibit discrimination in the sale or rental of houses and apartments, Buts, in spite of these laws, discrimination is still widely practiced, and members of minority groups are often reluctant to face rebuffs and discouragement in seeking housing.

The purpose of OPERATION WINDOWSHOP is to help overcome this reluctance and accelerate housing integration in California.

IS HELP AVAILABLE?

CORE and the organizations listed below, stand ready to help if you encounter discrimination in seeking housing. They can also direct you to areas where housing is available. Call one of these numbers if you need help or further information:

AT 4-7226 (West Valley)..San Gabriel Valley Council on Discrimination
ED 3-6793 (East Valley).. " " " " " " " " " "
OR 1-3781.................Centinela-Bay Human Relations Council
PR 4-1395.(Anaheim)......Orange County Fair Housing Practices Council
EM 9-0524.................San Fernando Valley Fair Housing Council
DI 3-6084................. " " " " " " " " "
GL 4-9354.................Santa Monica-West L.A. Fair Housing Committee
SY 8-1944.................Pasadena NAACP
VI 9-4842.................Burbank-Area
EX 6-6109.................Santa Monica CORE
DU 9-444 or DU 7-0213....Los Angeles CORE

Let's MAKE FREEDOM A HABIT Let's exercise our RIGHT TO FREEDOM OF CHOICE
Let's WINDOWSHOP FOR HOUSING Let's SHOP WITH CORE, on Sat, 7/7 and Sun 7/8

Congress of Racial Equality, 1115 W. Venice Blvd., Los Angeles 15

labor donated

TRENDS IN HOUSING

Published bimonthly by the

National Committee Against Discrimination in Housing

426 WEST 58 STREET, NEW YORK 19, N. Y. • JUdson 6-3460

VOL. VII, NO. 2 MARCH-APRIL 1963 $2 A YEAR

New York State Broadens FH Law

Drives in Eight States

On April 22, Governor Nelson A. Rockefeller signed into law the 1963 Metcalf-Baker bill which extends New York's fair housing legislation to cover all sales without exception, and all rentals except a unit in an owner-occupied duplex or rooms in private homes. It is estimated that the broadened coverage, which goes into effect on Sept. 1, 1963, will apply to 95 per cent of the state's total housing supply.

Other legislative gains have been made so far this year in the states of Massachusetts and Alaska. In Massachusetts, Governor Endicott Peabody signed a measure on Apr. 1 (*Trends*, Jan.-Feb., 1963) which will provide substantially the same coverage as the 1963 New York State law.

In Alaska, the State Legislature this year created a five-member Commission on Human Rights, giving that body enforcement jurisdiction over the state's all-inclusive fair housing law which was adopted in 1962. That statute provided criminal sanctions, but made no provision for administrative enforcement.

Thus, three states and New York City now have laws which bar racial or religious discrimination in all housing offered for sale, in substantially the total supply of rental accommodations, and provide official machinery for enforcement.

On-going Campaigns

Elsewhere across the country, campaigns for fair housing legislation are being waged in the states of California, Connecticut, Maine, Michigan, New Jersey, Ohio, Oregon, and Wisconsin.

California. By a vote of 47-25, the California Assembly on April 25 passed a Brown Administration-sponsored bill (A. B. 1240) which would extend the present law barring discrimination in publicly-aided housing to cover all sales and

(*Continued on page* 2)

NCDH Meet Calls For Action Under Order

Citizens Attend from 25 States

Almost 400 citizens from 100 municipalities located in 25 states converged on Washington on April 25 to attend the two-day conference on "Equal Opportunity in Housing — Challenge to American Communities," held by the National Committee Against Discrimination in Housing.

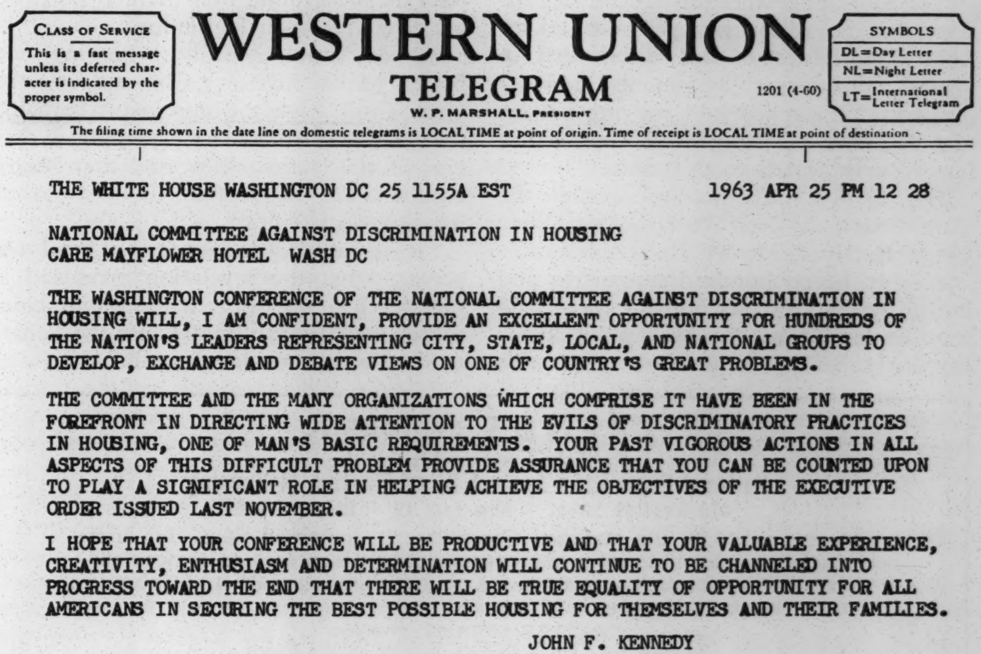
Covering the nation from Los Angeles to Boston and from Miami to Seattle, participants included planners, builders and bankers, religious leaders and educators, businessmen and labor leaders, housewives and scientists, lawyers and government officials, civil rights experts and supporters.

"Glacial Movement"

The first major concern emerged before the close of the first conference session. Progress under the five-month-old Executive Order on housing, in the words of NCDH Chairman Algernon D. Black, was proceeding with the speed of a "glacial movement."

The apparent lack of vigor in putting the Order to work was underscored on the morning of April 26 with the release of a joint statement by Mr. Black; James Farmer, National Director of the Congress of Racial Equality (CORE); Roy Wilkins, Executive Secretary of the National Association for the Advancement

(*Continued on page* 4)



CLASS OF SERVICE
This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION
TELEGRAM
W. P. MARSHALL, PRESIDENT

SYMBOLS
DL=Day Letter
NL=Night Letter
LT=International Letter Telegram

1201 (4-60)

The filing time shown in the date line on domestic telegrams is LOCAL TIME at point of origin. Time of receipt is LOCAL TIME at point of destination

THE WHITE HOUSE WASHINGTON DC 25 1155A EST 1963 APR 25 PM 12 28

NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING
CARE MAYFLOWER HOTEL WASH DC

THE WASHINGTON CONFERENCE OF THE NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING WILL, I AM CONFIDENT, PROVIDE AN EXCELLENT OPPORTUNITY FOR HUNDREDS OF THE NATION'S LEADERS REPRESENTING CITY, STATE, LOCAL, AND NATIONAL GROUPS TO DEVELOP, EXCHANGE AND DEBATE VIEWS ON ONE OF COUNTRY'S GREAT PROBLEMS.

THE COMMITTEE AND THE MANY ORGANIZATIONS WHICH COMPRISE IT HAVE BEEN IN THE FOREFRONT IN DIRECTING WIDE ATTENTION TO THE EVILS OF DISCRIMINATORY PRACTICES IN HOUSING, ONE OF MAN'S BASIC REQUIREMENTS. YOUR PAST VIGOROUS ACTIONS IN ALL ASPECTS OF THIS DIFFICULT PROBLEM PROVIDE ASSURANCE THAT YOU CAN BE COUNTED UPON TO PLAY A SIGNIFICANT ROLE IN HELPING ACHIEVE THE OBJECTIVES OF THE EXECUTIVE ORDER ISSUED LAST NOVEMBER.

I HOPE THAT YOUR CONFERENCE WILL BE PRODUCTIVE AND THAT YOUR VALUABLE EXPERIENCE, CREATIVITY, ENTHUSIASM AND DETERMINATION WILL CONTINUE TO BE CHANNELED INTO PROGRESS TOWARD THE END THAT THERE WILL BE TRUE EQUALITY OF OPPORTUNITY FOR ALL AMERICANS IN SECURING THE BEST POSSIBLE HOUSING FOR THEMSELVES AND THEIR FAMILIES.

JOHN F. KENNEDY

President Kennedy's Message to the Conference

FH Legislation

(*Continued from page* 1)

rentals, exempting owner-occupied structures with four or less dwelling units. It would apply to all transactions of real estate brokers and mortgage lending institutions. Enforcement would be vested in the California Fair Employment Practices Commission.

The Senate's Committee on Government Efficiency held a hearing on the bill on May 22. The outlook is for a stiff fight in the Senate.

Also pending in the California Legislature is S. B. 1108, which would authorize the suspension or revocation of a real estate broker's license if he were found guilty of discriminatory conduct.

For further information, contact the *California Committee for Fair Practices,* statewide office — Labor Temple, 2940 Sixteenth St., Room 212, San Francisco, MA 1-7742; southern office — 590 N. Vermont Ave., Room 256, Los Angeles 4, NO 2-1148.

Connecticut. Before the Legislature in this state are Administration bills which would broaden existing laws to cover all housing for sale or rent, including building lots (S. B. 184); would authorize the State Commission on Civil Rights to seek a court injunction to hold the housing unit at issue in status quo during the pendency of a complaint of discrimination (S. B. 773); and would provide for the revocation of licenses of brokers and salesmen who discriminate (S. B. 189). Present anti-bias laws cover sales and rentals of housing in three or more contiguous units owned by the same person.

The 1963 bills were introduced in January, but no action has yet been taken. "The Legislature is not discriminating against fair housing," comments one local observer. "It simply isn't moving yet on any legislation." No serious opposition has been indicated to this time.

For further information, contact the *Commission on Civil Rights,* State Office Bldg., Hartford 15, JA 7-6341.

Illinois. Seven hundred supporters and 200 opponents of fair housing legislation were on hand for a five-hour public hearing on H. B. 755, held by the Executive Committee of the Illinois House of Representatives on May 8. A "do pass" was voted 20-18, and the bill is now in the House Appropriations Committee.

This proposal would bar discrimination in sales and rentals, exempting owner-occupied structures with three or less units. It would apply to real estate agents in transactions involving covered housing, and to the financing of all housing. A five-member Fair Housing Practices Commission would be established to enforce the statute.

Chief opposition spokesmen are Arthur F. Mohl, chairman of the Legislative Committee of the Illinois Association of Real Estate Boards, and Walter R. Kuehnle, president of the Chicago REB.

In 1961, Mr. Mohl had challenged his fellow realtors to seek affirmative solutions "built on reason rather than emotion" and to aid in bringing about voluntary integration. "No longer can we attempt to solve the problem by avoiding it," he said at that time (*Trends,* Sept.-Oct., 1961).

Spearheading the drive in this state is the *United Citizens' Committee for Freedom of Residence in Illinois* (FOR), 28 East Jackson St., Room 1523, Chicago, 922-7374. FOR has campaigned extensively throughout the state, developing grassroots support with meetings and its "traveling caravan" (*Trends,* Jan.-Feb., 1963).

Maine. Pending in this state is Bill No. 1126, which would add rental housing to the list of places of public accommodation already prohibited from practicing discrimination. The Senate Judiciary Committee of the Legislature recently voted 7-3 that this measure should not pass on the ground that there is no present need for such legislation.

Almost simultaneously, a hearing held by the Maine Advisory Committee to the U. S. Civil Rights Commission revealed that Negro ghettos are developing in several of the state's cities, and that Negro citizens are subjected to widespread housing restrictions.

"It is hoped," comments a local observer, "that the revelation produced at this hearing, which made the Senate committee look foolish, may cause the Senate to decide to consider the bill."

Michigan. Latest word from this state is unfavorable for two measures which would affect discrimination in housing. The first, regarded as a key proposal in Governor George W. Romney's 1963 legislative program, would prohibit licensed brokers or salesmen from discriminating or engaging in panic peddling. After having passed the Senate 21-4, the bill is stymied in the House State Affairs Committee, and efforts to discharge it appear to have collapsed.

The second, an omnibus civil rights bill, is also buried in the House committee.

Heading up the campaign in this state is the *Coordinating Council on Civil Rights,* 163 Madison Ave., Suite 225, Detroit 26, WO 2-6710.

New Jersey. With strong backing from Governor Richard J. Hughes, a bill (A-314) to extend this state's fair housing legislation to cover all sales and rentals except the rental of an apartment in an owner-occupied duplex passed the assembly in January by a vote of 51-2 (*Trends,* Jan.-Feb., 1963). Since then the bill has been blocked in the Senate, where the Republican caucus has not let it come to the floor.

However, it was recently reported in the New Jersey press that the Senate President (Rep.) has said he will support a modified bill (possibly without the provision for a court injunction), and that he believes five other Republican Senators will join him in bringing the bill out for a vote. It is generally conceded that if a fair housing bill reaches the Senate floor it will pass.

The New Jersey Committee Against Discrimination in Housing, 32 Central Ave., Newark 2, MA 2-0707, is heading up the campaign for enactment.

Ohio. Trapped in a subcommittee of the House Government Operations Committee of the Legislature is H. B. 308, which would provide substantially the same fair housing provisions as those adopted this year in New York State (see above).

Governor James A. Rhodes promised during last year's election campaign that he would support fair housing legislation. In mid-March this year, he was quoted as saying: "I'm still for fair housing. If the bill is placed on my desk, I'll sign it, but I do not think it is my responsibility to get it passed."

The Ohio Committee for Civil Rights Legislation, 2123 East 9th St., Room 401, Cleveland 15, 621-0376, is coordinating the campaign. As one of its projects to "rescue the fair housing bill," the committee held a silent mass vigil at the Ohio State House May 22, with 1,000 citizens from over the state participating.

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Oregon. Now pending in the Oregon Legislature, H. B. 1394 would streamline existing procedures under the state's anti-bias law and would permit the recovery of damages if the respondent, during a 90-day period after the filing of a complaint, disposes of the property at issue or otherwise frustrates the final order of the Bureau of Labor, which administers the fair housing law.

Wisconsin. More than 450 representatives of religious, civil rights, labor and civic organizations registered their support of fair housing legislation at a public hearing held by the House Judiciary Committee of the Wisconsin Legislature in early April. Ten real estate brokers and landlords registered opposition.

On May 2, the Committee recommended passage by a vote of 4 to 3.

The bill, A. B. 367, which was introduced by the Judiciary Committee, would bar discrimination in all sales and rentals except the rental of a unit in an owner-occupied duplex. No administrative machinery for enforcement would be provided. Violations would be made a "civil wrong" with provision for compensatory and punitive damages, as well as for injunctive relief through the courts. Governor John W. Reynolds is supporting the legislation.

New York State

Governor Nelson A. Rockefeller has just signed the sweeping 1963 fair housing law. Present, *left to right,* are Senator George R. Metcalf (Rep.-Auburn); Commissioner George H. Fowler, Chairman, New York State Commission for Human Rights; and Assemblyman Bertram L. Baker (Dem.-Brooklyn). The pioneering team of Metcalf-Baker sponsored the legislation.

For further information, contact the *Wisconsin Citizens for Fair Housing,* 5075 North Bay Ridge, Milwaukee 17.

City Action

Meanwhile, at the city level a fair housing ordinance which applies to all housing except owner-occupied buildings with three or less dwelling units was adopted by the City Council of Schenectady, N. Y., shortly before enactment of the broader 1963 New York State legislation, described above. The Schenectady law establishes a five member Fair Housing Board with enforcement jurisdiction.

Fair housing proposals are now under consideration in Washington, D. C.; Ann Arbor, Mich.; St. Louis, Mo.; Cleveland, Ohio; Philadelphia, Pa.; and San Francisco and Los Angeles, Calif.

Efforts to enact fair housing legislation this year were unsuccessful in the states of Indiana, Nevada, Rhode Island, Washington, and Kansas. In Kansas, the Legislature adopted a measure instructing the State Legislative Council to study the extent and effect of housing discrimination and present recommendations for remedial action to the 1965 Legislature.

Anti-bias housing proposals were also defeated in Berkeley and San Jose, Calif. (*Trends,* Jan.-Feb., 1963), and an open occupancy bill failed to pass in Gary, Ind., by a tie vote of 4-4, with the President of the City Council declining to vote.

Our Correspondents Report:

Washington State

On June 11, the Washington State Supreme Court will hear an appeal of a lower court decision that the state's law barring racial and religious discrimination in places of public accommodation is applicable to real estate offices (*Trends,* May-June, 1962). The appeal is being supported by the Seattle Real Estate Board.

The Washington law barring discrimination in publicly-assisted housing was struck down in a 5-4 decision by the high court (*Trends,* Sept.-Oct., 1961), and this year's effort to enact fair housing legislation was unusuccessful. Thus, the public accommodations statute provides the only prohibition against discrimination in housing now in effect in this state.

Other states which have held that real estate firms come under the mandate of their public accommodations laws are Massachusetts, Connecticut and California.

Detroit

The first case against a Detroit real estate firm charged with violating the city's Fair Neighborhood Practices Act was recently dismissed by the Traffic Court when an 11th-hour settlement was reached with the respondent.

In February, the Detroit Commission on Community Relations charged the firm of Frank & Grossman, Inc., with attempting to create panic selling by placing "Sold" signs on properties in violation of the Act. Under the statute, the commission may issue tickets summoning violators for trial before the Traffic Court, where they are subject to a fine of not more than $500 or a 90-day jail sentence, or both.

In requesting that the case be dismissed, the Commission told the court that the real estate firm had discontinued the use of signs, and had given assurance that it would comply with the Fair Neighborhood Practices ordinance in the future.

The Detroit ordinance prohibits real estate agents from attempting to induce sales or listings by representing that racial change is taking place in a neighborhood or that property values may be lowered because of such change; places specific restrictions on the size, number and use of "Sold" signs; and bars references to race or creed in real estate advertising.

Chicago

In a recent radio interview, a spokesman for the Chicago Urban League took sharp issue with the contention of an official of the local Real Estate Board that Chicagoans are in the habit of selecting their neighbors and therefore whites are entitled not to "permit" nonwhite families to buy homes in their all or predominantly-white neighborhoods.

"Whoever heard of a group of tenants or owners meeting to decide whether a certain family should be permitted to move into their block?" asked Sherwood Ross, Public Relations Director of the League. "A family's shortcomings are never considered if the family is white; its merits are never considered if it's Negro. The argument that you pick your neighbors is bunk—most residents don't know their neighbors until after they've moved in. As for the people who live down the block, they're only faces you see on the street or in the supermarkets," he declared.

Mr. Ross said the Chicago Crime Commission and the press have identified 28 notorious underworld characters who have homes in such all-white areas of the city and suburbs as Lake Shore Drive, Riverside, Elmwood Park, Lincolnwood, Wilmette and Glencoe.

"How long can property owners go on denying housing to Negro scientists, military personnel, doctors, educators and other law-abiding citizens while making housing available to syndicate characters?" he continued.

"Open occupancy doesn't jeopardize property rights — it jeopardizes prejudice. And that is something property owners can learn to live without," Mr. Ross concluded.

NCDH Conference

(*Continued from page* 1)

of Colored People (NAACP); and Whitney Young, Jr., Executive Director of the National Urban League.

"On the record to date," the four leaders declared, "we are forced to conclude that neither the broad spirit nor the limited letter of the Order is being made a reality."

Call for Action

Documenting a series of specific charges, the four men called for action by the President and by the Federal agencies involved to remedy what they termed "critical deficiencies." They urged:

¶ Immediate appointment of the public members, staffing, and organization for action of the President's Committee on Equal Opportunity in Housing, which is charged with major responsibility for supervising and promoting the Order's effective operation.

¶ Development by the Committee and the Federal housing agencies, without further delay, of broad programs to inform both the general public and their own staffs of rights and obligations under the Order.

¶ Revitalizing and upgrading the intergroup relations service of the various housing agencies.

¶ Consideration of appropriate litigation by the Department of Justice.

"It is past time," the civil rights leaders commented, "to put the Executive Order on housing to work."

Front-Page Coverage

The charges leveled by the four men hit the front-pages of the nation's press and received wide editorial comment. "The Negro community is tired," observed *The New York Post,* "of having the demands of justice tailored to the necessities of getting along with a Congress that is disproportionately dominated by the South. If that is the way it has to be, then the civil rights movement intends to be equally tough. That is the meaning of the outspoken impatience of the housing group."

"It is time for the White House to provide effective leadership," said *The New York Times.*

Top Officials

At the opening session of the conference, the heads of the Federal agencies with primary responsibility for seeing that the Order is implemented spelled out their concept of its requirements, reported what action had been taken and what is planned, and were then questioned by a panel of housing and civil rights authorities and by the conferees. These officials were Governer David L. Lawrence, Chairman-Director of the President's Committee; Robert C. Weaver, Administrator, Housing and Home Finance Agency; Joseph P. McMurray, Chairman, Federal Home Loan Bank Board; and Nicholas de B. Katzenbach, Deputy U. S. Attorney General.

The panel of interrogators included Charles Abrams, planner, lawyer, and NCDH President; Edward Eichler, Vice President, Eichler Homes, Inc., of California; Kimball Hill of Chicago, Vice President, National Association of Home Builders; Reginald A. Johnson, Associate Director for Housing, National Urban League; Joseph B. Robison, Assistant Director, Commission for Law and Social Action, American Jewish Congress, and Chairman of the NCDH Legal Committee; and Jack E. Wood, Jr., Special Assistant for Housing, NAACP.

Cautious Approach

Throughout the morning, the conference heard explanations for the slow tempo of Government action in implementing the Order. The need for caution was stressed. Emphasis was given—both by Federal officials and some industry spokesmen—to the wisdom of relying heavily upon educational methods and moral suasion.

One of the most dramatic statements of the two-day meeting came spontaneously toward the end of this first session. Mr. Black, who was presiding, stepped to the podium and declared:

"No one factor is responsible for the race problem in the United States. It has grown out of compromises with evil, with prejudice, and with vested interests. Every one of us shares responsibility for the pattern of segregation and discrimination which has persisted for over 100 years. The government, real estate boards, bankers, and builders have all played a leading role in building a pattern of racial zoning and exclusion.

"People in high places, holding the decision-making power, are bedeviled with the difficulties of change. The result is we are weighed down by the past—slow motion in the midst of revolutionary change throughout the world.

"We do not have time to go slow. If there is "too little and too late" in the way white people are ready to live on the basis of equality with colored people, there may come a time when we have 'racial rejection in reverse'—no Negroes willing to integrate with whites.

"We have a responsibility to rouse the conscience of the nation. This is no time for moral vocabulary. It is no time for patience. It is a time for clear, informed and many-pronged attack in the cause of equality—if we are to survive as a free people."

Emerging Facts

The following are a few of the points which emerged at the first session:

- It is not clear what role the President's Committee will play in connection with appeals of complaints.
- Extensive research—both from legal and administrative standpoints—must yet be done with respect to the "good offices" provision of the Order.
- Enforcement will be a "line operation," regulations under the Order being handled like any other rules of the Federal agency involved.
- Complaints of discrimination will be processed at the lowest operating level of the agency—that is, at the nearest field office. Appeals may be taken to the Commissioner of the particular housing agency.
- Extensive research is still necessary before litigation by the Government is attempted.
- Cooperation agreements with states and cities with fair housing laws will take time to negotiate because of the variances in such laws.
- The Federal Home Loan Bank Board's policy statement against discrimination by its member banks (issued prior to the Order) is still "legal," but the Board knew when it issued the policy it could not be enforced. The Board "felt it would be good to encourage nondiscrimination."
- The decision to issue an Order narrow in scope was a policy—not a legal—decision. The gaining of experience was considered important and, at the appropriate time, expansion of its coverage may be explored.

Specific Programs

Four concurrent workshops dealing with specific Federal activities were held during the afternoon. Government officials participating in these were: Marie McGuire, Commissioner, Public Housing Administration; Philip N. Brownstein, Commissioner, Federal Housing Administration; William L. Slayton, Commissioner, Urban Renewal Administration; George Nesbitt, Director, Low Income Demonstration Project, HHFA; Harold S. Reis, First Assistant, Office of Legal Counsel, U. S. Department of Justice; and Milton P. Semer, General Counsel, HHFA.

Major points from these sessions included the following:

The *Public Housing Administration* will use its "good offices" to attempt to influence proper site selection. However, PHA's position is that the fact that selection of a particular site will inevitably result in a racially-segregated public housing project does not constitute cause for disapproval of the project.

FHA and VA. Conferees stressed the need for greater emphasis on staff training and follow-through. Several suggested that directives from Washington have not taken root, and that a philosophy of segregation still permeates numerous FHA and VA field offices.

Individual citizens and voluntary groups have difficulty learning the location of housing covered by the Order. Commissioner Brownstein promised that lists of commitments would be made available to the public.

FHA no longer uses exclusive brokers to handle repossessed properties. Lists of these are available from Washington or from the nearest FHA (and VA) office, and persons may buy directly without going through a broker. FHA is also initiating a new program of financing for repossessed housing, will pay reasonable financing charges itself, there will be no points, and FHA will arrange a loan if there is difficulty in finding a lender.

Broad Powers

Vigorous and imaginative use should be made by FHA of its broad supervisory power to obtain open occupancy in pre-Order housing. "Your 'good offices' should make use of the leverage you have with a builder who wants new commitments," commented a builder-conferee. He went on to say that those enforcing FHA's tough building regulations should be alert to FHA's position on social as well as construction standards, and that the two should be tied together in order to influence the sales and rental policies of the builder.

Urban Renewal. When the Urban Renewal Administration is considering approval of a site for redevelopment, the fact that selection of a particular area will lead to the perpetuation of segregation is not taken into account unless approval would violate a state or city law. Commissioner Slayton pointed out, however, that urban renewal programs are resulting in integrated housing, and that most persons who are relocated end up in better housing. It was pointed out that the housing quality of relocated persons may be improved, but the racial character of their new neighborhood may be as segregated—or more so—as previously.

Litigation. Three principal points were developed during the discussion at this workshop. First, over and above the Executive Order stands the constitutional mandate of nondiscrimination in programs aided by the Government. Thus, in order to determine the reach of the Constitution, the Government should immediately decide upon and undertake a course of litigation to bar discrimination in existing federally-aided housing. It was suggested that the two areas which may present the strongest fact situations are public housing and those developments where FHA sits on the board of directors, such as those built under Section 608 of the FHA program.

Second, it was proposed that FHA and VA should disqualify for future commitments those builders who are discriminating in either pre-Order federally-aided housing or in housing which is conventionally financed. Also, that any unused pre-Order commitments held by such builders should be cancelled.

Third, the proposal was made that FHA and VA require a nondiscrimination covenant which runs with the land, such as is required for urban renewal projects. This would prevent discrimination in all future sales and rentals.

Conference Banquet

Governor Endicott Peabody of Massachusetts, whose state recently enacted sweeping legislation barring discrimination in private housing, told those attending the banquet that it was not enough for Government to be *against* discrimination.

"Government itself must take the leadership in supporting and promoting an open housing market," he declared. Mr. Peabody said his administration was taking action to see that the entire machinery of the state would be enlisted to that end.

"Power to Benefit or Oppress"

A major address was then presented by NCDH President Charles Abrams on "The Ethics of Power in a Welfare Society." Mr. Abrams, an internationally-recognized authority in the fields of planning, housing and civil rights, said the rationing of living space and the determination of who may have access to it now rests in the hands of government—local, state and Federal.

"Each law and each program carries with it the power to benefit or oppress," he declared. "Thus urban renewal which displaces minorities oppresses more than it benefits them, and the requirement of relocation is no more than a frail pretext for appeasing conscience. FHA is a boon to the white middle-class and the skilled worker, but it carries with it the hidden sanction of exclusion as long as it continues to recognize local zoning practices."

More and broader state laws against discrimination in housing; a broader Executive Order on housing, and better enforcement of the present limited mandate—all of these are essential, Mr. Abrams declared.

But, he asserted, in the long run the struggle for shelter will be reflected in the type of housing legislation enacted by Congress and by the checks and controls which are imposed on urban and suburban governments.

Citizens' Action

A preliminary directory recently compiled by NCDH reveals there are almost 300 identifiable voluntary, unaffiliated, grassroots committees working in many sections of the country for integration in their own communities. The Washington conference brought representatives from these groups together for the first time on a national basis to share experiences and mutual problems.

On the second day of the conference, NCDH Director Frances Levenson opened the morning session with "An Overview of Grassroots Activities in Housing," tracing the history and development of these groups over the past several years.

Four concurrent workshops dealing with specific program activities followed. These are some of the major points which were developed:

Getting and Using Legislation. A hard-working, representative coordinating committee is essential to spearhead the campaign for legislation. It must be armed with facts, must dramatize the issues, and must adopt a unified approach. Legislation should be as comprehensive as possible, covering the real estate industry and providing for injunctive relief.

Work has just begun with passage of a law. Voluntary groups must see to it that enforcement agencies have adequate funds, competent staffs, and backing of the Administration—and must "prod" the agency when it needs it. Groups must cooperate with official bodies in informing the public, giving special emphasis to seeing that minority-group families know about the law and are encouraged to use it. Fair housing committees must assist such families in securing housing covered by the law.

The Conference Proceedings, including the texts of all major addresses and the four leaders' statement, as well as summaries of each of the sessions, will soon be sent to all persons who registered at the conference. For those who were not present, copies of the proceedings are available from NCDH at $1.00 each. Also available from NCDH, separate copies of the addresses of Mr. Miller, Mr. Abrams, and Miss Levenson at 10c each.

Best Salesman

Bringing Willing Buyer and Seller Together. Finding prospective buyers or renters is a major problem for most groups. They should use the press, meetings, church groups, clubs and personal contacts to publicize their services. Leisure-time, social contacts are extremely important. The best salesman for integration is a "satisfied customer."

Homeseekers are looking for suitable housing—so avoid listing "white elephants." Check the classified ads for

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NCDH Conference

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open occupancy listings; seek cooperative brokers; invite listings during "welcome neighbor" pledge signing campaigns; advertise for listings. Encourage homeseekers to apply for any housing which is covered by a fair housing law and be well prepared to back them up.

Groups should identify nondiscriminatory lending institutions in their locality or nearby. If none are found, contact the Voluntary Home Mortgage Credit Program, Washington 25, for help.

Practical Approaches

Neighborhood Stabilization. An open housing market is the ultimate answer. Meanwhile, the neighborhood group must be concerned with community standards: sanitation service, zoning, property maintenance, recreational and shopping facilities—and particularly with the school.

In combating panic selling, emphasis should be placed on the assets of the neighborhood; the high cost of moving; the fact that pleasant, integrated neighborhoods are not new, are on the increase, and are inevitable. Panic peddlers should be exposed, and agents guilty of unethical conduct should be disciplined. Some discussants felt anti-blockbusting laws have helped; others viewed them with skepticism.

Direct Action. A protest action should be undertaken only if investigation proves discrimination and efforts to negotiate fail. There is room for both militant groups and those which serve as reconcilers—and cooperation should exist between them. Where there is a fair housing law, direct action should be used in conjunction with it, seeking to bolster its effectiveness. Try to win the cooperation of local elected officials—a California group recently brought about reorganization of a police department after officers harassed picketers. Significant educational gains can be made if the direct action is interpreted to the community, and an effort should be made to involve representative citizens in the project.

A Pilot Proposal

At the closing luncheon, Thomas V. Sinclair, Jr., New York attorney and Chairman of the Housing Committee of the Harlem Neighborhood Association (HANA), called for a second housing front: imaginative planning to reintegrate present-day ghettos. Such planning, he said, should make provision for a balanced housing supply for all economic sectors; for capitalizing on the area's natural resources; and for the development of cultural, recreational and commercial facilities which would attract a diversified pattern of residence.

Where From Here?

The closing speech of the conference was given by NCDH Vice President Loren Miller on "A Look to the Future—Where Do We Go From Here?" The distinguished California lawyer and civil rights leader warned that unless the full panoply of Government power is used to implement the Executive Order, the mandate "will almost certainly result in only a sterile tokenism which will salve the conscience and alleviate the symptoms while the disease rages unchecked."

He proposed that the President's Committee secure "Plans for Progress" from builders and developers, similar to their counterparts in the employment field. Fair employment commissions, he noted, have found it desirable to encourage Negroes to enter the labor market and to persuade employers to encourage their entry. Similarly, Mr. Miller said, fair housing commissions should recruit Negroes into the open housing market.

Recent developments have heightened the need for voluntary citizens' action, he asserted. With increased urgency, they must continue pressing government—local, state and Federal—to meet its responsibility. They must bring more and more buyers and sellers together, and smooth the way for the newcomers; must formulate effective appeals to Negroes to move into the mainstream of housing; must support programs and organizations which seek to increase the supply of middle and low-income housing, and those which aim to end the disparity in Negro and white income.

"Today is our moment of crisis," Mr. Miller declared. "A time when a task done or left undone may well shape the future for a long time to come."

Chicago Commission Survey Examines Effect of FH Laws

The Chicago Commission on Human Relations has prepared a comprehensive 29-page report, surveying the effectiveness of fair housing laws in three cities, 12 states, and one territory. Mayor Richard J. Daley had requested the Commission and the Department of City Planning to evaluate the experiences of areas covered by such legislation and submit a report to Chicago's City Council.

Findings of the survey indicate a trend toward broad coverage of the housing market, general acceptance of the laws—even by many who initially opposed them, compliance usually obtained by conciliation, gradual and steady opening of housing opportunities for minorities, and no adverse results.

Copies of the report are available from the Chicago Commission, 211 West Wacker Dr., Chicago 6.

Court Rejects Deerfield Appeal

The Village of Deerfield, the all-white community north of Chicago which successfully blocked an interracial housing subdivision already under construction by condemning the site for park purposes, has won another round in the courts (*Trends,* Sept.-Oct., 1962).

On April 15, the U. S. Supreme Court refused to act on an appeal filed by the Progress Development Corporation, a subsidiary of Modern Community Developers, asking the high tribunal to overturn the recent decision of the Illinois Supreme Court upholding condemnation of the property.

A resolution adopted by the NCDH conference held in Washington in late April urged the Attorney General of the United States to file a brief asking the Supreme Court to reconsider and hear the case. It was pointed out that if the Illinois Supreme Court's decision stands, local officials in other areas may use their power of eminent domain to keep Negroes out of all-white communities.

Public Housing & Social Mobility Studied in N. Y.

A hypothesis that culturally deprived adults and children who become residents of public housing projects which are located in middle-class areas tend to pick up middle-class ideas and customs — or, conversely, that the standards of such persons are apt not to improve when they reside in projects located in blighted areas — is being tested in a significant Ford Foundation-financed research project at the Syracuse (N. Y.) Youth Development Center.

The study, titled "Public Housing and Social Mobility," grew out of observations of a "striving and straining" among tenants at Salt City Homes, a public housing project located in an attractive neighborhood with excellent community facilities including the newest, and reputedly the best, school in Syracuse.

A marked contrast was observed in the general apathy among residents of Pioneer Homes, located in the heart of one of the city's deteriorating areas.

These and two other public housing projects provide the laboratory for the research. Families are studied when they move into the projects, while they are resident, and after they move out.

Findings of the study, it is believed, will prove valuable in framing public housing policy and in curbing delinquency.

Public Members Appointed To President's Committee

Other Developments Relating to Order

On May 16, the White House announced the appointment of the public members who will serve on the President's Committee on Equal Opportunity in Housing. They are Jack T. Conway, Director, Industrial Union Department, AFL-CIO; Theodore A. Jones, Chicago insurance executive; Charles Keller, Jr., President, Keller Construction Company of New Orleans; Ferdinand Kramer, Chicago builder, broker and mortgage banker; Cyril Magnin, San Francisco businessman; Roland M. Sawyer of Pittsburgh, Housing Consultant to the United Steelworkers Union, and NCDH board member; Earl B. Schwulst, Chairman of the Bowery Savings Bank of New York; and Lewis H. Weinstein, Boston lawyer and lecturer at Harvard Law School, also an NCDH board member.

Government members of the Committee are Governor Lawrence, Chairman-Director; Douglas Dillon, Secretary of the Treasury; Robert S. McNamara, Secretary of Defense; Orville L. Freeman, Secretary of Agriculture; Attorney General Robert F. Kennedy; HHFA Administrator Robert C. Weaver; Joseph P. McMurray, Chairman, Federal Home Loan Bank Board; and John S. Gleason, Jr., Administrator of Veterans Affairs.

The Order directs that an executive committee shall be composed of the Chairman-Director and two public members. Messrs. Jones and Weinstein have been designated to serve on this important body.

Several additional developments have occurred recently which are related to the Executive Order on housing.

No Adverse Effect

Hard figures show the Executive Order is resulting in neither curtailment in building nor a shift away from FHA to conventional financing. Total applications received by FHA during April 1963 jumped 36 per cent over April 1962, rising from 79,358 to 108,184. Increases in loan applications were reflected in all FHA programs: new sales housing; rehabilitation of existing homes; cooperatives; new apartment rental housing; and all other programs. Official figures show similar increases in urban renewal and public housing programs.

Action by FHA

On May 20, FHA instructed all field offices that lists of applications for FHA commitments for apartment projects and for subdivisions of 5 or more individual homes shall be posted daily in the lobby of each office, so that the name, location, and number of units of each proposed project may be easily ascertained by the public. The lists will be cumulative.

FHA has also ruled that the Order applies to existing FHA-insured apartment projects if ownership of the property is transferred. When application for FHA approval of the sale is made, the new owners are required to execute an agreement to comply with state and local fair housing laws and with the terms of the Executive Order.

VA Bars Chicago Broker

In mid-April, the Veterans Administration barred a Chicago broker from continuing as an authorized mangement and sales agent for VA-acquired properties on the ground that the broker discriminated against a Negro couple seeking to buy a home. The action was the first of its kind VA had taken under the Order.

ACLU Presses FHA

On May 17, the American Civil Liberties Union called on FHA to issue a regulation providing that builders seeking aid for future construction will be barred from such aid if they decline to provide existing federally-aided housing on a nondiscriminatory basis. It points out that such a regulation would not amount to "retroactive punishment" inasmuch as only those builders who continue to seek Federal help would be bound by it.

The ACLU urged that such a regulation be applied immediately to the case involving the Levitt-built community in Belair, Md. (*Trends*, Jan.-Feb., 1963), wherein FHA's use of the "good offices" provision of the Order failed to end discriminatory practices. Such action, said ACLU, "would offer firm and dramatic evidence that the Federal Government means to apply the constitutional guarantee which underlies the Executive Order. Failure to do so would be an unfortunate step backward and a reinforcement of the stagnating policy of discrimination in housing."

ACLU also called on the President to broaden the Order to include existing federally-aided housing. Similar action was taken in April by the Committee on Civil Rights of the New York County Lawyers' Association.

Order Shunned in L. A.

In Los Angeles, the "good offices" section of the Executive Order has failed to obtain available housing accommodations for two prominent Negro citizens.

The owners of luxurious Barrington Plaza, a $17 million dollar FHA apartment development, refused to rent a $400-a-month unit to Dr. Thomas R. Peyton, a well-known physician whose patients include many white residents of the fashionable Wilshire Blvd. section. Rental of an apartment in another FHA development was also denied Allen C. Woodward III, a prominent Los Angeles real estate man.

"Good Offices" Fail

Persuasive efforts of local FHA officials were shunned in both cases. The owners took the position that the Order is not applicable to their developments because contracts with FHA were negotiated prior to Nov. 20, 1962.

The two applicants have filed suits in the California Superior Court. Dr. Peyton seeks an injunction to prevent the owners of Barrington Plaza from engaging in further acts of racial discrimination against prospective non-white renters, and asks $150,750 damages. Mr. Woodward seeks damages of $25,750.

Discrimination in publicly-assisted housing, including that with FHA and VA-guaranteed mortgages, is prohibited in California under the provisions of the 1959 Hawkins Act.

Mississippi

In Mississippi, the Legislature recently enacted a bill prohibiting urban renewal agencies and housing authorities from entering into contracts with agencies of the United States. The legislation, however, contains a "saving clause" which exempts from its restrictions any municipality which had, before the bill passed, adopted a resolution stating its intent to construct public housing and urban renewal projects.

National Committee Against Discrimination in Housing
426 West 58 Street, New York 19, New York

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Racial Barriers in Urban Renewal Facing Court Test

NAACP Sues Nashville Motel

The first major challenge to the constitutionality of racial discrimination in urban renewal projects is presented in a suit filed in late April by the NAACP Legal Defense and Educational Fund in the Federal District Court in Nashville, Tenn., against Holiday Inns of America, Inc.

Dr. Vasco A. Smith, Jr., a Negro dentist from Memphis, brought the action. He charges that, solely because of his race, he was denied accommodations which had been reserved at the Holiday Inn-Capitol Hill motel in Nashville.

The motel is part of a Title I urban renewal project, and the complaint argues that Government participation in the project subjects the Holiday Inn to the provisions of the Fifth and Fourteenth Amendments to the Constitution. It asks that Holiday Inn be permanently enjoined from practicing racial discrimination at the Capitol Hill motel.

"This case," comments Jack Greenberg, Director-Counsel of the Legal Defense Fund, "is far more significant than the question of desegregation in a single motel. It involves the constitutionality of excluding Negroes from an urban renewal site that is the product of local, state and Federal planning and financing."

Mr. Greenberg points out that it is generally minority-group families which are cleared out of urban renewal areas, and that they are then "shunted off to new and more crowded ghettos." According to the complaint, approximately 50 per cent of the Nashville site in question was owned or occupied by Negroes when the property was condemned for renewal purposes.

Meanwhile, another firm in Tennessee has announced that a $2,500,000 motel, shopping, and convention center, to be operated on a nondiscriminatory basis, will soon be constructed in Nashville. The project will be the first of a series of similar establishments to be built in the South and in other sections of the country for the Galaxy Inn chain.

"We are going to accept any and all reservations that come into our place so long as they are of good moral character," A. Sauer, board chairman of the Nomad Corporation of Memphis and executive officer for the chain, told the press. "We are businessmen; we are out to make money."

Mr. Sauer said the corporation had abandoned earlier plans to construct two separate chains: one for whites and one for Negroes.

"The Magic Tip Point — Fact or Fancy?"

The widely-held idea that a racially-integrated community will inevitably become another ghetto if Negro occupancy reaches more than a certain percentage is exploded in a new 8-page pamphlet titled *Racial Bias and Housing*, by Reginald A. Johnson, Associate Director for Housing, National Urban League.

The facts are, says Mr. Johnson, that an actual "tip point" is based on a number of factors which can place it anywhere from zero to virtually 100 per cent. He cites the example of a new development which will be open to all but which as yet has no occupants. It is located on an inferior site, unfit for anything except commercial usage, in a community where the demand for housing among nonwhites is great. Before a single house is occupied, Mr. Johnson observes, this development is predestined to become a ghetto. Its tip point is zero.

On the other hand, there are cases of virtually 100 per cent Negro occupancy "tipping" into integration. Example: Chicago's new, favorably-located Lake Meadows (*Trends*, July-Aug., 1962), where an initial 98 per cent Negro occupancy progressively changed to 80 per cent white.

Factors involved in "tipping," says Mr. Johnson, are: inferior sites and facilities; limited housing opportunities for Negroes and unlimited choices for whites; disparity in income; unfavorable management and maintenance practices; different standards of selectivity for Negro and white applicants; and exploitation by panic peddlers.

A second article in the pamphlet covers various approaches to integration, with brief discussions on legislation, pricing, cooperative housing, and dispersal plans. On the subject of quotas, the writer has this to say: "Racial quotas of any type and for any purpose are distasteful and are considered an insult to the group to which they are directed."

Racial Bias and Housing was published by the National Urban League, 14 East 48 St., New York 17.

Boston FH Group Gets Govt. Grant

Low-Income Project

Fair Housing, Inc., of Boston, has received a Federal grant of $52,800 for a two-year demonstration project designed to aid low-income families living close to downtown Boston, but working in outlying areas, in moving to better housing in the suburbs near their jobs.

The Boston project is part of HHFA's Low-Income Demonstration Program which, under the 1961 Housing Act, is authorized to make grants to public or private agencies for the development of new or improved means of providing housing for low-income families. It has been endorsed by Governor Endicott Peabody and other top Massachusetts and Boston officials.

HHFA Administrator Robert C. Weaver points out that many industries throughout the country have moved from core cities to outlying areas, and that this movement is creating extreme hardship for low-paid workers, most of whom remain in cheap in-city housing and commute long distances to their jobs.

Emphasis will be placed on locating old but sound houses in Boston's older suburban communities where housing can be rented or bought at prices within the means of low-income families. Dr. Weaver notes that new development housing usually is too expensive for this particular market.

40 Groups Assist

Fair Housing, Inc., is an outgrowth of the Greater Boston Federation of Fair Housing Committees, an affiliation of 40 local groups which are working for residential integration. It was organized earlier this year as a separate open occupancy listing service and clearing house. In sponsoring the demonstration project, it will continue to seek listings and to inspect both properties and the surrounding neighborhoods. It will also provide free consumer counseling to the carefully selected families involved in the program; check on prompt payment of rents or on mortgages; assemble and analyze data related to the project; and prepare and publish a final report. The demonstration will be evaluated by social scientists from universities in the Boston area.

The Federation's network of fair housing groups will actively assist in the project by searching out listings and by smoothing the way for the newcomers as they move in. Fair Housing, Inc., reports that some 60 houses in 30 suburban communities are already available.

Farmer

File

THE CITY OF NEW YORK - HOUSIN

2 LAFAYETTE STREET NEW YO

PUBLICLY-AIDED HOUSING DEV

PROGRAMS ADMINISTERED BY

(EXCEPT LOW-RENT PUBLIC

Each development listed was built or is being planned are now administered by the Housing and Redevelopmen primarily as an aid to those seeking housing in such these developments are fully occupied or spoken for, wit antee that apartments will be available in any given insta

Renting or sale of cooperative apartments in all of thes company. Inquiries about apartments should be addres ment Board, which does no renting. Data on rentals or c formation supplied by the sponsor or housing company, a planning are subject to final approval by the City Planning indicated for them are tentative only, but may be able t

(Rev. 2/63)
6th Edition

MAR 2 9 1963

HOUSING AND REDEVELOPMENT BOARD

EW YORK 7, NEW YORK WOrth 4-5656

DEVELOPMENTS BUILT UNDER

D BY THE CITY OF NEW YORK

UBLIC HOUSING) BY BOROUGHS

anned or built under programs of public assistance which
opment Board of New York City. This listing is provided
such projects. It should be noted, however, that many of
or, with long waiting lists. Their listing here is no guar-
n instance.

of these projects is carried out by the sponsor or housing
addressed to them, and not to the Housing and Redevelop-
s or carrying charges and down payments is based on in-
pany, and may be subject to change. Projects listed as in
anning Commission and the Board of Estimate. Sponsors
able to supply information about plans for these projects.

BOROUGH OF MAN

DEVELOPMENTS COMPLETED

NAME	AGENT (RENT/SALE)	TYPE OF PROJECT
Columbus Circle 9th Avenue and W. 58-60 Streets	Western Management 345 West 58th Street CO 5-6967	Rental Title I
Corlears Hook (East River Housing Corp.) FDR Drive at Delancey Street	East River Housing Corp. 570 Grand Street OR 3-3900	Cooperative Title I and Redevelopment C
Harlem (Lenox Terrace Apts.) Fifth Avenue at West 135th Street	Lenox Terrace Development Corp. 10 West 135th Street TO 2-6380	Rental Title I
Hillman Houses Willett, Grand & Lewis Streets	Hillman Housing Corp. 570 Grand Street	Cooperative Redevelopment Co
Lincoln Square (Lincoln House) West End Avenue, West 66-67 Streets	Development Services Inc. 135-14 Northern Blvd. Flushing 54 LE 9-7800	Cooperative Title I and Redevelopment Co
Morningside (Morningside Gardens) LaSalle, West 123rd Street, Amsterdam and Broadway	William A. White & Son 80 LaSalle Street RI 9-1600	Cooperative Title I and Redevelopment Co
North Harlem (Delano Village) Fifth-Lenox Avenues , West 139-143rd Streets	Axelrod Management Co. 45 West 139th Street FO 8-8110	Rental Title I

MANHATTAN

PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM		CURRENT STATUS
		MONTHLY RENTAL	DOWN PAYMENT	
	590 Apartments 2 1/2 - 4 1/2 rooms	$62.00	None	Occupied. Waiting list only
ive nd pment Co.	1,668 Apartments 2 1/2 - 5 1/2 rooms	$17.00	$625	Occupied. Waiting list only
	1,716 Apartments 2 - 5 rooms	$40.00	None	Occupied. Waiting list only
ive pment Co.	807 Apartments 2 - 5 1/2 rooms	$16.00	$675	Occupied. Waiting list only
ve d pment Co.	420 Apartments 3 1/2 - 6 1/2 rooms	$30.00	$900	Occupied. Waiting list only
ve d pment Co.	972 Apartments 2 1/2 - 5 1/2 rooms	$21.00	$750	Occupied. Waiting list only
	1,803 Apartments 1 1/2 - 4 1/2 rooms	$35.00	None	Occupied. Waiting list only

DEVELOPMENTS COMPLETED

NAME	AGENT (SALE/RENT)	TYPE OF PROJ
Park Row (Chatham Green) Park Row, St. James Place, Pearl St.	Middle-Income Housing Corp. 217 Park Row BE 3-4800	Cooperative Title I and Redevelopment
Penn Station South 8th-9th Avenues, 23rd-29th Streets	Mutual Redevelopment Houses, Inc. 321 8th Avenue OR 5-3200	Cooperative Title I and Redevelopment
Riverton Fifth Avenue and 135th Street	Riverton 2156 Madison Avenue AD 4-7500	Rental Redevelopment
Seward Park Grand Street, Scammel, E. Bway, Seward Park, Essex, Jefferson & Hester Streets	Seward Park Housing Corp. 570 Grand Street OR 3-3900	Cooperative Title I and Redevelopment
Stuyvesant Town FDR Drive-1st Avenue, 14-20th Streets	Stuyvesant Town 409 East 14th Street SP 7-1600	Rental Redevelopment
Washington Square S.E. (Washington Square Village) West 3rd, Mercer & Houston Streets West Broadway	Fifth Washington Square Owning Corp. 3 Washington Square Village OR 7-5900	Rental Title I
West Park (Park West Village) Central Park West at 100th Street	Herbert Charles & Co. Central Park West & 97th Street UN 5-7400	Rental Title I

F MANHATTAN
(Continued)

		PER RENTAL ROOM		
OF PROJECT	NUMBER & SIZE OF APARTMENTS	MONTHLY RENTAL	DOWN PAYMENT	CURRENT STATUS
erative I and elopment Co.	420 Apartments 2 1/2 - 6 1/2 rooms	$26.50	$935	Occupied. Waiting list only
erative I and elopment Co.	2,820 Apartments	$24.00	$650	Occupied. Waiting list only
elopment Co.	1,232 Apartments 3 1/2 - 4 1/2 rooms	$17.60	None	Occupied. Waiting list only
rative I and elopment Co.	1,728 Apartments 2 - 6 rooms	$21.00	$650	Occupied. Waiting list only
elopment Co.	8,755 Apartments 3 1/2 - 5 1/2 rooms	$21.62	None	Occupied. Waiting list only
	1,294 Apartments 2 1/2 - 6 rooms	$64.00	None	Occupied. Taking applications.
	2,525 Apartments efficiency - 4 1/2 rooms	$55.00	None	Occupied. Waiting list only

BOROUGH OF M
(Contin

DEVELOPMENTS UNDER CONSTRUCTION

NAME	AGENT (SALE/RENT)	TYPE OF PR
N.Y.U. Bellevue (Kips Bay Plaza) 1st-2nd Avenues, 30-33rd Streets	Herbert Charles & Co. 1st Avenue at 31st Street MU 9-4533	Rental Title I
The Clayton West 134-135th Streets, Lenox Ave.	Burrows, King & Co. 757 St. Nicholas Avenue FO 8-6603	Cooperative Mitchell-La
Franklin Plaza First-Third Avenues, East 106-109th Streets	Middle Income Housing Corp. 211 East 106th Street	Cooperative Mitchell-La
Gouverneur Gardens East River Drive, Jackson, Montgomery Street and Henry Street	Middle Income Housing Corp. 217 Park Row BE 3-4800	Cooperative Mitchell-La
York Hill Apts. York Avenue at E. 82nd Street	Phillips, Wood Dolson, Inc. 241 West 72nd Street EN 2-8900	Cooperative Mitchell-La

OF MANHATTAN
(Continued)

PE OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	DOWN PAYMENT	CURRENT STATUS
ntal le I	1,120 Apartments efficiency - 5 1/2 Rooms	$62.00	None	One building occupied, one occupancy estimated March '63. Taking applications.
operative tchell-Lama	160 Apartments 3 - 6 1/2 rooms	$23.45	$500	Occupancy estimated March '63. Taking applications.
operative tchell-Lama	1,635 Apartments efficiency - 3 bedrooms	$22.84	$450	Occupied. Taking applications.
operative tchell-Lama	782 Apartments efficiency - 3 bedrooms	$26.59	$600	Occupancy estimated Summer '63. Taking applications.
operative tchell-Lama	296 Apartments 2 1/2 - 6 1/2 rooms	$22.00	$475	Occupancy estimated March '63. Waiting list only.

DEVELOPMENTS UNDER CONSTRUCTION (Cont'd)

NAME	AGENT (SALE/RENT)	TYPE OF PROJECT
Lincoln Square (Lincoln Towers) W. 66-69th Streets; West End & Amsterdam Avenues, W. 67-70th Sts. between West End Avenue & NYCRR	Herbert Charles & Co. 70th Street and West End Avenue SC 4-3900	Rental Title I
Park Row Extension (Chatham Towers) Park, Mulberry Streets, Chatham Square, Park Row, Cardinal Hayes Pl.	Middle Income Housing Corp. 217 Park Row WO 2-1500	Cooperative Title I and Redevelopment Co
Residence Hall East 101st Street, between Fifth and Madison Avenues	Mount Sinai Hospital	Rental Mitchell-Lama
River-Terrace Riverside Drive & W. 158th Street	Phillips, Wood Dolson, Inc. 241 West 72nd Street EN 2-8900	Cooperative Mitchell-Lama
The Stuyvesant First Avenue at East 17th Street	Beth Israel Hospital Assn. 10 Nathan D. Perlman Place OR 3-3000	Rental Mitchell-Lama

MANHATTAN
tinued)

PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	PER RENTAL ROOM DOWN PAYMENT	CURRENT STATUS
	3,720 Studios - 3 bedrooms	$61.00	None	3 buildings occupied, 8 under construction. Taking applications.
ive d oment Co.	240 Apartments 2 1/2 - 6 1/2 rooms	$35.00	$1020	Site preparation underway. Taking names for applications.
Lama	113 Apartments 2 1/2 - 3 1/2 rooms	$25.02	None	Occupancy estimated Summer '63. Waiting list closed.
ve Lama	430 Apartments 4 - 6 1/2 rooms with terrace	$21.00	$475	Occupancy estimated August '63. Taking applications.
Lama	141 Apartments 2 1/2 - 4 rooms	$25.00	None	Occupancy estimated May '63. Waiting list closed.

BOROUGH OF MA
(Continued

DEVELOPMENTS IN PLANNING

NAME	AGENT (SALE/RENT)	TYPE OF PROJ
Columbia Houses Stanton, Columbia, Delancey Streets	Abbott & Adams, Inc. 292 Madison Avenue MU 6-1900	Cooperative Mitchell-Lama
Washington Square S.E. South Superblock Houston, Mercer, Bleeker & West Broadway	New York University Washington Square Post Office	Cooperative Mitchell-Lama

F MANHATTAN
Continued)

OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	 DOWN PAYMENT	CURRENT STATUS
erative ell-Lama	1,104 Apartments efficiency - 3 Bedrooms	$27.69	$575	Taking names for applications.
erative ell-Lama	175 Apartments	UNDETERMINED		Taking names for applications.

WEST SIDE URBAN RENEWAL PROJECTS -- STAGE 1 93rd - 97t

SITES	LOCATION	SPONSOR	TYPE(A)	Approximate Number of Apartments
1.	South East Corner Amsterdam, 97th St.	(B)Renewal & Development Corp. & H.R.H. Construction Co. 4 West 58th Street	Middle-Income Rental State limited-profit Some commercial facilities	400 including some for elderly
2.	South Side 97th St. between Amsterdam & Columbus Aves.	(B)Renewal & Development Corp. & H.R.H. Construction Co. 4 West 58th Street	Middle-Income Rental State limited-profit Some commercial facilities	"
3.	North Side, 96th St. between Amsterdam & Columbus Aves.	(B)Renewal & Development Corp. & H.R.H. Construction Co. 4 West 58th Street	Middle-Income Rental State limited-profit	"
4.	West Side, Columbus Ave. 96th - 97th Streets	Samuel J. Landau & Saul Jarcho 745 Fifth Avenue	Rental Fully Tax Paying	350
5.	East Side, Columbus Ave. 96th - 97th Streets	Dworman Associates 400 Park Avenue	Rental Fully Tax Paying	250
6.	South Side, 97th St. between Columbus Ave. & Central Park West	Vermilya, Brown Co. and Clement Henry 100 E. 42nd Street	Middle-Income Rental State limited-profit	250
7.	East Side, Amsterdam Ave. 95th - 96th Streets	Jack R. Robinson & Dworman Associates 400 Park Avenue	Middle-Income Rental State limited-profit	210
8.	South Side, 96th St. between Amsterdam & Columbus Aves.	Riverside Neighborhood Assembly 300 W. 96th St.	Middle-Income Cooperative City limited-profit	220
9.	West Side, Columbus Ave. 95th - 96th Streets	Urban-Klein Assoc. 41 East 42nd St.	Rental Fully Tax Paying	210

STATUS: ALL OF THESE BUILDINGS ARE

NOTES: (A) The estimated average monthly rentals per room in the apartments range from $16 - $17 in Public H buildings. Down Payments for Middle-Income Cooperatives range from $400 - $600 per room with

Down payments required for limited-profit (Mitchell-Lama), mutual housing projects may be satisfi $200 and financing the balance by a note to the housing company which is repayable in 120 equal m

20% of the apartments will be at $18 per room.

(B) Some units will be designed and reserved for the elderly.

(C) Designed for the elderly.

93rd - 97th STREETS, AMSTERDAM AVE. -- CENTRAL PARK WEST

SITES	LOCATION	SPONSOR	TYPE(A)	Approximate Number of Apartments
10.	East Side, Columbus Ave. 95th - 96th Streets	David Rose Associates (Cordwell Realty Corp.) 529 Fifth Avenue	Rental Fully Tax Paying	273
11.	East Side, Amsterdam Ave. 94th - 95th Streets	G-R Housing Corporation 161 West 87th St.	Middle-Income Rental City limited-profit	250
12.	West Side, Columbus Ave. 94th - 95th Streets	Morris and David Bogdanoff 30 North Broadway White Plains, N. Y.	Middle-Income Rental City limited-profit	197
13.	East Side, Columbus Ave. 94th - 95th Streets	Lefrak Organization 97-27 65th Road Forest Hills, Queens, N.Y.	Middle-Income Rental City limited-profit	270
14.	South East Corner, Amsterdam Ave. & 94th Street	(C)Rubin & Kaufman 424 Madison Avenue	Middle-Income Rental City limited-profit	119
15.	South Side, 94th Street between Amsterdam & Columbus Avenues	New York City Housing Authority 299 Broadway	Low-Rent Public Housing	65
16.	West Side, Columbus Ave. 93rd - 94th Streets	Columbus Park Towers, Inc. 19 West 95th Street	Middle-Income Cooperative City limited-profit	165
17.	East Side, Columbus Ave. 93rd - 94th Streets	Stryckers Bay Housing Corp. 143 West 87th Street	Middle-Income Cooperative City limited-profit	236
18.	North Side, 93rd Street between Columbus Ave. & Central Park West	Rapaport & Cohen 6 East 39th Street	Rental Fully Tax Paying	65

ARE IN THE PLANNING STAGE

n Public Housing units, through $23 - $30 in Middle-Income developments, to $50 - $60 in Fully Tax-Paying
om with Monthly Carrying Charges of $23 - $30 per room.

be satisfied, at the option of the housing company, by payment of 10% of the amount, to a minimum of
0 equal monthly installments over a period of ten years.

BOROUGH

DEVELOPMENTS COMPLETED

NAME	AGENT (SALE/RENT)	T
Adee Towers Bronx Park East at Adee Avenue	Apartment Development Sales & Management Co. 32 Broadway BO 9-5958	Co M
Dennis Lane Apartments Belmont Avenue East at 181st Street	Apartment Sales and Development HA 2-5266	Co M
Evergreen Gardens Evergreen Avenue between Story Avenue & Bruckner Boulevard	Saybrook Management Corp. TI 2-9000	Re M
The Hutchinson Hutchinson River Parkway & Williamson Avenue	Aldon Pagnoni 1910 Webster Avenue CY 4-5900	Co M
Rosedale Houses Bruckner Boulevard, Taylor, Story & Rosedale Avenues	A & S Management Co. 1810 Bruckner Boulevard TI 2-6588	Co M
Tibbett Towers Tibbett and Irwin Avenues	Apartment Development Sales & Management Co. 32 Broadway BO 9-5958	Co M
Woodstock Terrace Trinity Avenue and 161st Street to 163rd Street	MUHS Servicing Inc. 920 Trinity Avenue MO 5-9105	Co M

ROUGH OF THE BRONX

		PER RENTAL ROOM		
TYPE OF PROJECT	NUMBER & SIZE OF APARTMENTS	MONTHLY RENTAL	DOWN PAYMENT	CURRENT STATUS
Cooperative Mitchell-Lama	292 Apartments 3 1/2 - 6 1/2 rooms	$21.00	$500	Occupied. Waiting list only.
Cooperative Mitchell-Lama	280 Apartments 3 - 6 1/2 rooms	$21.00	$390	Occupied. Waiting list only
Rental Mitchell-Lama	355 Apartments efficiency to 3 bedrooms	$26.41	None	Occupied. Taking applications.
Cooperative Mitchell-Lama	156 Apartments 3 1/2 - 6 1/2 rooms	$21.00	$425	Occupied. Waiting list only.
Cooperative Mitchell-Lama	408 Apartments 1 - 3 bedrooms	$18.98	$450 - $600	Occupied. Waiting list only.
Cooperative Mitchell-Lama	224 Apartments 3 1/2 - 6 1/2 rooms	$21.00	$550	Occupied. Waiting list only.
Cooperative Mitchell-Lama	319 Apartments 3 1/2 - 4 1/2 - 5 1/2 rms	$22.49	$482	Occupied. Taking applications.

BOROUGH OF TH
(Continue

DEVELOPMENTS UNDER CONSTRUCTION

NAME	AGENT (SALE/RENT)	TYPE OF PRO
The Bronxwood East 233rd Street, Bussing and Bronxwood Avenues	Artpaul Realty Co. 4033 Laconia Avenue Bronx 66, New York	Cooperative Mitchell-Lam
Cannon Heights Cannon Place and Fort Independence Street	Michael Pemenidis 2914 Eastchester Road KI 7-8500	Cooperative Mitchell-Lam
Chatterton Terrace Pugsley, Chatterton & Blackrock Avenues	Michael Pemenidis 2914 Eastchester Road KI 7-8500	Cooperative Mitchell-Lam
Kingsbridge Gardens Kingsbridge Avenue, West 234th Street	Rose Associates 529 Fifth Avenue YU 6-1700	Rental Mitchell-Lam
Lind-Ric Barker and Waring Avenues	Phillips, Wood Dolson, Inc. 241 West 72nd Street EN 2-8900	Cooperative Mitchell-Lam
Nathan Hale Gardens Irwin Avenue, West 236th Street	Rose Associates 529 Fifth Avenue YU 6-1700	Rental Mitchell-Lam

OF THE BRONX
(Continued)

E OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM		CURRENT STATUS
		MONTHLY RENTAL	DOWN PAYMENT	
perative hell-Lama	108 Apartments 4 - 6 1/2 rooms	$22.31	$500	Occupancy estimated Fall of '63. Taking applications.
perative hell-Lama	170 Apartments 1 - 3 bedrooms	$23.74	$500	Occupancy estimated Fall of '63. Waiting list only.
perative hell-Lama	132 Apartments 3 1/2 - 7 rooms	$22.50	$480	Occupancy estimated Spring '64. Taking applications.
al hell-Lama	190 Apartments 2 - 6 1/2 rooms	$29.85	None	Occupancy estimated Fall of '63. Taking names for applications.
erative nell-Lama	171 Apartments 1 - 3 bedrooms	$21.00	$500	Occupancy estimated Fall '63. Waiting list only.
l nell-Lama	400 Apartments efficiency to 3 bedrooms	$28.50	None	Occupancy estimated Fall '63. Taking names for applications.

BOROUGH OF
(Continu

DEVELOPMENTS IN PLANNING

NAME	AGENT (SALE/RENT)	TYPE OF
Adelphi House Undercliff Avenue between West 174th-175th Streets	Unselected	Rental Mitchell-L
Branford House Westchester Avenue between Croes and Noble Avenues	Rose Associates 529 Fifth Avenue YU 6-1700	Rental Mitchell-L
Kingsbridge Terrace Kingsbridge Terrace and West 229th Street	Michael Pemenidis 2914 Eastchester Road KI 7-8500	Cooperativ Mitchell-L
Lacombe Manor Lacombe, St. Lawrence, and Bronx River Avenues	Unselected	Redevelop Rental FHA Secti
Leland House Bruckner Blvd., Story, Underhill and Thierot Avenues	Rose Associates 529 Fifth Avenue YU 6-1700	Rental Mitchell-L

I OF THE BRONX
(Continued)

YPE OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	 DOWN PAYMENT	CURRENT STATUS
ental Iitchell-Lama	150 Apartments 3 1/2 - 6 1/2 rooms	$29.98	None	Applications not yet being accepted.
ental Iitchell-Lama	159 Apartments 3 - 6 1/2 rooms	$29.95	None	Occupancy estimated late '64. Taking names for applications.
ooperative Iitchell-Lama	105 Apartments 4 - 6 1/2 rooms	$27.08	$525	Occupancy estimated late '64. Taking names for applications.
edevelopment Co. ental HA Section 221	531 Apartments efficiency to 3 bedrooms	$27.50	None	Applications not yet being accepted.
ental Iitchell-Lama	455 Apartments 4 - 6 1/2 rooms	$29.94	None	Occupancy estimated late '64. Accepting names for applications.

BOROUGH OF

DEVELOPMENTS COMPLETED

NAME	AGENT (SALE/RENT)	TYPE O
Contello Towers I Cropsey Avenue and Bay 44th Street	Allison Management Co. 2251 Knapp Street SH 3-2980	Coopera Mitchel
Contello Towers II Shore Parkway and Bay 44th Street	Allison Management Co. 2251 Knapp Street SH 3-2980	Coopera Mitchel
Fort Greene (Kingsview Homes) Myrtle and DeKalb Avenues, Fort Greene Park and Flatbush Avenue Extension	James Felt & Co. 125 Ashland Place TR 5-4088	Coopera Title I a Redevel
Fort Greene (University Towers) Prince Street, Ashland Place Willoughby Street and Myrtle Ave.	University Towers, Inc. 175 Willoughby Street UL 2-7439	Rental Title I
Highlawn Terrace West 4th Street and Avenue T	Aldon Pagnoni 1910 Webster Avenue CY 4-5900	Coopera Mitchell
Kings Bay Section I Avenue Z and Batchelder Street	A & S Management Co. 945 Coney Island Avenue BU 4-8500	Coopera Mitchell
Kings Bay Section II Avenue Y and Batchelder Street	Allison Management Co. 2251 Knapp Street SH 3-2980	Coopera Mitchell

GH OF BROOKLYN

TYPE OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	DOWN PAYMENT	CURRENT STATUS
Cooperative Mitchell-Lama	320 Apartments 4 - 6 1/2 rooms	$21.00	$385	Occupied. Waiting list only.
Cooperative Mitchell-Lama	321 Apartments. 4 - 6 1/2 rooms	$21.00	$500	Occupied. Waiting list only
Cooperative Title I and Redevelopment Co.	290 Apartments 2 1/2 - 5 1/2 rooms	$23.00	$675	Occupied. Waiting list only.
Rental Title I	552 Apartments 1 1/2 - 5 1/2 rooms	$39.00	None	Occupied. Waiting list only.
Cooperative Mitchell-Lama	124 Apartments 3 - 6 rooms	$21.00	$375	Occupied. Waiting list only.
Cooperative Mitchell-Lama	538 Apartments 2 1/2 - 6 1/2 rooms	$21.00	$350	Occupied. Waiting list only.
Cooperative Mitchell-Lama	356 Apartments 2 1/2 - 6 1/2 rooms	$21.00	$450	Occupied. Waiting list only.

BOROUGH OF
(Contin

DEVELOPMENTS COMPLETED (Cont'd)

NAME	AGENT (SALE/RENT)	TYPE OF P
Luna Park Village Surf, Stillwell & Neptune Avenues West 8th Street	Middle-Income Housing Corp. 2880 West 12th Street CO 6-5400	Cooperativ Mitchell-L
Pratt Institute (Willoughby Walk Apts.) Willoughby Avenue, Hall Street, Myrtle Avenue, Emerson Place	Brown, Harris, Stevens, Inc. 215 Willoughby Avenue ST 9-2500	Rental Title I

H OF BROOKLYN
(Continued)

YPE OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	 DOWN PAYMENT	CURRENT STATUS
ooperative itchell-Lama	1,574 Apartments efficiency - 5 1/2 rooms	$22.00	$500	Occupied. Waiting list only.
ental itle I	861 Apartments. 2 - 5 1/2 rooms	$38.00	None	Occupied. Taking applications.

DEVELOPMENTS UNDER CONSTRUCTION

NAME	AGENT (SALE/RENT)	TYPE OF PROJE
Harway Terrace Stillwell Avenue and Avenue Y	L. J. Phillips, Wood Dolson, Inc. 241 West 72nd Street EN 2-8900	Cooperative Mitchell-Lama
Lindsay Park Broadway, Montrose and Manhattan Avenues	Stanley J. Harte 555 Broadway ST 2-9000	Cooperative Title I and Rental Mitchell-Lama
Pratt Institute University Terrace St. James Towers (Under Const.) Ryerson Towers (Under Const.) Pratt Towers (in Planning)	Herbert Charles & Co. Lafayette Avenue & St. James Place UL 7-4410	Cooperative Mitchell-Lama

OF BROOKLYN
ntinued)

OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	DOWN PAYMENT	CURRENT STATUS
erative ell-Lama	360 Apartments 4 - 6 1/2 rooms	$22.46	$470	Occupancy estimated Winter '63. Accepting applications.
erative I and ell-Lama	1,928 Apartments 3 - 6 1/2 rooms	Co-op: $22.60 Rental: $27.25	 $530 None	Occupancy esti- Spring '64. Accepting applications.
rative ell-Lama	978 Apartments 1 - 3 bedrooms	$21.95	$485	Occupancy estimated Late Summer '63. Accepting applications.

DEVELOPMENTS IN PLANNING

NAME	AGENT (SALE/RENT)	TYPE OF P
Cadman Plaza Henry, Fulton & Pineapple Streets	Seon Pierre Bonan 420 Lexington Avenue LE 2-3710	Cooperativ Title I and Redevelop Mitchell-L
Cadman Plaza Monroe Place, Clark, Pineapple, Henry, Fulton, & Clinton Streets	MUHS Servicing Inc. 7101 Austin Street Forest Hills, Queens BO 1-6518	Cooperativ Title I FHA Sectio
Contello Towers III Cropsey Avenue and Bay 44th Street	Unselected	Rental Mitchell-L

OF BROOKLYN
(Continued)

YPE OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	PER RENTAL ROOM DOWN PAYMENT	CURRENT STATUS
ooperative itle I and edevelopment Co.	340 Apartments efficiency to 3 bedrooms	$33-$35	$600	Site preparation underway. Taking names for applications.
itchell-Lama	250 Apartments 1 - 3 bedrooms	$26-$28	$500	
ooperative itle I IA Section 213	390 Apartments 2 1/2 - 6 1/2 rooms	$39-$45	$800	Site preparation underway. Taking applications.
ntal itchell-Lama	160 Apartments 4 - 6 1/2 rooms	$29.94	None	Applications not yet being accepted.

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DEVELOPMENTS COMPLETED

NAME	AGENT (SALE/RENT)	TYPE OF PROJEC
Aguilar Gardens Aguilar Avenue at Parsons Blvd.	Allison Management Co. 156-11 Aguilar Avenue LI 4-4000	Cooperative Mitchell-Lama
Cedar Manor Foch Blvd., 157th Street, 116th Ave.	MUHS Servicing Inc. 116-51 157th Street Jamaica, New York LA 8-4901 - TW 8-2484	Cooperative Mitchell-Lama
Queensview 33rd Road at 21st Street	Joint Queensview Housing Enterprise 21-66 33rd Road RA 8-5090	Cooperative Redevelopment C
Queensview West 34th Avenue at 21st Street	James Felt Co. AS 4-4767	Cooperative Redevelopment C

F QUEENS

		PER RENTAL ROOM		
OF PROJECT	NUMBER & SIZE OF APARTMENTS	MONTHLY RENTAL	DOWN PAYMENT	CURRENT STATUS
ative ll-Lama	256 Apartments 3 1/2 - 6 1/2 rooms	$21.00	$460	Occupied. Waiting list only.
ative ll-Lama	216 Apartments 2 - 5 1/2 rooms	$22.15	$479	Occupied. Taking applications for 4 1/2 - 5 1/2 rooms.
ative lopment Co.	728 Apartments 3 1/2 - 5 1/2 rooms	$20.25	$572	Occupied. Waiting list only.
ative lopment Co.	364 Apartments 2 - 6 rooms	$18.50	$625	Occupied Waiting list only.

BOROUGH O
(Contin

DEVELOPMENTS UNDER CONSTRUCTION

NAME	AGENT (SALE/RENT)	TYPE OF PR
Big Six Towers Queens Boulevard at 59th Street	Big Six Towers, Inc. TW 8-7022 Sales Office at site	Cooperative Mitchell-La
Forest Park Crescent Union Turnpike, W. side of Forest Park (Trotting Course Lane)	CLMC Corp. 70-48 Olcott Street Forest Hills 75, N. Y. LI 4-1518	Cooperative Mitchell-La
Hammels-Rockaway Rockaway Beach Blvd., Beach 74th to Beach 90th Street, Shore Front Parkway. (Dayton Beach Park)	Dayton Management Co. 102-50 Shore Front Parkway Rockaway Beach 93, N. Y. NE 4-6784	Cooperative Mitchell-La and Rental Title Redevelopm
Seaside-Rockaway Beach 102nd to Beach 108th Streets, Rockaway Freeway, Shore Front Parkway (Surfside Park)	Dayton Management Co. 102-50 Shore Front Parkway Rockaway Beach 93, N. Y. NE 4-6784	Rental, Titl & Redevelop

GH OF QUEENS
(Continued)

PE OF PROJECT	NUMBER & SIZE OF APARTMENTS	PER RENTAL ROOM MONTHLY RENTAL	 DOWN PAYMENT	CURRENT STATUS
operative tchell-Lama	981 Apartments 2 1/2 - 6 1/2 rooms	$21.00	$500	Occupancy estimated Spring '63. Waiting list only
operative tchell-Lama	240 Apartments 4 - 6 1/2 rooms	$26.80	$470	Occupancy estimated late Spring '64. Taking applications.
operative tchell-Lama and ntal Title I development Co.	1,140 Apartments 984 Rental Apts. 2 - 6 1/2 rooms	Co-op: $24.64 Rental: Undetermined	$500	Co-op: Occupancy estimated Fall '63. Taking applications. Rental: Applications not yet being accepted.
ntal, Title I Redevelopment Co.	1,536 Apartments 2 - 6 rooms	$32.00	None	Occupancy estimated February '63. Taking applications.

APARTMENT AVAILABILITY IN MIDDLE-INCOME DEVELOPMEN

PROJECT NAME	LOCATION	CONTACT FOR RENTAL OR PURCHASE	TYPE
APARTMENTS IMMEDIATELY AVAILABLE			
MANHATTAN			
Franklin Plaza	1st-3rd Aves. E. 106-109 Streets	Middle Income Housing Corp. 211 E. 106th Street New York 29, N. Y. EN 9-1300	Co-op Mitchell-Lam
BRONX			
Woodstock Terrace	Trinity Ave. & 161st-163rd Streets., Bronx	MUHS Servicing Inc. 163rd St. & Trinity Ave. Bronx, New York MO 5-9105	Co-op Mitchell-Lam
QUEENS			
Cedar Manor (Baisley Gardens)	Foch Blvd. 157 St., 116 Ave. Queens	Mutual Housing Sponsors, Inc. 116-51 - 157 Street Jamaica, N. Y. LA 8-4901	Co-op Mitchell-Lam

ELOPMENTS UNDER THE HOUSING AND REDEVELOPMENT BOARD

MAR 29 1963

E	APPROXIMATE NUMBER OF APARTMENTS	APPROXIMATE AVERAGE RENT CHARGE P.R.P.M.	APPROXIMATE DOWN PAYMENT PER ROOM	RANGE APARTMENT SIZE
op hell-Lama	1,635	$23.00	$450	4 1/2 - 5 1/2 rooms
op hell-Lama	319	$22.49	$482	3 1/2 - 4 1/2 - 5 1/2 rooms
op hell-Lama	216	$22.15	$479	3 bedroom Apartments only.

PROJECT NAME	LOCATION	CONTACT FOR RENTAL OR PURCHASE	TYPE
TAKING APPLICATIONS FOR FUTURE APARTMENTS			
MANHATTAN			
The Clayton	W. 134-135 Streets Lenox Avenue	Burrows, King & Co. 757 St., Nicholas Ave. New York, N. Y. FO 8-6603	Co-op Mitchell-L
Gouverneur Gardens	East River Dr. Jackson, Montgomery, Henry Streets	Middle Income Housing 217 Park Row New York, N. Y. BE 3-4800	Co-op Mitchell-L
BRONX			
Bronxwood Towers	E. 233rd Street Bussing-Bronxwood Aves.	Artpaul Realty Co. 4033 Laconia Ave. Bronx 66, N. Y. KI 7-1400	Co-op Mitchell-L
Chatterton Terrace	Pugsley, Chatterton Blackrock Aves.	Michael Pemenides 2914 Eastchester Rd. Bronx, N. Y. KI 7-8500	Co-op Mitchell-L
BROOKLYN			
Harway Terrace	Stillwell Ave. Avenue Y	Phillips, Wood Dolson, Inc. 241 W. 72nd Street New York 23, N. Y. EN 2-8900	Co-op Mitchell-L
Lindsay Park	Broadway, Union Montrose & Manhattan Aves.	Stanley J. Harte 555 Broadway Brooklyn, N. Y. ST2-9000	Co-op Title I & Rental Mitchell-L
Pratt Institute - University Terrace St. James Towers Ryerson Towers Pratt Towers	Lafayette Ave. St. James Pl. DeKalb Ave. Emerson Pl.	Herbert Charles & Co. St. James Pl. & Lafayette Ave. Brooklyn, N. Y. UL 7-4410	Co-op Mitchell-L

TYPE	APPROXIMATE NUMBER OF APARTMENTS	APPROXIMATE AVERAGE RENT OR CARRYING CHARGE P.R.P.M.	APPROXIMATE DOWN PAYMENT PER ROOM	RANGE APARTMENT SIZE
Co-op Mitchell-Lama	160	$23.45	$500	3 bedroom apartments only.
Co-op Mitchell-Lama	782	$26.59	$600	1 - 2 - 3 bedroom apartments
Co-op Mitchell-Lama	108	$22.31	$500	3 bedroom apartments only.
o-op itchell-Lama	132	$22.50	$480	1 - 2 bedroom apartments
o-op itchell-Lama	360	$22.46	$470	1 - 2 - 3 bedroom apartments
o-op itle I &	1,921	$22.60	$530	Efficiency 1 - 2 - 3 Bedroom apartments
ental itchell-Lama	768	$27.25		
o-op itchell-Lama	978	$21.95	$485	1 - 2 - 3 bedroom apartments

PROJECT NAME	LOCATION	CONTACT FOR RENTAL OR PURCHASE	TYPE
QUEENS			
Hammels-Rockaway	Rockaway Beach, B. 74th-B. 90th St. Shore Front Parkway	Dayton Management Co. 102-50 Shore Front Parkway Queens 92, N. Y. NE 4-8600	Co-op City limited-p
Seaside-Rockaway	B. 102nd - B. 108th St., Rockaway Freeway, Shore Front Parkway	Dayton Management Co. 102-50 Shore Front Parkway Queens 92, N. Y. NE 4-6784	Rental Title I Redevelopmen
Forest Park Crescent	Union Turnpike, W. Side of Forest Park (Trotting Course Lane)	CLMC Corp. 70-48 Olcott St. Forest Hills 75, N. Y. LI 4-1518	Co-op City limited-p
COMPILING A MAILING LISTING FOR FUTURE APPLICATIONS FOR APARTMENTS			
Cadman Plaza	Henry, Fulton & Pineapple Streets Brooklyn	Seon Pierre Bonan 420 Lexington Ave. New York, N. Y. LE 2-3710	Co-op Title I Redevelopmen City limited-p
Columbia Houses	Stanton, Columbia Delancey Streets Manhattan	Abbott & Adams, Inc. 292 Madison Ave. N.Y. 17, N. Y. MU 6-1900	Co-op City limited pr
Village View, formerly, Franklin D. Roosevelt Houses	1st Ave., Ave. A, E. 2nd - E. 6th Streets Manhattan	Middle-Income Housing Corp. 410 Pearl Street New York, N. Y. BE 3-4800	Co-op City limited-pr

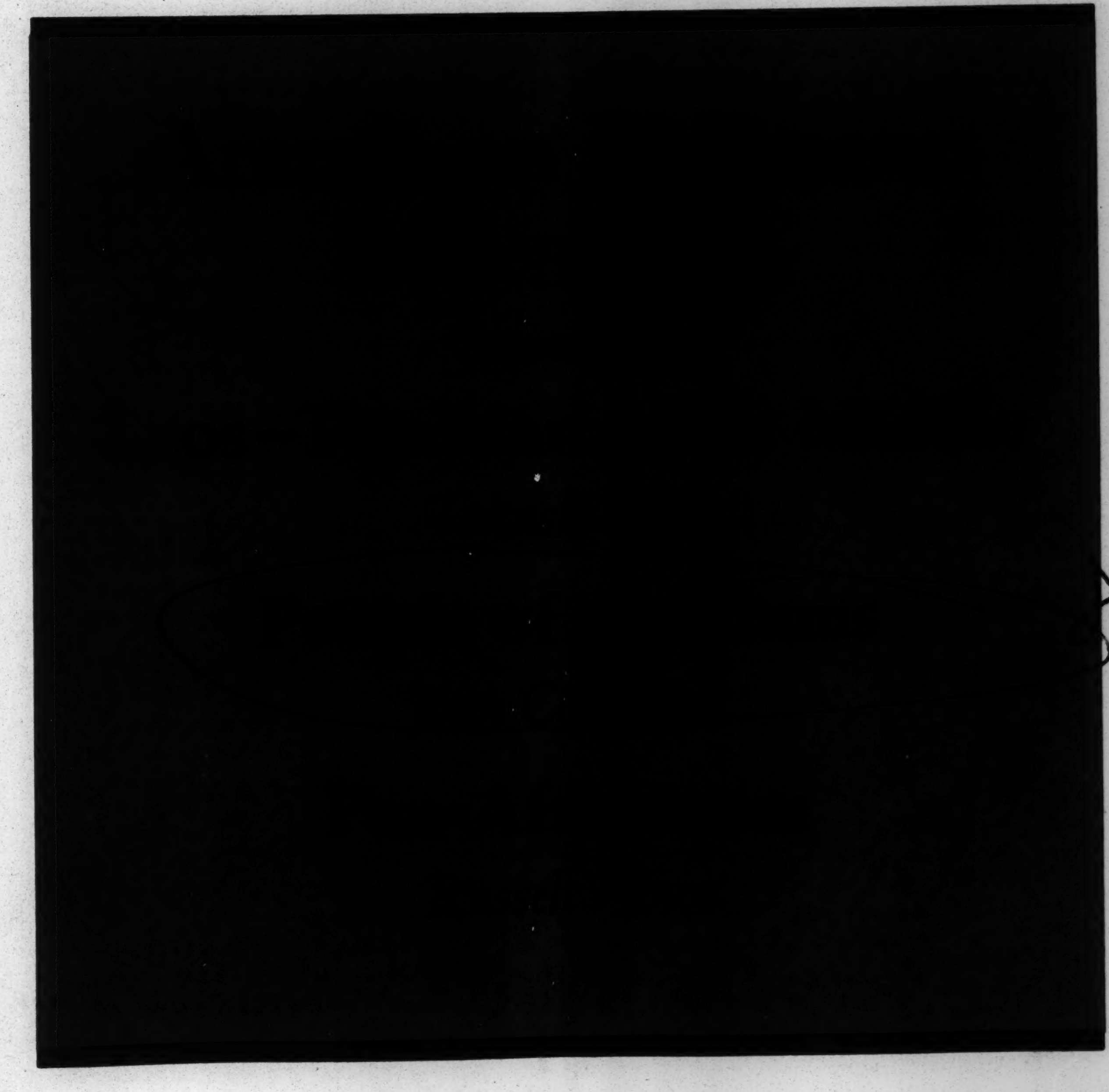
	APPROXIMATE NUMBER OF APARTMENTS	APPROXIMATE AVERAGE RENT OR CARRYING CHARGE P.R.P.M.	APPROXIMATE DOWN PAYMENT PER ROOM	RANGE APARTMENT SIZE
o limited-profit	1140	$25.00	$500	Efficiency 1 - 2 - 3 bedroom apartments.
l I velopment Co.	1536	$32.00	None	Efficiency 1 - 2 - 3 bedroom apartments.
o imited-profit	240	$26.80	$470	1 - 3 bedroom apartments.
o I elopment Co.	340	$33-35	$600	Efficiency 1 - 2 - 3 bedroom apartments.
imited-profit	250	$26-28	$500	1 - 2 - 3 bedroom apartments.
o imited profit	1104	$27.69	$575	Efficiency 1 - 2 - 3 bedroom apartments
o imited-profit	1236	$22.50	$600	Efficiency 1 - 2 - 3 bedroom apartments

~~Please Return to Jerry Lehmann~~

Kennedy and Baldwin *The Editors*

THE NEW REPUBLIC

June 15, 1963, 35 cents



o Allen

Pending

~~Ack Blanda~~

no reply as of 10/22

as of 11/27

as of 1/2/64

file

October 3, 1963

Honorable Robert F. Wagner
Mayor of New York
City Hall
New York 38, New York

Dear Mr. Wagner:

I would like to request an appointment with you and the appropriate members of your administration to discuss the urgent and pressing problems of sub-standard, segregated housing in New York City.

The major civil rights organizations are focusing more and more of their resources on the problem of segregated, sub-standard housing in the major urban areas of the United States. In New York City, to eliminate such housing, CORE feels that more than the present solutions of building code enforcement and rehabilitation programs are required. The rehabilitation program is a long term program and there are still unresolved questions as to firstly, its basic goals and secondly, as to whether these goals can be implemented through the present proposals. If then, there is a need for added programs to provide meaningful answers to the problemsof ending slum conditions in New York City, the question is, just what?

CORE's first proposal is based on the fact that the Department of Welfare is one of the largest tenants in New York City and a large number of the Department's clients are located in sub-standard housing. If the Welfare Department were to remove and relocate all clients who live in sub-standard housing to housing that at least met the basic code requirements, then a substantial portion of the problem would be solved. While this proposal has been brought up before, the answer of past City administrations has been that there is not enough standard housing to relocate all of the Welfare Departments clients that would be dislocated. CORE proposed that the Welfare Department relocate all Welfare clients now living in sub-standard housing on a step by step basis, that is, starting with the building of five or six of the

- continued -

major slumlords in a given area, for example, Harlem or the Lower East Side. The second step would also concern the Welfare Department in that no new clients would be located in sub-standard housing. The third step is one of publicity for the new program. It can be tied in with the City's new cyclical approach for building inspections. The initial announcement could be followed up by on-the-spot news coverage as the first confrontations are made with the slumlords and as the clients are relocated. This program, CORE feels, can help provide meaningful answers to the problems of slum housing in New York City.

CORE's second proposal is, perhaps, more drastic. It calls for the setting up of a special Task Force comprised of Building, Health, and Fire inspectors, police, attorneys and accountants, to investigate and prosecute slumlords. This would necessitate investigation in depth, covering not only Code violations, but the total picture of the slumlords business dealings. Possible irregularities in tax payments, corporate dealings, etc. could well provide the basis for prosecution on the part of the city or state.

CORE feels that either or both of these programs will help to provide meaningful and rapid solutions to the problems of slum housing. Providing decent housing for all is the first step in making a truly open New York City.

We appreciate your cooperation in this matter and await a reply at your earliest possible convenience.

Sincerely yours,

James Farmer
National Director

JF/ss

Norm — For your revision then to Farmer

D R A F T **~~Mayoo~~ Wagner** [illegible]

~~Intro asking~~ I would like to request an appointment with you and the appropriate members of your administration to discuss the urgent and pressing problem of sub-standard segregated

~~One of the demands that is being raised by~~ The major civil rights organizations are focusing more and more of their resources on the problem ~~is the demand to end~~ segregated, sub-standard housing in the major urban areas of the United States. to ~~bring~~ eliminate such housing CORE feels that in New York City, ~~this requires~~ more than the present solutions of building code enforcement and rehabilitation programs are required. [~~Given the new impetus in the civil rights struggle struggle, the departments that have the responsibility for Code enforcement cannot act on a large enough scale due to their problems of lack of budget and staff size.~~] The rehabilitation program ~~will be~~ is a long term program and there are still unresolved questions as to firstly, its basic goals and secondly as to wheather these goals can be implemented through the present proposals~~ed rehabilitation programs.~~ If then, there is a need for added programs to provide meaningful answers to the problem of ending slum conditions in New York City, the question is just what?

[illegible]

CORE's first proposal is based on the fact that the Department of Welfare is one of the largest tenants in New York City and a large number of the Dept's clients are located in sub-standard housing. If the Welfare Department were to remove and relocate all clients who live in sub-standard housing to housing that at least met the basic code requirements, then a substantial portion of the problem would be solved. While this proposal has been brought up before, the answer of past City administrations has been that there is not enough standard housing to relocate all of the Welfare Departments clients that would be dislocated. CORE proposes that the Welfare Department relocate all Welfare clients now living in sub-standard housing on a step by step basis, that is, starting with the buildings of five or six of the major slumlords in a given area, for example, Harlem or the Lower East Side. The second step would also concern the Welfare Department in that no new clients would be located in sub-standard housing. The third step ~~in this proposal is~~ one of publicity for the new program. It can be tied in with the City's new cyclical approach for building inspections. ~~in a new, "get tough" policy for slumlords.~~ The initial announcement could be followed up by on the spot news coverage as the first confrontations are made with the slumlords and as the clients are relocated. This program, CORE feels, can help provide meaningful answers to the problems of slum housing in New York City.

CORE's second proposal is, perhaps, more drastic. It calls for the setting up of a special Task Force comprised of Building, Health, and Fire inspectors, police, attorneys and accountants, to investigate and prosecute slumlords, ~~the same way the U. S. Justice Department investigated and prosecuted~~ an Al ~~a Capone or a James Hoffa.~~ This would necessitate investigation in depth, covering not only Code violations, but the total picture of the ~~slum~~ slumlords business dealings. Possible irregularities in tax payments, corporate dealings, etc. could well provide the basis for prosecution on the part of the city or state.

CORE feels that either or both of these programs will help to provide meaningful and rapid solutions to the problems of slum housing. Providing decent housing for all is the first step in making a truly open New York City.

~~some of our proposals~~
~~which have been developed by~~

I ~~would like an appointment to discuss these two proposals~~ with you and ~~your cabinet~~ appropriate members of city administration at your earliest possible convenience. Thank you for your cooperation in this matter. We appreciate your and await a reply at your earliest possible

Core

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"Better Neighbors Through a Better Community"

Community Life

Vol. III, No. 9 Published by Parkway-Stuyvesant Community and Housing Council November 1963
Serving the area bounded by Bedford Ave., Fulton St., Kingston Ave. and Eastern Parkway

TENANT LEADERS MEET WITH RENT ADMINISTRATOR

On Wednesday morning, October 23, a committee of Parkstuyvers, headed by Mr. Hy Bershad, Chairman of PSCHC's Tenants' Welfare Committee, met with Mr. Risley R. Dent, Brooklyn Rent Administrator. St. Marks Avenue was well represented. Mrs. Margaret Leonard, Mr. Eastman, and Mr. Irving White, of 780; Mr. Charles Blunt and Mrs. McCullough, of 769; Mrs. Sylvia Bressant, of 805; and Mr. Allen from 720, made up the rest of the group.

We were welcomed by Mr. Dent, and as we seated ourselves, we noticed the latest issue of "Community Life" on his desk. Asked about his opinion of our paper, he remarked that, while he did not agree with everything it said, he felt it was a good paper for our neighborhood. He then asked what he could do for us.

Mr. Bershad got down to business by requesting that tenants be notified before inspections are made, since it seems the landlords have always been present in the past. Mr. Dent replied that he wanted his inspectors to make surprise visits, so that neither side is present. In this way, the superintendents would not be able to present a false picture to the inspectors by cleaning up the buildings the day before inspections were scheduled.

As to Mr. Bershad's request that the inspectors give copies immediately to a tenants' representative at the time of inspection, Mr. Dent felt this was too much to ask, since the report had to be written up and typed later. Mr. Bershad asked if it would be possible to see the inspectors' reports. He was advised that this could be done by requesting a report, and then coming down to 81 Willoughby Street, where a photostatic copy could be made for just twenty-five cents.

On the subject of rent reductions, such as occurred recently at 769, the Administrator was not as much concerned with reducing rents as with seeing that all services were restored.

Mr. Blunt inquired about the legality of the actions of Mr. Glick, landlord of 769, in employing sixteen-year-olds to paint the building at all hours of the day or night. Mr. Dent said there was no law prohibiting this.

Then Mrs. Leonard told her story of payment for parking space at 780, in spite of her not having a car. Mr. Eastman and Mr. White added that at least five families in this building were paying this coercive fee (they could not get an apartment unless they did so). Upon hearing this, Mr. Dent wrote Mrs. Leonard's name on a sheet of paper and promised to investigate this matter.

When Mrs. McCullough complained about paying $125.00 per month for her apartment in 769, Mr. Dent immediately phoned one of his staff and advised Mrs. McCullough that her legal rent should be no more than $96.00. This will allow her to sue for overpayment.

Then Mrs. Bressant told of rusty water in many apartments in 805, and stated that many tenants had registered individual complaints, to which they had not received any replies. The Administrator suggested that filing a multiple complaint would expedite this matter.

Other remarks by Mr. Allen about the subject of high rents and a possible rent strike were commented upon by Mr. Dent. He felt that small homeowners were paying much higher taxes and higher costs than many years ago; therefore, they needed higher rents to help defray maintenance costs. Most of those present agreed with his opinion of the position of small homeowners, and also that a much better job could be done to keep up the high standards in the absentee-landlord apartment buildings in the Parkway Stuyvesant area. Mr. Dent felt that on the subject of the rent strike, it would be unwise, because it would be playing into the hands of these landlords. During the conversation, we learned that Mr. Dent had recently suffered a heart attack and that he may soon resign his highly responsible position to return to law practice.

As to why complaints are not answered as quickly as we'd like, he told us that there are only 22 inspectors in his department, and this is far from what is needed for tenant problems in Brooklyn.

Our group left after spending more than an hour with the Administrator. The feeling was general that Mr. Dent was genuinely concerned with stopping the deterioration of our neighborhood. But now it seemed that we must once again wait and see. And we have been waiting for lo, these many years!

PSCHC MEETING PLANS FURTHER IMPROVEMENT STRATEGY

At its regular membership meeting at the Brower Park Branch Library on Oct. 23rd, PSCHC voted to intensify its campaign for better traffic controls by a community-wide petition campaign to be supported by direct action if the City agencies continue to ignore our demands. The meeting also voted to join with the merchants on Nostrand Avenue to support their campaign for adequate parking facilities on the avenue during shopping hours, and to reduce traffic speed.

Bulletin: Traffic Light to be installed on St. Marks and Nostrand Corner

After many years of struggle, PSCHC and other community groups have won a significant victory in the promise of a traffic light to be installed at the corner of St. Marks and Nostrand Avenues. Still under study is the corner of Pacific St. and Nostrand Ave.

A committee was selected to meet with Chief Librarian St. John, of the Brooklyn Public Library, to press our community's demand for restoration and increase of library service on Saturdays and in the evenings. The many working people of the area cannot get to the library before 6 P.M., and are usually on their way to work before the library opens. It was also decided that we would urge the staffs and P.T.A.'s of the local private and parochial schools to guarantee that school children take out at least one book every two weeks from the Public Library.

In order to improve safety in our streets, committees were selected to meet with the Captains of our two precincts to request more foot patrolmen. An increase in burglary and robbery incidents prompted the follow-up to two prior meetings with police by representatives of PSCHC and tenant groups.

The next regular membership meeting will be held on Wednesday, November 20, at 8 P.M., at the Brower Park Library. Plans for our April 11th Third Annual Ball at the Gayheart Ballroom will be made.

DEADLINE FOR SEASON'S GREETINGS AND ADS - NOVEMBER 20, 1963

COMMUNITY LIFE, PARKWAY-STUYVESANT COMMUNITY & HOUSING COUNCIL, 1320 Dean Street
Please print the following season's greeting in the December 1963 issue of "Community Life":

My donation, in check or money order, payable to Parkway-Stuyvesant Community & Housing Council, in the amount of $________ is enclosed.
Signed ____________________ Address ____________________

Published by: PARKWAY-STUYVESANT COMMUNITY & HOUSING COUNCIL
1320 Dean Street, Brooklyn 16, New York

Chairman STANLEY LEYDEN
First Vice-Chairman LAWRENCE A. MARSHALL
Second Vice-Chairman SYBIL HOLMES
Corresponding Secretary ROSE THALER
Recording Secretary OLGA GRANT
Treasurer CHARLES OWENS
Financial Secretary AMBER N. DAVIS
Editor ALICE SELIGSON

Message from Our Chairman

Dear Neighbors,
Here's what's going on and what you can do about it:

WHAT'S UP	WHAT YOU CAN DO
1. Library service has been cut at the Brower Park Branch because of budget problems. (We are asking for increased and restored service; see Page 1)	WRITE: Chief Librarian Francis R. St. John, Brooklyn Public Library, Grand Army Plaza, Brooklyn 38 PHONE: ST 9-1212 SUPPORT: Library appropriations and write the Mayor. USE: the library - at least 3 books a month.
2. Traffic patterns have been changed and hazards have increased. (We want lights on Nostrand Ave. at St. Marks Ave. and Pacific St.; on New York Ave. at Prospect, Sterling, and Park Places; on Kingston Ave. between Sterling Pl. and Bergen St. See also Page 1)	WRITE: Commissioner Henry A. Barnes, Traffic Department, 100 Gold Street, New York, NY PHONE: DI 9-0090 SUPPORT: Our petition and direct action campaign. TELL US: about all accidents and near-misses: 1320 Dean Street, or PR 1-8816.
3. Community Renewal Designation is pending before the City Planning Commission. (We have set up a tenant-homeowner committee to study the proposal and alternatives in detail; see Page 1)	WRITE: Chairman William Ballard, City Planning Commission, 2 Lafayette St., New York, NY SEND US: your ideas: Parkway-Stuyvesant Community and Housing Council, 1320 Dean St., Brooklyn 16
4. Purse-snatchings, robberies, and burglaries have increased. (We are continuing to meet with Police on this; see Page 1)	REPORT: all incidents to the Police: 80th Precinct: MA 2-4767 77th Precinct: PR 4-7000 WRITE OR PHONE US.
5. City Rent Commission has promised to review some of the files on the big buildings. (This is the result of Tenants Welfare Committee's "Walk for Better Housing" and further meetings with Local Rent Administrator Risley R. Dent. See Page 1)	FILE: Complaints with Local Rent Commission, 81 Willoughby St., Brooklyn 1, N.Y., if services are not provided. REPORT: Unfixed repairs to Building Dept., MA 4-5650 SUPPORT: your tenants' committee and PSCHC's Tenants Welfare Committee PHONE: Hy Bershad, PR 4-3296
6. Homeowner leaders are conferring on joint programs and action. (We urge their activating a Homeowners Coordinating Committee as a part of PSCHC.)	WRITE US if you are interested, or phone: Lionel L. Daniels, HY 3-9469, Mrs. Sybil Holmes, PR 4-5221, or me, PR 1-8816.
7. Next monthly meeting of PSCHC on WEDNESDAY, NOVEMBER 20, 8 PM (Thereafter we meet monthly the 4th Wednesday of each month, same place)	ATTEND: at Brower Park Library, in the Meeting Room. JOIN: $2.00 for an individual; $5.00 for an organization.
8. December issue of "Community Life" is in preparation. (We hope to have a six- or eight-page issue, depending on your response)	SEND: in your Christmas and Chanukah greetings now; $1.00 a line; for information: Call PR 2-2454. SOLICIT: ads from your local merchants; for information, same number. DEADLINE for greetings, ads, other contri-

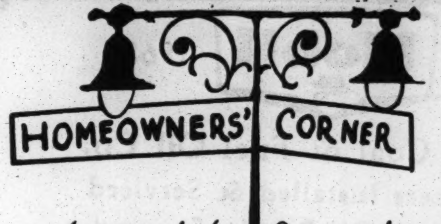
(Continued on Page 3)

SUMMARY OF ALTERNATE PROPOSAL FOR FINANCING REHABILITATION

Submitted by Tenant Welfare Committee to Planning Hearings

1. The City of New York would set up a Renewal and Rehabilitation Bank which would provide 20-year mortgage loans to property owners of up to 100% of the amount needed for rehabilitation of property.
2. All buildings receiving loans would become part of the "Rehabilitation Program" and would receive a tax abatement from the City each year equal to the mortgage payment for that specific year.
3. Prior to entrance into the "Rehabilitation Program" the property would be inspected by a special "Rehabilitation Section" of the Building Dept. or other City agency and all violations listed. Upon removal of the listed violations the property-owner would become eligible for a mortgage loan from the Rehabilitation Bank.
4. The "Rehabilitation Section" of the Building Department or other agency would inspect all properties in the "Rehabilitation Program" each year to certify that rehabilitation of the building is being or had been accomplished and the property maintained.
5. If the property is not maintained, as indicated by the inspection and/or complaints to the City Rent and Rehabilitation Agency, then no tax abatement would be granted to the property-owner for that year.
6. Vigorous code enforcement by the Building Department and Rent Agency would make it unprofitable for landlords to remain outside of the "Rehabilitation Program". All property-owners who enter the program would have their dwelling units subject to the City Rent and Rehabilitation Administration regulations.
7. The Federal and State Governments would be asked to assume the cost of the entire program through subsidies or grants to the City. The cost for the "Children's Museum Area" would be minor, of the order of $100,000 per year for 20 years. This compares very favorably with the construction costs of new public housing which averages about $20,000 per unit. Thus, instead of 100 new low-rental units, the Government with the same funds would be able to rehabilitate this entire community of 12,820 occupied dwelling units!

Note: Subsidies are being provided today to steamship companies, airlines, railroads, oil companies, farmers, middle-income housing, Title I demolitions, the World's Fair, and a large number of other private and public industries and services.



Lionel L. Daniels

The predesignation hearing on rehabilitation of our Children's Museum Area is now history. It would be fine if we could all relax a little and await further developments, but it seems to me that, despite great efforts of Community Organization Analysts to inform us of the concepts on rehabilitation, there is too much misunderstanding; therefore, there is some confusion and indecision.

Rehabilitation is not a panacea, nor is it so intended, although efforts will be made to resolve its problems. In this respect rehabilitation is like an only pair of shoes in a large shoeless family; no matter how wide and long the shoes are made, some relatives' feet are going to be pinched or chafed or cramped. It is impossible to custom-fit one pair of shoes to many pairs of feet - adjustments must be made.

The meaning of rehabilitation was reduced to its simplest terms in a flyer which was distributed a week before the hearing. I can't make the meaning simpler, but I can try to make it clearer.

What does rehabilitation mean? It means to restore to a good condition, regenerate or make over in an approved form. To reestablish in good repute or accepted respectability, as the person or the character or name, after disrepute.

Rehabilitation has a broad base. It proposes to grapple with the overall problems of community living.

Community means people: tenants, children, drifters, homeowners, landlords and the business element; it means real estate: houses, lands, trees, sidewalks and recreation areas. It means institutions: schools, hospitals, welfare and cultural centers. It means services: police, fire, sanitation, transportation, traffic and whatever else you name - that is community.

Rehabilitation of our community, therefore, means to restore whatever is needed to make it sound, to provide and to promote better living standards, but with only minimum dislocation, if any, of its people.

Where does the bulldozer come in? In a general sense it does not, because this is not slum clearance. Specifically, bulldozing will be in sections beyond reclaim, which are few, and in sections needed for recreation, which are also few; but the unreclaimed sections are intended to serve the purpose of recreation.

To understand rehabilitation better, deterioration should also be examined. To deteriorate, briefly but expressively, is to make or become worse or lower in character or quality.

Who can deny that our community has deteriorated? Our overcrowded schools indicate population density, and population density means behavior problems, especially disregard towards community obligations. We have a rising crime rate, hoodlumism and delinquency; we have unsanitary thoroughfares and hazardous traffic patterns. All contribute to lowering the value and reducing the quality of our community. These kinds of deterioration are mostly the ills of unequal opportunity and segregation, which are the outgrowth of discrimination; they need to be treated.

Deterioration, in the case of real estate, commonly housing, is the wear and tear of decades of years. It means millions of footpounds of pressure on sidewalks and stoops, plus heat expansion in summer and cold contractions in winter. It means windows, roofs and sidings bleached by sun and abused by rain and snow. It means fractured ceilings, and walls worsened by the vibrations of traffic. It means tired old doors, complaining stairways and groaning floors. It means crippled bathroom and kitchen fixtures and obsolete lighting - and dozens of other things.

So, something must yield, and when yielding, becomes aggravated and neglected, or improperly repaired and numerous; a refurbishing job is required which may be too costly. This is the meaning - to grow worse, to become impaired in quality. These conditions became widespread in our community and now rehabilitation is proposed before decay sets in.

Rehabilitation, as proposed, will treat each building as a special project according to its needs. The needs will vary; it may be only a sidewalk or fixtures, ceiling, stairways, inadequate heat or low water pressure, or all of them together. But treatment will be in conformity to the minimum standards of sound housing. Some homeowners are fortunate, already their buildings are kept in sound repair and improved. Housing rehabilitation will not apply to them; however, most homes will need some form of rehabilitation despite years of commendable repairs and improvements.

The new concept of rehabilitation is an interesting experiment; but to us homeowners, who realize that our community is at the crossroads where it can go up or down, it should be considered a practical approach to our problems because it offers us a voice in the program. It offers financial assistance, technical aid, the knowledge of agencies and cooperation of services; and code enforcement, so badly needed in large buildings. Briefly, rehabilitation means buildings all soundly repaired and community standards improved, which is the same as its official connotation - to restore to good condition, to reestablish in good repute. Isn't this our objective?

I hope I've made the meaning of rehabilitation clearer. If I haven't, don't call me; I'll call you.

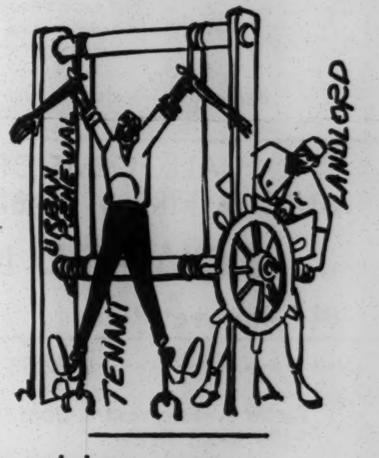
TENANT AND HOMEOWNER LEADERS MEET TO FORM REHABILITATION PLANS

Tenant and homeowner leaders met on October 17, 1963, at the Union Methodist Church under the auspices of PSCHC in an effort to formulate a joint program on area rehabilitation. A full and frank discussion aired the different points of view and some of the proposals and counter-proposals on renewal, including rent control, subsidies, low interest loans, and tax abatement. The major emphasis was on how renewal of our community can be financed so that meaningful renewal will take place without driving residents from their homes.

A committee of ten homeowner, tenant and civic leaders was formed to make a detailed study of the various proposals, to plan for meeting with the City Planning Commission, and to attend further planning sessions both with City Planning and the Housing and Redevelopment Board, if our neighborhood should be designated for renewal.

Those present agreed that we wanted strong code enforcement, a renewal program which would meet the needs and capabilities of our residents, alternative and more flexible financing plans, and a meeting with the City Planning Commission before a decision on designation is made. A letter to that effect was sent to the City Planning Commission by Mr. Stanley Leyden, Chairman, PSCHC.

TENANT'S-EYE VIEW OF REHABILITATION FINANCING PLAN BY PLANNING COMMISSION



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MESSAGE (Continued from page 2)

butions to the December issue: THURSDAY, NOVEMBER 21st.

Remember, the Community you save IS YOUR OWN.

Sincerely,
Stanley Leyden

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METROPOLITAN COUNCIL ON HOUSING = 215 West 23 Street = New York 10011 = SP 7=8900

PROGRAM FOR RENT STRIKERS

CITY

The City must take immediate action now and use its present powers, as provided in Section 309 of the Multiple Dwelling Law, to make emergency repairs in slums when the landlord has refused to do so. The City must also bring such buildings up to code standards. This must be done without eviction of tenants and without rent increases. The buildings should be taken over by the City and administered by one of the City agencies. (Tenants need immediate repairs. As in the Mayor's announced rat extermination program, the City can repair neglected buildings and recondition them to conform to its own Building Code. Receivership procedure is too slow to relieve tenants' suffering. Moreover, return of such buildings to their owners' control will simply invite repetition of slumlord neglect. The City should take over the property and run the buildings.)

STATE

1. Passage of the Wilson Bill is imperative (Senate Intro. 1984, Print 2039). This bill provides that the City maintain a squad of repairmen who will make emergency repairs when the landlord refuses, including providing fuel--the expense to be billed to the landlord and to become a lien on the property.

2. Enact into State law Judge Fred G. Moritt's decision--the right of tenants to withhold the rent and keep it when the landlord refuses vital services. No services, no rent.

3. Adequate funds must be secured for a vast public housing program of vest pocket housing on vacant land wherever it exists and on badly used commercial property.

FEDERAL

1. The Metropolitan Council on Housing has sent a telegram to President Johnson, urging that slum areas such as Harlem, East Harlem, Lower East Side, Bedford-Stuyvesant, Brownsville and South Bronx be declared disaster areas. Federal funds could then be used by the City to make repairs and bring up to code standard those houses which slumlord neglect has allowed to deteriorate. The victims of man-made neglect are as much victims of national disaster as are the victims of flood, fire and storm.

2. Adequate Federal Funds must be secured for a vast public housing program as indicated in Point 3 under STATE.

TENANTS

1. Extend the Rent Strike.
2. Organize delegations in all communities to see Councilmen, State Legislators and Congressmen in support of the above program.
3. Simultaneous demonstrations in front of local Rent and Rehabilitation Administration offices on a day to be announced in order to demand fast action on complaints and prompt reduction of rent to $1.00 per month in slumlord-neglected buildings.
3. Tenant Lobby to Albany in support of this program. The tentative date is Tuesday, March 3 = to be confirmed in a future bulletin.

Prepared by the Rent Strike Committee, METROPOLITAN COUNCIL ON HOUSING.

NOTE: A fully detailed State Legislative Program, prepared by the Legislative Committee of the Council, will be available shortly.

Tenants in 34 Tenements Join Growing Rent Strike in Harlem

Leaders Urge Picketing and Demonstrations in Court to Point Up Violations

By MARTIN GANSBERG

Tenants in 34 Harlem tenements began a rent strike yesterday, joining families in 16 other buildings who already have refused to pay rent. The action brought to 585 the number of families affected.

The striking tenants served notice on Mayor Wagner and other city officials "not to come up to Harlem at election time."

The strike leaders told 130 tenant representatives at the Milbank Center, 14-32 West 118th Street, that "the city fathers only know about us and our problems when it's time to vote."

Jesse Gray, director of the Community Council on Housing, a civic group with an office at 6 East 117th Street, urged the tenants to take their case downtown rather than wait "for the men in responsible offices to do something for us."

He outlined the following program for the strikers:

¶To urge the chief of the Civil Court to refuse to grant "slumlords the right to dispossess tenants when there are violations" existing in buildings.

¶To demonstrate in court cases with rubber rats tied around their necks.

¶To picket the Department of Buildings next Monday to demand complete cellar-to-roof inspections of the buildings.

'Fraud on Public'

Mr. Gray described inspections now going on as a "fraud on the public." He said that only a few of the buildings were examined and that many violations were missed as a result.

Mr. Gray urged the group to press for a three-man arbitration board to settle difficulties with landlords rather than "landlord-run courts where justices also own buildings."

Tenants reported that they had no steam, no hot water and no toilet facilities. Some complained of rats and one man said that he had to use an umbrella in his apartment because the roof leaked whenever it rained.

Mr. Williams, chairman of the rent-strike organization, said that there were almost 3,000 persons ready to participate in the action.

"If necessary," he said, "we should move those landlords out of Harlem. It's up to the younger people to keep up the fight for good living conditions. Ev-

Associated Press

Jesse Gray, head of Community Council on Housing.

of the Milbank Center, cautioned the strikers to save the money they were withholding until "conditions have been rectified so that you will be able to pay your rent when called upon."

Most of the tenants on strike live on 117th and 118th Streets. But there also are scattered tenements from West 111th Street to West 146th Street in the strike movement.

THE NEW YORK TIMES, FRIDAY, DECEMBER 27,

CITY SEEKS 6 OWNERS OF STRIKE BUILDINGS

A Health Department official said yesterday that inspectors had still been unable to serve summonses on the owners of six rundown, rat-infested tenements involved in the Harlem rent strike.

Jerome B. Trichter, assistant health commissioner, said that of 35 buildings inspected 23 summonses had been issued but that only 17 of the owners had been served.

Mr. Trichter said the six were not ordinary landlords but were men "determined to bleed these buildings and spend their time trying to avoid prosecution."

He identified the six landlords as Jacob Finkelstein, 199 Hewes Street, Brooklyn, the owner of 12 East 118th Street; Matilda Rodriquez, 666 East 231st Street, the Bronx, the owner of 16 East 118th Street; Mannie Joseph, 565 Fifth Avenue, the owner of 36 Morningside Avenue.

Also, Helen Grandy, 550 Fifth Avenue, the owner of 64 West 118th Street; Irving Lurie, 200 West 72d Street, the owner of 72 West 118th Street, and Paul Finkle, 181 East 117th Street, the owner of 145 West 117th Street.

The Harlem rent strike, which has now spread to 65 buildings, was organized two months ago as a protest against violations ranging from no heat to rat infestation.

the opposition

The Rights of Landlords

• • •   • • •

Are They Threatened by Drive Against Slum Property?

By LAURENCE G. O'DONNELL

NEW YORK—Are the historic rights of landlords being threatened in New York by the concerted efforts of slum-dwelling tenants to improve their housing conditions?

Many reputable property owners here, while sympathetic with the tenants' aims, are plainly worried that such may be the case. In particular they are fretting about a series of rulings by a Brooklyn judge and about certain legislative proposals which all have one common legal approach: In varying degrees they permit aggrieved tenants to stay in their apartments—without paying rent—if it can be shown that the landlords failed to provide services or maintenance in such a way as to make the apartments a threat to "life, health and safety."

The landlords believe this rent abatement technique to be an open invitation to abuses. The approach, they argue, is much tougher on landlords than traditional remedies available to tenants in such cases. Under normal circumstances, if a tenant feels he isn't getting proper services or the so-called beneficial use of his rented quarters he can simply move. He probably wouldn't be held liable for any unpaid rent and the landlord would end up with a vacancy—not an occupied, unpaid-for apartment.

When apartments are scarce, as low-rent quarters currently are in New York City, the tenant can go on a "rent strike," an approach that is gaining popularity, especially among civil rights groups. In a rent strike, the tenant usually pays his rent to a third party who holds the funds until repairs are made or services restored. Even the rent strike doesn't overly concern reputable landlords for it only defers rent payments.

But rent abatement strikes a sensitive nerve. "This is pretty serious," says an official of one property owners' group. "It's something you can't get back because the tenant has lived there free."

"Ramifications Are Tremendous"

Protests an official of a realty firm: "Now the tenant becomes the judge and the jury. Who sets the standards for abatement? It is the tenant. The ramifications are tremendous."

Advocates of the rent abatement technique insist the fears of landlords are groundless. First of all, they argue, most tenants don't want to cheat building owners of their rent. What's more, they assert, landlords are protected in one way or another under the various formulas that have been proposed. Either the tenant must notify the landlord of his complaint or the existence of violations of city housing or health ordinances must be proven. According to one proposal landlords would have six months to make repairs.

Finally, the pro-abatement argument goes, withholding rents from slumlords helps good landlords because the direct financial pressure "puts the slumlord out of business."

Yet none of these arguments allays the fears of landlords that the rent abatement technique will be abused by tenants with small complaints. One attorney for a major New York property owner puts it this way: "As a tenant you can easily build up your grievance to a point where you don't pay rent. It is physically impossible to find any apartment house in New York City where an inspector couldn't find a violation. If the tenant can get this violation found, he can stop paying rents."

Actually, some landlords see rent abatement as only the latest in a series of encroachments on their prerogatives. They're irate over the continuance in New York City of rent control—a wartime restriction on rent increases—long after it has been dropped in other cities. They contend that rent control helps create slums, since it makes it harder to recoup the cost of improvements through rent increases. And although property owners provide the biggest chunk of the city's revenues through realty taxes, they complain that, apparently for political reasons, there's more official concern about the rights of tenants than of landlords.

Backers of the various forms of rent abatement counter that landlords are badly misreading the situation. A special committee on housing of the Association of the Bar of the City of New York contends that "from the days of Peter Stuyvesant to the present we have never had, or at least availed ourselves of, an adequate means of enforcing building standards."

Prospects for Redress

It's generally conceded that slum tenants can't expect much help from City Hall because city agencies in the housing field are generally overworked and understaffed. And the bar association's committee finds prospects for tenants' redress through the courts not much better.

In supporting the rent abatement method of crackdown on slumlords, the bar association committee calls it "the most likely to succeed and to provide the least radical change in existing law." The committee believes that rent abatement, far from involving any new philosophy, "is but a logical extension of the ancient, honored rule of 'partial eviction.' "

To explain "partial eviction," it quotes an 1854 New York court decision. "If the landlord enter wrongfully upon or prevents the tenant from the enjoyment of a part of the demised premises, the whole rent is suspended until possession is restored." The philosophy of this approach, the committee says, was further explained by Judge Benjamin Cardozo, later an associate Supreme Court justice, in a 1917 ruling: "If such an action though partial only is the act of the landlord, it suspends the entire rent because the landlord is not permitted to apportion his own wrong."

Judge Moritt's Rulings

The same line of reasoning has been employed by Fred G. Moritt, the Brooklyn judge who has upheld the right of tenants to withhold their rents and continue to live in their apartments until major repairs are made and services, such as heat, restored. To other tenants with similar complaints, he has returned rents that had been placed in escrow with the court under earlier rulings of other judges. He bases all of these decisions on the concept of "partial" eviction, associates say.

Judge Moritt's decisions, more than anything else, have stirred a legal dispute about the various forms of eviction and their legal remedies. Real estate lawyers generally believe that slum tenants most often are victims of "constructive eviction"—that is, they are "wrongfully deprived of the beneficial enjoyment" of their apartments—but that their only remedy is to move out. Only in cases of "actual eviction" where part of the apartment is physically taken away from the tenant can he continue to occupy his remaining quarters rent free, most attorneys for real estate interests say.

"Moritt's decision is unprecedented," says one.

Judge Moritt, 58, a flamboyant former legislator and an acknowledged crusader against slumlords, heatedly denounces his growing horde of critics. Leaning across the bench in his dingy court room, he dismisses the notion that the principles of his decisions are novel. "It's pure Cardozo," he insists.

Avoiding Appeals

Although many property owners are steamed up over Judge Moritt's decisions, they don't intend to join in any appeals. "We'd be on the unpopular side," says a spokesman for one property owners' group. "Our stand might be taken as condoning substandard living." Most real estate lawyers are confident Judge Moritt's decisions will be overturned anyhow.

But such a reversal, if it should come, wouldn't end the wrangling over the rent abatement technique, encroachment of landlord's rights and the legal definitions of eviction. One Manhattan assemblyman, Paul J. Curran, already has introduced a bill in Albany incorporating the important features of Judge Moritt's decisions. Its legal basis, Mr. Curran says, is "partial constructive eviction." It's known that other bills, similarly aimed at protecting tenants from slumlords, are being drafted.

It may be too soon to know whether the forebodings of New York's landlords are exaggerated. But urban apartment owners across the country who may be wondering what impact battles against slumlords may have in their communities, can watch New York for clues. It's certain to be the testing ground of the rent abatement technique.

Albany Gets Wagner Bill To Seize Slum Housing

By **EDWARD KATCHER**
New York Post Correspondent

Albany, Feb. 18—The Wagner Administration's housing receivership bill was introduced today by Senate Minority Leader Zaretzki D-Manhattan).

"Because the Mayor does not want this important legislation fragmentized," Zaretzki said, "my omnibus bill contains all the key provisions that had been introduced by the administration in separate measures."

Under a receivership law, a court-appointed officer takes over control of a building where a landlord fails to cure hazardous housing violations.

The bill authorizes the court-appointed receiver to:

¶ Enter into rehabilitation contracts for amounts up to $5,000 without advertising. The present law requires all such contracts to be advertised for at least 10 days. Competitive bidding would still be required.

¶ Incur expenses without either advertising or competitive bidding for individual items of repair up to $2,500. The limit is now $500.

¶ Remedy all violations incurred after he takes over as well as previous ones.

The bill also gives the receiver a prior lien before mortgages and taxes. That would enable him to use rent money to correct all hazardous violations before paying taxes.

This provision was removed the watered-down receivership measure that the GOP-controlled Legislature previously enacted, on the grounds that it was unconstitutional.

"We think that the Legislature should be concerned first with the welfare of the people," Zaretzki said, "and leave the constitutionality to the courts.

"We are in the midst of a crisis and emergency action is required. This strong measure meets the situation."

A bill providing that only property owners may hold office in villages and vote on certain propositions was on Gov. Rockefeller's desk today. The Assembly yesterday passed the Senate-approved bill sponsored by Sen. Begley (D-L-Schenectady) by 106 to 37.

The measure was vigorously attacked by Assemblyman Kelly (D-Manhattan), who said it contained "unbelievably restrictive voting requirements."

Assemblyman Gioffre (R-Westchester) defended the proposal. "This is no attempt to deprive anyone of his just rights," he said. The property owners have established roots. They have established the right to run for public office."

TRAVEL

FLY CALIFORNIA

Trapped Miner Back on Job

Wilkes-Barre, Feb. 18 (AP)—Henry Throne, 28, bartender and part-time coal digger who was trapped 331 feet underground last August for 14 days, returned to the mines yesterday as a laborer.

When he was hoisted to the surface with David Fellin, 58, Throne vowed he never would go into a coal mine again.

Fellin's wife wanted him to quit but last Monday he also returned to the mines. He'll be on the surface, drilling dynamtie holes.

Throne, Fellin and Louis Bova were trapped in the Sheppton mine Aug. 13. Their resuce attracted worldwide attention. Bova was never found.

Cancer and Pipes

Rent and Rookeries: II

TIMES

The best way to forestall the threatened rent strike in slum areas of Harlem and elsewhere is for the City of New York to use its full moral and legal weight against reluctant tenement owners who resist repairs.

At the present time, such a landlord who is discovered and called to the Housing Court in Manhattan or Brooklyn can—and often does—pay a small fine every six months or so, make a token repair, and still be ahead of the game financially. A fine for one violation can be as little as $5 or $10; 15 violations in a tenement may bring a fine of only $75. The fines in Manhattan average out to about $30 — which almost surely will be easier to bear than the cost of repairing broken plumbing or barricading a rathole. It is up to the judges to fix fines, and obviously they have not done enough to expose and penalize the offending landlords.

There are other weapons that the city must use with greater force. Where services are found lacking, rent reduction should follow as a matter of course. The Rent Commission has this power. A more involved procedure is for the Commissioner of Real Estate, in a receivership action, to take over the building where neglected conditions constitute a nuisance or a hazard.

In the slum buildings, the whole blame cannot be placed on "slumlords." Unsanitary conditions and broken facilities are often caused by tenants. A program of tenant education and responsibility must be instituted by concerned city departments as a matter of health and safety.

It should be understood that repair and rehabilitation, while an immediate necessity in the "Old Law" tenements, is not the long-range answer to New York's housing. A quarter of a century ago The Times editorialized: "Built 50 or 75 years ago, 66,000 Old Law tenements still stand, a blot on our urban civilization and a reproach to those men of leadership and genius in our cities who have solved so many other social problems and failed to solve this vital one." Today, 43,000 of these very same buildings still stand—in a worse state.

While Building Code enforcement is a must, the supply of new housing must be increased to replace the tenements. The 122,500 families living in the 114 New York City Housing Authority projects prove what can be accomplished with low-income housing. Federal funds for public housing here have been exhausted and very little is available from state funds. A continuance of Federal and state support is necessary if the rookeries—and threatened rent strikes—are to be abolished.

No to Mr. Quill

By **PAUL MONTGOMERY**

As the rain splashed in the grimy courtyard outside his apartment yesterday afternoon, Marcello Perez searched for the words that could describe his poverty.

"It's heavy, this life, you know?" he said.

Mr. Perez is 47 years old. For the last two months he has been feeding and clothing himself, his wife and their four young children on $1 a day. In all of 1963 he had $537 to spend on the essentials of life exclusive of rent, gas and electricity.

Mr. Perez is one of the 30 million Americans who live in families with yearly incomes of below $2,000. Conservative estimates put the number of poverty-stricken New Yorkers at 815,000.

Both President Johnson and Mayor Wagner have declared their intention of mounting full offensives against poverty.

Mr. Perez agrees with the President and the Mayor. If he were Mayor he would make poverty his prime concern, he said.

"You have money, I have money, we can make something," he observed yesterday. "But this way is no good. They should let us live."

Rent-Free Apartment

Mr. Perez lives with his 42-year-old wife and four children ranging in age from 7 to 11 in five small rooms on Rivington Street. He gets the apartment rent-free for acting as janitor of the seven-story building.

He also gets free gas and electricity and $30 a month for his services. Until November he supplemented his income by working as a trucker's helper for a company that manufacures clothing. During good weeks he got 10 hours of work at $1.25 an hour; during bad weeks he got no work at all. He was laid off two months ago.

Mr. Perez would like to collect unemployment insurance, but does not because his former employer told him not to apply. "I don't want the boss to be angry with me and not give me the job back sometime," he explained.

Mr. Perez receives no help from the Welfare Department. He considered applying a few years ago but got impatient with the details and decided against "signing the paper." He wants to make some money and buy a nice home in Puerto Rico and he figures he cannot make much money if he gets on welfare.

Surroundings Clean

His wife, a plump, jolly woman, keeps their apartment neat and clean. Mr. Perez painted it himself—white with blue trim.

The living room, about 10 feet square, contains the only furniture Mr. Perez has bought—a blue couch and two orange chairs. He bought them seven years ago from the heirs of a tenant who died. They are covered with clear plastic to protect the upholstery. "The plastic cost $1.10 a yard," Mr. Perez said. "Every week I bought a yard until it was finished."

The three bedrooms are barely big enough to contain their double beds. A metal filing cabinet in one room serves as a chest of drawers. The room shared by the boys—Henry, 8, and Angelo, 7—has no window. They receive compensation, however, by having the only bed with sheets on it.

The girls—Estella, 11, and Betty, 9—have three changes of clothing between them. The one that is not in use that day is hung neatly on the doorknob of their room. Mr. Perez owns two pairs of pants but one pair is at the cleaners and he has no money to retrieve it.

Bathroom a 'Closet'

The kitchen — containing a sink, gas stove, refrigerator and a bare cupboard—is the largest room. The bathroom, off the kitchen, is the size of a large closet and has a bathtub and a toilet.

Mr. Perez thinks the apartment has certain advantages. There is always heat and hot water. The rats come only at night.

For breakfast yesterday the family had bread and milk. For supper there was rice and beans. The children get free lunch at school and Mr. and Mrs. Perez skip the midday meal. "We wait for night," Mr. Perez said.

The total outlay for the day's food was 50 cents for two quarts of milk, 15 cents for a loaf of bread, 25 cents for two pounds of rice and 10 cents for a half-pound of beans.

Clothing From Church

The last article of clothing Mr. Perez can remember buying was a pair of shoes for Henry "about a year ago." The family has gotten most of its clothing from a Catholic church nearby.

The family gets free medical care from the clinic at Bellevue. The three youngest Perez children were born there, the eldest in Puerto Rico.

For entertainment there is an old television set, given to Mr. Perez by his brother-in-law, that sometimes works, and a radio. There is no money for newspapers or books.

"If I see a paper on the street I pick it up and read it," Mr. Perez said. Movies are out of the question. Once a year the family goes to Coney Island.

Last spring the nearby House of Hospitality of the Catholic Worker movement, having nowhere else to turn, asked Mrs. Perez if she could put up a destitute old woman for a night.

The woman, who had psychopathic tendencies, had been ejected from city and charitable institutions. Mrs. Perez readily agreed, and housed and fed the woman for three months.

RELOCATION: Where Is Everybody Going?

You grow up on a block in New York City. Summer nights a hydrant is turned on and you play under the spray. You know where the water swells out in the gutters and a bump where you trip playing ball. You know everybody, the children and the store keepers and an old lady who feeds birds and a place where you can find used soda bottles for trade-ins. This street is your world.

A day comes when they put up a notice where you live: "This Building Will Be Demolished." Services in the building stop; no heat or hot water or repairs, though you still pay rent. Stores move away. Families move out. Your friends go. Your neighborhood is destroyed.

You move to a new place which looks like a large prison. The friendly spirit of the old block is dead. You don't know the storekeepers or the people in the church or anybody. The old lady who fed birds is gone with your friends. She couldn't get into a project—too old or too poor—and was put some place out of sight.

Your old house is wrecked. On your street there were good and bad buildings, some beyond repair but some quite sound. They are all torn down. Now there is a level place, with the rubble of broken bricks taking the place of people. It sits like that, year after year, a bomb crater in the city, before a new building is put up.

This new building does you no good, because the rents are out of reach for your family.

You've been re-located.

* * *

This reckless and inhuman shattering of communities was accepted for years as necessary to a building program for New York City housing. Streets, neighborhoods, whole sections of the city were laid waste. Displaced and shattered families were crowded closer into the remaining slum sections, victimized by higher rents, their children made "outsiders" in the new neighborhoods.

There are more than one million displaced persons in the United States—people who have been forced to move from their homes by projects such as expressways, public and luxury housing, bridges and schools.

The New York Times not long ago said that New Yorkers could look forward to 29,000 more families being displaced in the next two years. *This represents more than 100,000 people.*

The totals do not include the many thousands whose homes are destroyed for the erection of luxury housing. According to the Metropolitan Council on Housing: "There are no adequate figures for this category. One can, however, gauge the problem somewhat by what has happened to the community of Yorkville in Manhattan. Here there has been such a concentration of demolition for the construction of luxury housing that 20,000 families have been displaced in the last eleven years—and the displacement continues unabated."

Walk along 83rd or 84th Street in Manhattan and you can see great leveled stretches of ground. Here once was crowded tenement housing, of varying quality. The block on 84th Street got a bad reputation. The Mayor went up there during the 1961 election campaign and promised to clean it up. The action came in due time. They cleaned *out* the block—the good and the bad, the young and the old, the people and the houses. The dispersed families were sent elsewhere into equally crowded conditions. Any "bad" elements simply moved their base elsewhere. *Nothing was changed except that now there was less housing and more displaced families.*

Soon to begin is a vast West Side renewal project—a $19 million, seven-year plan to rescue a 20-block area from slums, overcrowding, bigotry and lawlessness. It is the most extensive and expensive urban renewal project ever undertaken by this city or any American metropolis.

"The true test of the City's ability to carry off the project with efficiency and humanity will be in relocation," said *The Morningsider*, lively and crusading weekly newspaper of the area. "In the coming months, thousands of slum residents and shopkeepers will necessarily be uprooted. Where will they go? Will they be made to understand what is happening to them? Will they enjoy due process of law? Will they be moved to temporary, or to permanent, quarters? Will Negroes and Puerto Ricans be further alienated or reassured by the City's relocation practices? Will real estate speculators and bankers be permitted to exact huge profits from the human misery of massive relocation?"

The answers to these questions are crucial to the city's entire housing program, to the possibility of good

THE HOUSING SCANDAL...

housing at reachable rents for the working people who live here.

They are also of critical concern to labor—whether unions whose members live in the areas to be rebuilt, or members of the building trades.

If the relocation mess is solved, then a building program can go ahead, year after year, bringing new democracy, new housing, and new hope to millions. This would provide work on an endless scale, and would strengthen the city's economy even as it improved the skyline. If it is not solved, then some day there will be an explosion.

There are at least 325,000 families living in substandard or grossly overcrowded quarters in New York City alone. At the accepted ratio of three and a half members to each family, that is well upward of a million New Yorkers. According to United Neighborhood Houses, "this group includes at least 150,000 families consisting of two or more persons whose incomes are so low that their housing situation can be relieved only by public housing. The group, furthermore, includes 50,000 elderly single persons with such limited incomes that they can be helped only by public housing."

Data recently made available from the 1960 census shows that apartment rentals have gone up as much as the traffic will bear, while the quality of housing has deteriorated. The number of deteriorating, dilapidated or substandard units rose from 335,295 to 553,327. In 1950, less than 15 per cent of all units fell in this category. By 1960, more than 20 per cent did. Despite the vast relocation program which has dispersed hundreds of thousands of people, the city has fallen steadily behind in housing.

How can the need be met? An outstanding architect and city planner, Percival Goodman, Associate Professor of Architecture at Columbia University, was interviewed by *Voice*. He is the creator of a pioneering plan to build housing over the Grand Central trackage on Park Avenue, from 97th to 110th Streets. This, of course, would be housing for which no families need be dislocated.

"The principle is that a *reservoir* of housing would be set up," Goodman explained. "Then families from the worst houses in the area could be shifted into the new development. After that they could tear down these houses. In this way we would put together enough property to build one modern house on the block.

"The people forced to move would still be within a block or two. The neighborhood would not be destroyed. It should be a basic principle in all new housing to relocate within the neighborhood.

"It is essential to work from two directions. One is the individual family living in a house—we must care for them, protect them, plan for them. The other level is an overall master plan for city building. *There isn't any.*"

There are many other proposals for stepped-up building programs which would end the old practices of destroying neighborhoods, among them the use of rundown commercial properties and multi-use buildings which, for example, might combine a school and an apartment section. Careful planning, piecemeal construction, and an end to the bulldozing of whole blocks is a central consideration.

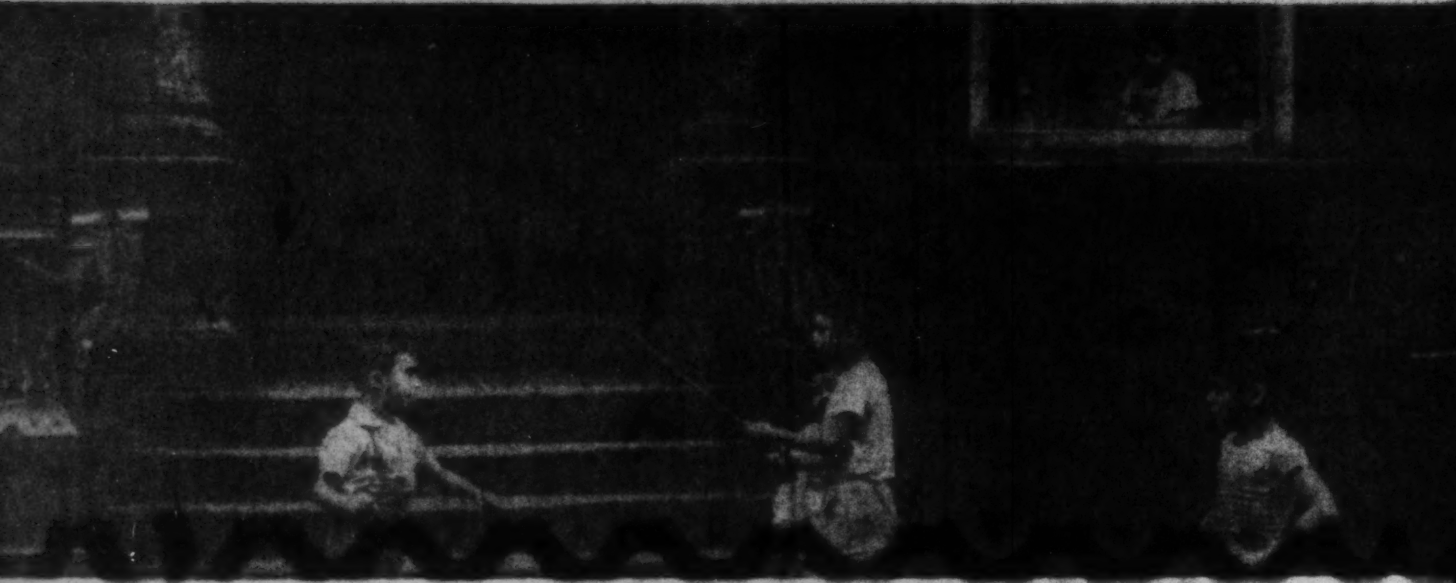
A moratorium on the demolition of structurally-sound housing, and at the same time a great increase in construction of low and middle-income housing — these goals are not contradictory, but instead necessary to one another.

There is room in low-income public housing for only a fraction of those who apply for apartments. They are victims of an inadequate housing program, of destructive relocation practices, of segregation and rent gouging.

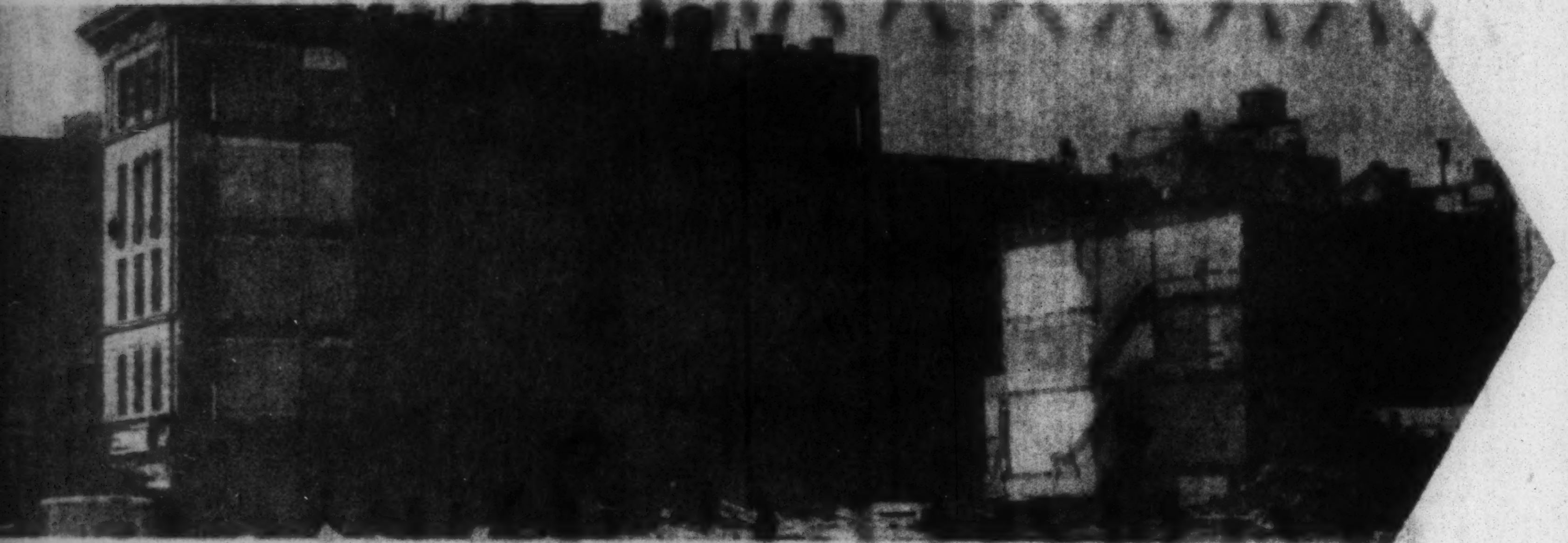
When areas are chosen for renewal, the challenge before New York City is to provide decent housing at rents they can afford for people now living in bad housing. *If tenants in an area need low-income housing, it must be made available to those wishing to remain on the site, jointly with middle-income housing.*

This still does not solve the great human and economic problem of segregation. Only a gigantic increase in the housing supply—based on badly-used commercial land, on all available vacant land, on the use of air rights, etc., can lead to a real integration of city neighborhoods. As well as enforcement of strong anti-discrimination laws.

To work out these solutions, the residents of an area must always be consulted and their interest held primary. We of the hotel and club workers can be proud and glad that in the Neighborhood Service Councils we have at hand an organization that can at once battle for a bigger building program, at the same time as it protects the interests of our members right where they live.



The injustice and dislocation of most housing programs is pictured on this page. Above, children play on a tenement street. From a window, their young brothers or cousins watch. In this small world, no matter what its poverty and limitations, they are at home.



Then the bulldozers come in. The families are re-located, hit or miss, most of them jammed tighter into the remaining—or newly-created—slums. The bulldozers and wreckers take over.

At last the new building goes up. It is of no use to the people who used to live there. They have long since been scattered. They couldn't pay the rents, anyhow.

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How Eichler sells open occupancy with no fuss

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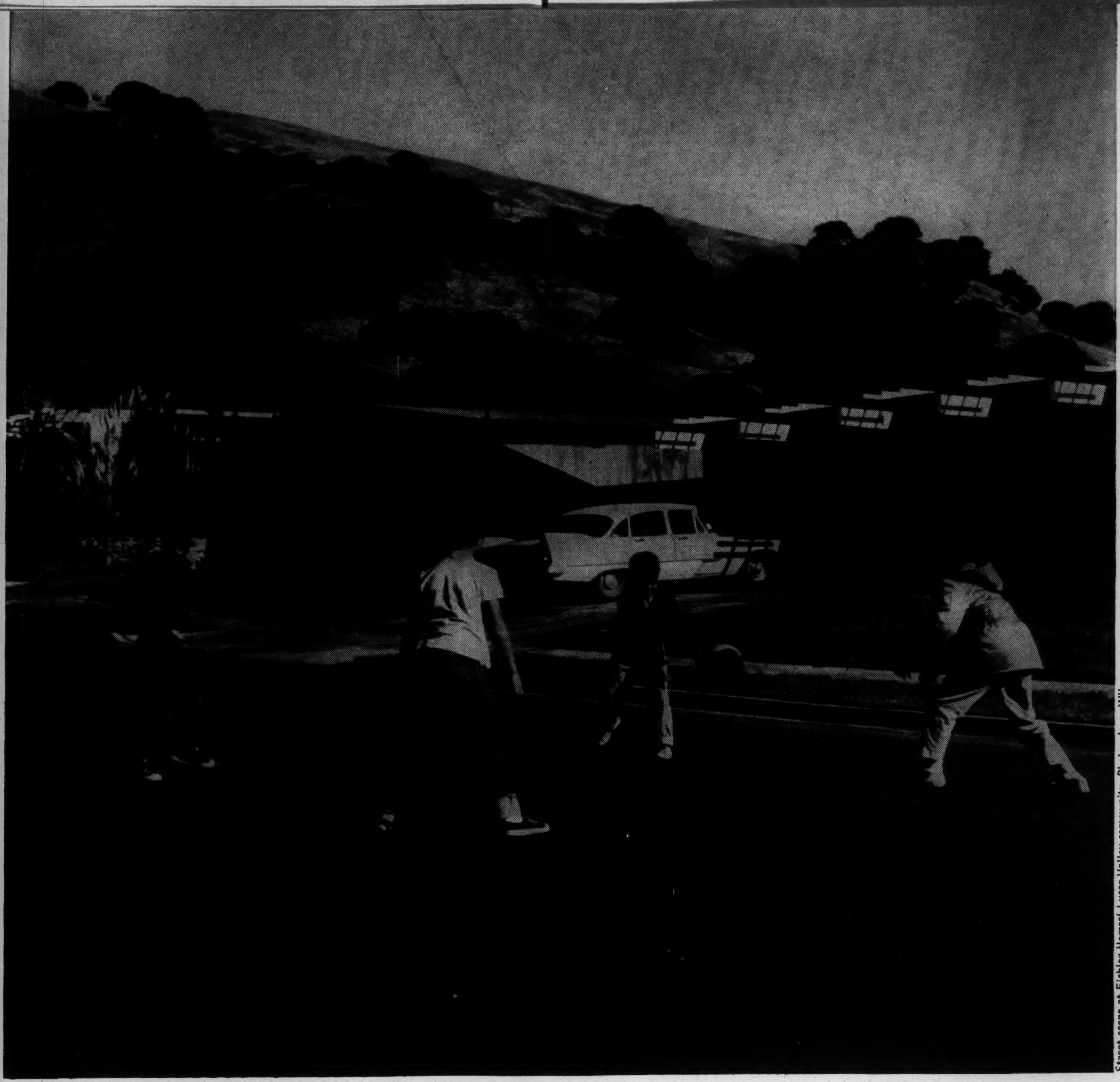

Street scene at Eichler Homes' Lucas Valley community. Photo: Joyce Wilson

How Eichler sells open occupancy with no fuss

Eichler Homes is one of the half-dozen best-known homebuilding companies in the U. S.—for its design standards, its merchandising, its position as the biggest builder of \$25,000+ houses, its diverse projects in California. And, not least of all, Joseph L. Eichler and his son, Edward, are widely known as pioneers in selling on an open-occupancy basis. Many industry people have wondered why, and how, and with what failures and successes. Among those interested have been Administration officials concerned about housing minority groups.

To find out what so many want to know, HHFA sent Marshall Kaplan of its division of urban studies to interview Ned Eichler on the evolution of the Eichler policy and its effect on Eichler's operations. HOUSE & HOME realizes the Eichlers' experience may be atypical in view of their almost unique position in the industry. But few could doubt that there are lessons aplenty for everyone in housing in the Kaplan-Eichler question-and-answer report. Herewith the verbatim report (necessarily abridged from its original 11,000+ words).

Q. *How many units have you built since you started in 1948?*

A. About 9,000. I would say out of about 700 houses a year, about 30 to 40 are sold to Negroes. Maybe it's gradually going up a bit as Negroes go up in economic scale.

Q. *Did you always sell units on an open-occupancy basis?*

A. From the earliest date, we always sold to Orientals. I think the first house we sold to an Oriental was in late 1950 or 1951 in Palo Alto. This was the first time this issue ever came up. Some people in the neighborhood got a little upset when he made the deposit and before he moved in. It was nothing of any great proportion.

Q. *Did you lose any sales?*

A. Not that I know of. From that time, we sold to a considerable number of Orientals here and there, in our small subdivisions around Palo Alto. We were selling the bulk of our houses at $13,000 to $16,000.

Q. *What was the community's reaction to your selling to Orientals? Any pressures, any changes in zoning?*

A. No community reaction at all.

Q. *When did you begin to sell to Negroes?*

A. In the fall of 1954. We had started a subdivision in Palo Alto for 243 houses. It was the first we had done—and probably the first one in the country—in which there were to be planned community facilities—a nursery school, swimming pool, and a park. We had committed ourselves to a higher price range in volume, at $16,950 to $19,500. The subdivision was an enormous success. We had sold, I would guess, about two-thirds of it, and had built about a third, when an unexpected event occurred.

I was working in the office one night when a lady called me up. She asked, "Do you discriminate in the sale of your houses? Do you sell houses to minorities?" I had never heard this question before. I had done some personal selling, but for the most part I directed sales operations. I said, "I don't understand what you mean." She replied that she was a Negro and so was her husband. She said she was renting a small house right across the street from our subdivision. They wanted to buy a better house. She asked me if I would come to her home to talk with her and her husband. I did this. In the conversation, I found that she was a nurse and her husband was a scientist who taught at Stanford and also worked in a laboratory. They said they liked our houses, and she asked, "Will you sell us a house?" Well, frankly, I told her the issue had never come up and I would like to talk to my father about it. My father's reaction was somewhat like, "Why are you bothering me about this? I've got a lot of problems, and I haven't got time for these little problems." I went back to these people and said, "Okay, go pick a house and make a deposit and we will put it through the regular procedures."

The house they selected was just started. It was on a cul-de-sac, and I think all the other houses on that cul-de-sac were sold. The couple went through all the usual procedures, processing the loan, picking colors, asking for changes—the usual things that buyers do. They were noticed by some other buyers who were also doing this, and by others who had moved in. There was very, very little feedback to us from this. A few people called. Some talked with a little bit of hostility. They were disturbed about property values. They denied that they were prejudiced. I think in some cases these disclaimers were accurate. To most of these people I said that, as we construed the law, I felt that when we sold a federally-insured and financed unit we were required to sell to any qualified buyer. I admitted that it was questionable whether it was or wasn't the law, and besides many builders were violating it in any event. But I said to these people that I didn't think there would be any problems. This was what we were going to do. If everybody calmed down, there would be no problem. There was one incident with the people who had bought the house next door. The husband came to see me without his wife and said she was very disturbed about the Negro moving in. He said these were not economic concerns but related to the actual social relationships which might ensue. He wasn't trying to talk Eichler Homes out of what we were doing since he thought it was the right thing to do. But he had a personal problem and didn't think he could live there because his wife would be unhappy. Would we buy the house back from him? We did, and resold it shortly thereafter. The Negro family lived there for five or six years, then moved when the husband got transferred to Chicago.

Q. *There were no other overt community reactions?*

A. Flat out nothing. Everything went smoothly.

Q. *What about the kids?*

A. The kids? Their kids swam in the swimming pool, and so on.

Q. *No community reaction? No ostracism?*

A. No. I admit that in those days in Palo Alto our houses were attracting a somewhat special kind of person—college professors and other intellectual types. Yet it seemed that even in our other subdivisions we had people who would be more tolerant just because their educational level was higher. I surely don't want to put this on the grounds of political liberalism, because I guess there were about as many conservatives in our subdivision as in any other. I'm sure that the Negro was accepted more on the basis of just a general tolerance.

Q. *Do you feel people were concerned more with the quality of housing than with the Negro occupants?*

A. Right. I think that there was some luck in this because the market was strong—ours particularly. We were a very dominant force in Palo Alto.

Q. *Were potential customers scared off when they heard or saw that you sold to Negroes?*

A. I don't think so. This subdivision was nearly all sold by the time they moved in.

Q. *Did other Negro families move in?*

A. I don't know whether any moved in by resale since then.

Q. *Did the Negro family sell through a real estate broker?*

A. I don't know. Occupants rarely use a broker there. Prices went up over $10,000 in seven or eight years. Prices of all houses went up, but these went up much more.

Q. *When did the next Negro buyer come to you?*

A. About a year later, a couple of doctors who had bought houses in our San Rafael subdivision in Marin County came to see me in Palo Alto. We had then sold 50 or 60 houses in San Rafael, where we owned a terrific amount of land, the equivalent of 600 or 700 lots, which for us was a great deal of land. The doctors came to ask if we would sell a house to a Negro. I asked why they had come all that way, 50 miles, to ask this question. They said they had a friend with whom they both went to Harvard Medical School, a Negro, who was in the Air Force at Hamilton Field but would get out of the service in a few months, would be a radiologist in some local hospital, and wanted to use his GI eligibility to buy a house. They thought he was a great guy, and they knew generally what the real estate situation was. They thought it would be great to get him a house. I said, certainly, I would sell him a house. Tell him to go pick it out.

" If you are going to sell a house to a Negro, you should try to get him moved in

Q. *Was this pending sale known in the general area?*
A. Yes. The buyer went out on Sunday with his wife and child to look at the house and the landscaping. A month or more went by and I forgot about the whole thing. Then I got a phone call from a fellow who was very disturbed. He asked questions like, "What are you doing to me?" and "Why are you doing this?" I said I really didn't understand what he was talking about. Then he said he understood a Negro was buying a house. Incidentally, the house the Negro was buying was as far away from his as could be.

Q. *How did you answer this individual's questions?*
A. I explained that I didn't think this was a problem. Besides, I said, I just didn't think it was any of his business and he was getting himself upset for nothing. I was a little surprised because I didn't think he was the kind of man to do this.

Q. *What type was he?*
A. He was an artist. My prejudices were that it was unlikely for an artist to have this kind of reaction. And he had a very small investment in this house, which I thought would limit concern. I learned from this experience and others that the size of the down payment people make has nothing to do with reactions to any issue. People with no-down payments will feel that they have just as big a stake as somebody who pays cash. Frequently, bigger. In fact, I would say that the people I've had least trouble with on all kinds of issues have been those who make large or all-cash payments.

Q. *Any other community reaction?*
A. Well, from that point on, I began to get rumblings from the salesman. Little groups were forming. There were some ringleaders trying to foment feeling. I said to the salesman, "Okay, keep me informed." Finally, the salesman (who was personally committed to the principle of integration) said, "This is getting serious. There are about 20 people who are very upset. There's going to be some trouble." He thought I should get involved.

Q. *What did you do?*
A. First I talked to four people immediately around the house the Negro family had selected. I asked them how they felt. One was one of the two doctors, so obviously his reaction was favorable. The other three said, "I'm too busy," "I haven't got time for this sort of thing," and "I don't care." They had other problems. Then I met with a group of eight aroused people, the ringleader of which seemed to be neurotic. He threatened me physically and with all sorts of actions. I tried to explain that our actions conformed to law, though this was not the principal reason we were doing it. I told them we were going to do it, and if they felt it would hurt their property values we would buy their houses back. Furthermore, we had an enormous investment in this land, and if we thought it was going to hurt property values we would not do this kind of thing. I said we weren't telling them what to do and they were not in a position to tell us what to do. I must say I got nowhere in this conversation. They didn't convince me and I didn't convince them. Some of the activity kept up. It was frightening more people who otherwise would not have been aroused.

Q. *Was there any outside influence behind this?*
A. Brokers began to use this against us in a competitive way. It was easy, since Marin County had had relatively little experience with Negroes. A broker would tell some of our prospects, "You don't want to live there. There are Negroes buying there." Several people who finally did buy from us reported this. Some brokers even called us to say we were hurting the county.

Q. *After your visit, did the adverse reaction subside?*
A. Well, the rumblings continued. We decided, finally, to have a meeting with a broader group of 20 or so people. My father attended. I wasn't there. My understanding is that, in a rather severe tone, he told these people substantially that he was damned if they were going to tell him what to do. He put it on a very personal basis, that he had a bigger investment than they did, that after all it was his property and his decision. They could take any action they wanted to. He offered to buy their houses back from them. He made this offer specifically to the two ringleaders. They immediately refused, saying their houses were worth much more money than when they bought them. Well, apparently just the force of his personality was such that it knocked off most of the opposition. The minute the Negro moved in, everything stopped. It was the last word we heard about anything.

Q. *No incidents?*
A. Nothing. It proved a point that has been with me ever since. That is, if you are going to sell a house to a Negro, you should try to get him moved in as quickly as possible. You will get a large volume of people who are apathetic, you'll get a small body of people who are violently in favor, and a small body who are violently opposed. Those opposed will probably be able to add to their ranks by fear or by action. Once the sale is made, however, and the family is in, people are faced with a *fait accompli*..... Only the fringe will react. People won't cut off their noses to spite their faces.

Q. *Was the reaction in your San Rafael development complemented by pressure from any local government agency or from local financial institutions?*
A. I never observed anything of this nature.

Q. *What year was this now? And what did you plan to do?*
A. This was late in 1955. We decided we would continue to sell on an open-occupancy basis and that we would establish a clear policy that everybody in the organization understood. But we would seek the smallest amount of outside publicity. We were going to treat it as a business decision, not as a solution of social problems. Every aspect of the operation would be one in which we would simply treat Negroes like any other potential buyers.

Q. *You have now gone as far south as Orange County, which is considered a very conservative area. Have you run into any obstacles associated with the citizenry or local government?*
A. No.

Q. *Were there any obstacles in buying land down there?*
A. The people who sell land are only interested in the money.

Q. *I have heard that you had a project where the first nine or ten buyers were Negro and the over-all sales were slow.*
A. You are probably referring to a subdivision in which there were a variety of problems. Sales were slow for reasons that had nothing to do with the Negro issue. In about a year we sold to five Negroes, I think, out of a total of only about 60 houses, so the percentage of sales to Negroes was somewhat higher than usual. Incidentally, in the last six months the sales have dramatically picked up. We even sold some more houses to Negroes, so while I think that it caused us a little more trouble than we would have had otherwise, the net effect of Negro buyers wasn't very harmful. My general conclusion was that the rapid pickup in sales indicates again that the Negro influence was not the major cause of earlier troubles. There are now eight Negro families out of about 150 sales there.

as quickly as possible ”

Q. *Did you at any time have your salesmen try to delay sales to Negroes or delay their moving into the projects until you got more of a percentage of whites?*
A. No. We talked about it, but decided not to. First, we were nowhere near any kind of really severe situation, and second, we didn't even know how to do it. We never had to face that question. I suppose there might be a point under certain conditions when a builder would have to face that.

Q. *Most examples of integrated, open-occupancy house developments are not in areas on the fringe of the Negro ghetto. You have built in the central city. In San Francisco you have built right next to public housing. 1) Have you felt that this location hurt your sales? 2) Have you sold to Negro occupants in these particular projects? 3) Do you contemplate it? 4) Would your policy be the same if a Negro came into your development in this kind of area?*
A. We have a subdivision in San Francisco consisting of townhouses priced from $28,000 to $30,000 [H&H, Dec. '62.] It is in an old area of the city right near an old public-housing project built before World War II. The project has about 1,000 units with about one-third Negro occupancy. How the presence of Negroes in that public-housing project is affecting sales, I don't know. But we sold some of the townhouses to Negroes. We have sold about half the project which, when completed, will have 211 units. To date, we have sold about 4% or 5% to Negroes, the usual average.

Q. *You have sold to a small percentage of Negroes and you are still making white sales in your development?*
A. Our selling houses to Negroes there has almost no effect on sales at all. I think, in fact, that if the general market were truly open, the middle-class Negro buyer would be as bothered about this location as the middle-class white. I think this is a class distinction. It's the middle-class family saying, "I don't want to live next to the lower class family." I think it has little to do with race, except that most whites associate Negroes with the lower class.

Q. *Then you don't attribute any negative market factors here to the fact that you have sold to non-whites?*
A. Not here, though I admit that our general policy probably leads some people not to come at all Open occupancy here is of no greater impact than any other place. It may be even less, because whites are buying in the city and probably have less expectation of total segregation in the city.

NED EICHLER

At 33, and just ten years out of the Korean War, Edward P. Eichler—whose forceful but restrained remarks are quoted here — is president of Eichler Homes, Palo Alto, and manager of its single-family house division. He has long headed sales and advertising for the publicly held, $20-million-a-year company. Other stints: chairman of Gov. Edmund G. Brown's advisory commission on housing, which last year urged middle-income housing subsidies and other state action attacked by organized California homebuilders and Realtors, and, during a 1963 leave, consultant with Janss Corp., developer of giant Conejo Village near Los Angeles.

Q. *What about your project in downtown San Francisco in the renewal area? Did you run into problems there?*
A. That consists of 72 garden apartments, selling for $35,000 to $36,000 or renting for $260 to $275 a month (see *p. 93*). We sold one and rented one to Negro families (current sales and rentals: three to Negroes, 59 to whites).

Q. *To what degree did the school factor affect your sales?*
A. The elementary school in the neighborhood is almost entirely Negro and draws from the public housing project. Our big units are designed for families, so I suspect the neighborhood has hurt sales. But this is a class distinction; it applies to Negro and white families equally.

Q. *Then the Negroes feel objectively the same as whites about school problems?*
A. That's right. The difference is that the white can say, "Well, I am sorry, I'll live someplace else," and will pay more money or make other sacrifices to stay out of what he feels is a bad area. The Negro has no choice.

Q. *How long have you been well known to sell to nonwhites?*
A. At least four years. This came about largely because of certain disputes we had with the Home Builders Assn. over the general subject. As you know, my dad resigned from the association. Despite the public awareness, we haven't had the rapid influx of Negroes that many predicted we would have.

Q. *Isn't this a reflection of the price scale of your homes?*
A. Yes, in part, though some recent Eichler subdivisions have been only slightly above the state average in prices. I don't think, even in a lower price range, that if one of the major builders just quietly decided to sell to Negroes that there would be any great influx. Certainly if most major builders did it, there wouldn't be a great problem.

Q. *What effect has your open-occupancy policy had on total sales?*
A. It varies by subdivision. Over-all, it has not hurt. We have had some cases where whites bought our houses just because of our open-occupancy policy.

If someone is really interested in buying a house, and then the issue comes up, in that case we "win" nine times out of ten. There probably is a greater impact among the people who never mention the matter, or who never come at all because they learn that Eichler sells to Negroes. I think this is a very small number of people, statistically. Our policy is a special attitude of responsibility to the industry and the community. This includes producing a good product in a well-designed community. There is a right way and a wrong way to do things.

Q. *What special sales techniques have you developed to meet market resistance?*
A. First, I evolved a policy under which no answer would be given to people on this question unless it was asked. If a buyer does not ask anything about the matter, he never hears about it from our salesman or us. If he asks first if we sell on an open-occupancy basis, we answer, "Yes, we sell to any qualified buyer." If he asks, "Are there any Negroes in this subdivision?", the answer is yes or no, depending on the fact. We do not answer more than the question. If you came to us and did not ask if there were Catholics, Jews, etc. in the subdivision, we wouldn't tell you.

Q. *What about your answer to the perennial question relative to the Negro and property values?*
A. The salesman gives all the usual responses, ranging from law to "It's the right thing to do," to our own experiences in the resale market. There is another interesting argument. This is that the only time

> “***Watch where there may be several Negroes bunching***”

existence of a minority group, particularly Negroes, leads to devaluation is when there is panic selling by the whites. Thus, because it is well known that Eichler Homes sells on an open-occupancy basis, there is not likely to be panic selling if Negroes buy. This is so because the whites already know our policy when they buy. In a sense, we say that our policy is almost protection.

Q. *Then in any location you will sell to any qualified buyer?*

A. Yes. But another control is that we tell the salesman to watch where there may be several Negroes bunching. In most cases, the Negroes themselves will prevent it if they see it. If there are two or three Negro families in a cul-de-sac, and a fourth comes along, the salesman will try to influence the newcomer to take another house. Rarely has this happened. But if a Negro should insist that he wants a particular house next to other Negroes' homes, we would sell him that house.

Q. *With an open-occupancy policy, is it easier to rent or sell in multi-family buildings than in single-family houses? I have heard it expressed that it's easier to sell single-family homes because of the proximity involved in apartments?*

A. I think the analysis is incorrect. An apartment offers more anonymity. Also, I think people buying a house have a great feeling of commitment both financially and emotionally. Therefore, they are subject to greater fears.

Probably the basic reason the white is concerned so much is not monetary, though it's fashionable and nice to give that reason. I think the real reasons have to do with social relationships, particularly among children. Adults think if they don't like the Negro they can avoid him—but they know the kids don't work that way. The kids run around, they don't see color, they play. I think this worries people. It's foreign to them so they fear it is bad.

Q. *Do you think you could have been successful with this policy if you hadn't had the housing background and the necessary means to hold you over a period during any lag in sales resulting from the Negro occupancy?*

A. I don't think that any fairly large builder's sales will be materially affected by an open-occupancy policy, because he is big enough to absorb it. The chances of getting two Negroes out of the first five, for instance, might really frighten small builders because their scope is so small. I think it is a question of being strong enough so you are completely identified as a builder. That's your business: you are fairly well known in the community; the bankers, the city council, the planning commission, the building inspectors, the market itself are reasonably familiar with you. Therefore, your switch into this policy will not identify you as being principally a builder of integrated housing but as a builder who is now planning to sell his houses on an open-occupancy basis.

Q. *Do you conclude, then, that the big builder must take the lead in bringing this along because the small builder faces a greater risk?*

A. Right. After all, if the small builder is asked to do this initially, and the big builder isn't, the small builder is put at an even great disadvantage competitively.

Look at what happens the other way around, as seen by our experience in Palo Alto, where we have been an enormous influence. By 1956 we were building over 80% of the housing. When it became known that Eichler Homes was selling on an open-occupancy basis, some real estate brokers were upset and started saying they thought this would hurt the city. But this died down quickly, and now almost the whole market has opened up to a wide degree. Resales in our subdivisions are occasionally made to Negroes. Negroes can buy houses in non-Eichler subdivisions. The brokers have become used to it and so have the citizens. The living fact—the demonstration—is the only form of education I think can be truly useful. Here, in a sense, Eichler Homes is in a position to pass its own local fair-housing law.

Q. *Do you believe that at the price level you are building, the quality and design of the homes, the characteristics of the neighborhood and the community become more important than the factor of white or Negro occupancy?*

A. Yes. And I also think that at a higher price range it is easier to do this because you deal with people who have more education. They may not be any more tolerant in the classic sense but they will not react as strongly to their intolerances.

Q. *Is the rate of foreclosure or delinquency payments the same for your Negro buyers as for your white buyers?*

A. I've never heard of a foreclosure of a house that a Negro has bought. But the rate of foreclosures on our houses is so low I think you could find no statistical basis for a comparison. Our Negro buyers' incomes are, if anything, slightly higher.

Q. *Is open occupancy good business?*

A. I haven't said that it is good business. What I say is, I don't think it is bad business. Almost every kind of lending institution in the country is aware of our policy and we have never had any problem with any institution on this account. We have not had any problems with local officials anywhere. I think that it is probably not a dangerous practice, particularly for a reasonably competent large builder of at least 100 houses a year. Most of the fears builders have in this regard are greatly exaggerated.

Q. *Eichler Homes has operated through two recessions and you had Negro occupancies in at least one, in 1957-59. Did you notice a change in your competitive status? Did your resale values hold up?*

A. In general, our competitive position has been better in a tough market than in a seller's market. In a soft market, we continue to attract people. Qualitative factors become important in a tough market because what happens in a tough market is that people are harder to sell. Therefore, these qualitative factors become more important in a recession.

Q. *Will you sum up your personal views on open occupancy?*

A. I think white resistance to living where there might be Negroes results from the white's fear of the unknown, and fear of the relationships which might result with the children. These fears are quickly dissipated as people experience the fact that no great problems develop.

Even though there are some risks in selling on an open-occupancy basis, builders really don't have any other choice. Builders are in a position which they have denied for too long. That is, when they build a lot of houses or apartments they create communities. They create a lot of things in that community which are going to be there a long time after the builder leaves.

I'm convinced that the race question is the one single biggest block to advancement in this society. On all kinds of levels, in terms of personal relationships, in terms of education, in terms of expenditures for education particularly, and for other things we need in our society, we have unused resources and capacity. Builders cannot evade the fact that what they do is going to have an impact on the whole community. They cannot simply say, "Well, I'm just a businessman. I'm here to make a buck." They are businessmen and they have to try to make money—but they are also contributing to the kinds of communities and environments in which people are going to live. I think builders would be much better off if they faced this responsibility.

OPERATION
OPEN CITY

A Program to Open All New York Neighborhoods
to All Homeseekers

National Committee Against Discrimination in Housing
426 West 58 Street, New York, New York 10019
JUdson 6-3460

THE RIGHT TO A HOME

Each of us has the right to live in any available apartment or house that we can afford. The laws of both N.Y. City and N.Y. State guarantee this. To make it easier for members of minority groups to take full advantage of these laws, the national Committee Against Discrimination in Housing has launched OPERATION OPEN CITY.

OPEN CITY spotlights areas in New York where housing is available at reasonable rentals, schools and transportation are good, and living conditions attractive, areas now occupied almost entirely by white people. In each of these communities local residents are eager to welcome minority homeseekers on visits, to help them apply for apartments and to give friendly assistance when they move in.

Full information on these "Spotlight Neighborhoods" and contacts with the local families are provided through writing or calling our office. The areas now include: Northern Astoria, Glen Oaks-Bellerose, Kew Gardens Hills and Windsor Park, - Bayside Hills -- all in Queens; in Brooklyn -- Sheepshead Bay and Flatbush. Other neighborhoods will follow, based on studies and the cooperation of local people.

If you would like the help offered by these groups and by other Fair Housing Committees in the five boroughs and the suburbs, please fill out the attached form and mail to us. We will be very happy to work with you.

OPEN CITY also prepares information on middle-income apartments built with city or state aid. These coops and rentals offer good values in housing. To receive our lists please check the form.

- -

If you have met discrimination in seeking housing, please phone us, JU 6-3460. By arrangement with the City Commission on Human Rights, we can take your complaint at our office, 426 W. 58th St., Manhattan

Date

FAIR HOUSING REGISTRY

Mr

FAIR HOUSING REGISTRY

Date ____________

Mr.
Name: Mrs. ____
Miss (Last) (First)

Address: ____

Size of Family: Adults ____________ Home Telephone ____________

Children ____________ Ages ____________ Sex ____________

Occupation: Husband ____________ Wife ____________

Business Phone ____________ Business Phone ____________

No. of Bedrooms Required ____________ Approx. Monthly Rent Desired ____________

Check Preference: Apt. Rental ________ Apt. Coop. ________ House Approximate Price ________

Location Desired: ____________ Borough ____________ Section of Borough ____________ Suburb

Family Income: ________ Between $5,000-$10,000 yearly ________ Over $10,000 yearly

I AM INTERESTED IN THE SPOTLIGHT NEIGHBORHOODS ________ In Middle Income Govt. Aided Apts. ________

Return to: National Committee Against Discrimination in Housing
426 West 58 Street, New York, New York 10019

How To

FAIR HOUSING PRACTICES CAMPAIGN TECHNIQUES

In analyzing reports from the five states which enacted Fair Housing Laws in 1959, Frances Levenson, director of the National Committee Against Discrimination in Housing, points out that no single blueprint will guarantee a successful campaign in every locality. However, the following general guidelines are offered:

- A broadly-based coordinating committee, with a highly competent person chosen to assume executive responsibility for day-in, day-out direction of the campaign.
- Extensive preliminary study to draft a bill designed to meet the factual and practical demands of the community. The coverage should be the broadest which seems possible of passage. Meeting of minds among supporting groups is essential.
- Planned strategy to gain bipartisan sponsorship and public commitment by the political power structure.
- Marshalling of facts on the housing situation in the state or locality, and widespread presentation to the public.
- The philosophical, moral and legal arguments supporting fair housing legislation should be broadcast.
- Active involvement of state and local church bodies.
- Editorial support in the press.
- A constant barrage of personally-written mail to members of the legislature.
- Direct, personal contact with key legislators.

NCDH staff and board technicians are available for consultation and advice on all aspects of the campaign for a Fair Housing Practices Law. The NCDH Legal Committee, composed of some of the nation's leading civil rights lawyers and legislative draftsmen, have pioneered in the preparation of this type of statute.

(Texts of existing FPH laws and model bills, memoranda on constitutionality, and various campaign literature are available from NCDH.)

(OVER)

SCOREBOARD

Laws Affecting Discrimination in Housing

as of June 30, 1959 (Rev. 4/20/61)

STATE	COVERAGE						
	Public housing	Publicly-aided and/or urban renewal	FHA & VA	Private housing	Lending institutions	Advertising	Enforcement by special state agency
1. California	X	X	X				
2. *Colorado	X	X	X	X	X	X	X
3. *Connecticut	X	X	X	X			X
4. Indiana	X	X					
5. *Massachusetts	X	X	X	X	X		X
6. Michigan	X						
7. Minnesota	X	X	X	X	X	X	X
8. New Jersey	X	X	X		X		X
9. New York	X	X	X	X	X	X	X
10. *Oregon	X	X	X	X		X	X
11. Pennsylvania	X	X	X	X	X	X	X
12. Rhode Island	X						X
13. Washington	X	X	X		X	X	X
14. Wisconsin	X	X					

*Extent of private housing coverage:

Colo.	All except owner-occupied premises.
Conn.	All housing sold or leased in developments of five or more.
Mass.	All apartments in multiple dwellings and houses sold in developments of 10 or more.
Ore.	Confined to prohibiting persons engaged in the business of selling or leasing real estate from discriminating.

Note: Illinois prohibits restrictive covenants in redevelopment housing.

City Measures

Thirty-two cities have laws or resolutions affecting discrimination in housing. They apply as follows:

New York City -- This ordinance covers the leasing of all apartments in multiple dwellings (three or more units) and the sale of houses in developments of 10 or more. Enforced by the city's Commission on Intergroup Relations.

Pittsburgh – This ordinance covers sales or rentals by persons who own or control five or more units anywhere in the city, and all activities of real estate operators and lending institutions. Also covers vacant building lots. Enforced by Pittsburgh's Commission on Human Relations.

Public Housing – Twenty-seven cities have provisions applying to this area: Phoenix, Ariz.; Fresno, Richmond, and San Francisco, Cal.; Hartford, Conn.; Wilmington, Del.; Washington, D. C.; Chicago, Ill.; South Bend, Ind.; Baltimore, Md.; Boston, Mass.; Pontiac and Superior Township, Mich.; Minneapolis and St. Paul, Minn.; St. Louis, Mo.; Omaha, Neb.; Newark, N. J.; Cleveland and Toledo, Ohio; Chester, Delaware County, Erie, and Philadelphia, Pa.; Providence, R. I.; Pasco, Wash.; and Superior, Wisc.

Publicly-assisted and/or urban redevelopment -- Nine cities have provisions applying to this area: Los Angeles, Sacramento, and San Francisco, Cal.; Hartford, Conn.; Superior Township, Mich.; Minneapolis and St. Paul, Minn.; and Cincinnati and Cleveland, Ohio, Des Moines, Iowa.

Reprinted from **TRENDS** *IN HOUSING*
Published bimonthly by the
National Committee Against Discrimination in Housing
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Founded in 1950, the National Committee is composed of 30 religious, civic, labor, and minority group organizations which seek to remove religious and racial restrictions from the nation's housing market. A subscription to *Trends in Housing* is $2 a year.

Charles Abrams, *President*
ALGERNON D. BLACK, *Chairman of the Board*
FRANCES LEVENSON, *Director* MARGARET FISHER, *Editor*

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INTERRACIAL PROJECT

A Reprint From
THE COMMONWEAL
386 Fourth Ave., New York 16, N.Y.

Experiment in Housing

WILLIAM M. DWYER

CONCORD Park is primarily the story of one man's struggle against his times. That man is Morris Milgram, a young builder with a mission. It is also the story of George Otto, a Quaker with a solid reputation for honesty and sound business sense. Milgram, the dedicated liberal, and Otto, a conservative not given to risking all for a cause—this combination, backed by a group of small investors, has overcome formidable obstacles to create a development possibly unique in American housing.

The development, Concord Park, is spreading out on the edge of Trevose in Bucks County, Pennsylvania. It is about half-way between the city halls of Philadelphia and Trenton, and eight miles from Levittown, the new mass-produced suburb. But by another measure Concord Park and Levittown are worlds apart. Levittown is a "white island;" even Ralph Bunche couldn't buy a house there. Concord Park is believed to be America's first single-home development built by private enterprise with the firm intent to find both white and Negro buyers—*and* to keep the place integrated.

It was early 1952 when Morris Milgram set out to make a dream come true and to prove something: that a private builder can make money when he builds good houses and sells them without racial discrimination. In seven years since the end of World War II, he found, only 1,044 units were privately built for Negro occupancy in the sprawling Philadelphia metropolitan area. And only 347 of these units were for sale. In the same period more than 140,000 units were built for whites. Clearly, something had to be done about breaking the pattern of segregation in new, private housing. And just as clearly, nobody was itching to be first to do something about it. He decided to try.

The first major problem was money. It took more than two years to get it. The people with the money, it seemed, considered "interracial" a dirty word. "Go ahead and crusade if you like," they said, "but we're in business to make money."

For nine months at one point Milgram went ahead with plans, thinking he had the backing of a large mortgage company. But the company finally reneged, with this explanation: "Fellowship isn't our business. Making money is." Milgram tried other mortgage sources. But nobody was interested. He tried to tap some big-name liberals for backing. But they said no.

There was investment money for an all-Negro development, Milgram found, and plenty for all-white projects. But none for interracial housing.

Things were looking hopeless when in the summer of 1953 along came George Otto, the Quaker builder. The two men formed a stock corporation and set out to peddle stock. Within nine months they had drummed up $150,000, enough to buy the site—fifty acres of truck farm land—and put up a sample house. By August, 1954, the house was on the market.

More headaches were ahead, however; they still needed mortgage financing. One by one, more than forty financial institutions turned thumbs down on the project. Two banks reneged after making oral committments to purchase the mortgages. With the project facing financial ruin, Bowery Savings of New York came through. This bank, with a long record of aiding minority housing, took the mortgages on the first section of thirty houses. Later, more mortgage money appeared, and there were some loud sighs of relief.

AS Concord Park started taking shape, the biggest problem of all emerged: finding enough white buyers. An advertising campaign brought thousands of whites out to look at the sample house. But look was about all they did. The house was a good buy (a ranch-type selling for $12,000 to $13,500) but . . . "Well, you know how Negroes depreciate the value of property." "It would be like buying an off-brand automobile. Nice, but what would its resale value be?"

There were many other deterrents for whites. "Moving here would be all right with me," one woman said, "but my parents would never get over it." One man was afraid he'd jeopardize his chances for promotion if he moved to Concord, because his bosses were "pretty conservative people." A lawyer declined because he would "lose face with his clients."

There were those who put down deposits on a house only to decide against it on second thought. And those who "don't care for ourselves but we don't want our children to grow up with Negroes."

Mr. Dwyer is on the staff of the Trenton *Times*.

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The ratio of Negroes to whites created certain special problems. Should it be the same as that of the Philadelphia area—twelve to fifteen per cent? Should the project's primary purpose be to provide housing for minority members? Should there even be quotas? And if so, what should the ratio be—twenty-five to seventy-five, fifty-fifty?

At first it was hoped quotas would not be necessary. But the tremendous pressure of the Negro market produced five prospective Negro buyers for every white. Without controls, Concord might become another all-Negro development. So Milgram decided on enforced integration, with a ratio of about fifty-fifty. At this writing, it's as fifty-fifty as a place can get. Twenty-five homes are occupied, twelve by white families, twelve by Negroes and one by a white-Negro couple. Eventually there will be 139 homes and the continuing problem will be to find enough white families to maintain the ratio, or possibly increase it some.

THE twenty-five families at Concord appear to be happy about their new life. There has been no vandalism, no "incident." No family has moved out. The children of both races play together, unaware of such adult inventions as the color line. With their parents, it is the same—bridge parties, neighborly visits, Sunday barbecues—and no color line. There has been no protest from nearby Bucks County whose attitude about Concord is described as "curious but not unfriendly."

Quakers are the chief backers of the venture and two of the houses are occupied by Quaker families. There are four Jewish families and four Catholic families. The rest are Protestant. Residents report that the Quakers are the only ones so far who have invited them to come to church. One Catholic family (Negro) goes to Sunday Mass at its old church in Philadelphia. The head of this same family has high praise for what the Church has done to improve race relations. But he has some reservations about the lack of concern for minority problems often found at the parish level.

"In interracial and other matters," this family head says, "people need the leadership of the clergy. People are basically decent; all they need from the clergy is a push in the right direction. But too often, the push is in the wrong direction."

In bringing Concord to life, Milgram has broken the ice of segregation in private housing. Never again need a private builder, banker or buyer be the first. Milgram has knocked holes in a number of myths, including the one that says there is no Negro market for good housing. The young builder's big hope is that other builders will now go out and do likewise.

HOUSING PROGRAM
INFORMATION FOR TEAM MEMBERS

CONFIDENTIAL:

Because of the barriers facing minority groups in New York City in the area of housing, CORE Housing Committee has decided to use an old and proven system of "teams" for persons interested in promoting OPEN OCCUPANCY.

In order for the "system" to be successful, there are a few particulars that must be followed. It should be essential, the general principles must be kept in mind at all times since you are representing yourself, a technique, and the ethics of CORE.

DRESS:

It is necessary that all participants, whether minority or control, be dressed appropriately. It is conceivable that a housewife would go out on a Saturday afternoon looking for an apartment wearing slacks or pedal pushers. However, since we will be working on "soft ground", ladies should refrain from wearing slacks. Young men should wear neck ties and be well-shaved,etc.

DECORUM:

Participants should at all times refrain from arguing or losing their tempers, although there might be provocation with superintendents, rental agents, or brokers. This might, in the case of the minority, be used as a "reason" for not finding you a suitable tenant.

HOUSING INVESTIGATION PROCEDURES

I. The Chairman of the Housing Committee will assign two people (integrated) one or more buildings for inspection. Inspections must be carried out by two people (integrated).

I. Each pair should have a supply of Housing Committee Violation Forms; these forms explain which violations to look for.

a) Inspection begins on the roof and proceeds down to the cellar.

I. At each apartment, introduce yourself as a CORE Housing Committee Investigating team. Explain reason and purpose of investigation.

a) Fill in information at top of form.

b) List all violations.

c) Explain to tenant what follows your inspection:

1) All information is sent to J.Gribetz, Deputy Commissioner of Dept. of Bldgs.

2) Dept. of Bldgs. will sent out inspector to follow-up your inspection.

3) It is very important that City Inspector be admitted.

4) Get name and badge number of inspector.

d) Try to interest tenant in a Tenant Council.
If possible, arrange date and time for first meeting.

e) Tell each tenant about our Housing Clinic at __________ P.M.
every ______________, at ________________ office.

V. Return inspection forms to office. If possible, have them typed up that day. If not, return to Housing Committee basket.

cont: c) The single Apt. Violations sheet, signed by the tenant should sent to the Dept. of Rent and Rehabilitation Commission for rent reduction.

V. Tenant Council Procedures

a) At the first meeting, try to have a election for a Chairman, co-chairman and secretary.

b) Allow tenants to conduct meeting and assume full responsibility for Council.

c) Give tenant Council members names and addresses of City agencies they can contact:

1) Department of Buildings (Division of Housing)
Municipal Building - 18th Floor
New York 7, New York
WH 3-3600 or WH 3-3535

2) Department of Health
125 Worth Street
WO 4-3800

3) Department of Water Supply, Gas and Electricity
Municipal Building
New York 7, New York
Water: 24th Floor
Gas and Electricity: 23th Floor

4) Rent and Rehabilitation Commission
2 Lafayette Street
RE 2-0112
or
541 West 145th Street
FO 8-5100

d) Whenever possible tenants should fill out all forms and contact all City Agencies, Departments and the LANDLORD. In some instances, it might be helpful to use CORE stationery for correspondence, but NOT NATIONAL CORE STATIONERY.

e) The kind of action taken, will depend on condition of building. If in doubt, ask Chairman or lawyers assisting Housing Committee.

f) When returning to building you have inspected, take leaflet "Attention All Tenants" to post in lobby or leave at apartments to advise tenants of date, time and apt. or office of next Tenant Council meeting.

I - RENT STRIKES

Since the commencement of the recent spontaneous wave of rent
trikes, the Workers' Defense League has had innumerable requests for
nformation and guidance relating both to the practical and the legal
spects of rent strikes. This pamphlet is being issued by the Workers'
efense League at the request of many individuals and community leaders.
n doing so, the Workers' Defense League is not attempting to supply an
xhaustive statement of all of the relevant law or an exhaustive treat-
ent of all of the practical aspects of organizing and conducting a rent
trike. It aims only at furnishing such general information as will
nswer the questions which have thus far most frequently arisen.

hat is a rent strike?

A rent strike is an organized refusal by the tenants of a building
o pay their respective rents predicated on the failure and neglect of t
heir landlord to provide them with essential services.

re rent strikes legal?

The answer is that rent strikes are legal and that the lower courts
n New York City have established methods of dealing with them. Those
ethods are applicable where the apartment building suffers from viola-
ions which are "hazardous or dangerous to life, limb, or health." In
uch instances the tenants may withhold the payment of rent to the land-
ord. The withholding, however, takes one of two forms:

1. Under the first line of cases which are based on a decision of
udge Sallotolo, provision is made for the payment of the withheld rent
o the clerk of the court to be withdrawn by the landlord by court ord-
r upon proof that the money will be used to correct violations in the
uilding. Under this line of decisions when the violations are removed,
ny monies remaining with the clerk of the court would be paid to the
andlord.

2. The second line of cases is predicated on a decision of Judge
oritt, which holds that where hazardous violations are present, it acts
o "suspend the entire rent." Under this decision, tenants are not re-
uired to deposit the withheld rents with the clerk of the court and
ever have to pay their rent for a month in which they were not supplied
ith essential services or during which hazardous violations were per-
itted to continue to exist.

an rent strike tenants be evicted?

Tenants on rent strike CAN NOT BE EVICTED if their apartments or
uildings contain hazardous violations.

oes the violation have to be "Of Record"?

There is nothing in the law which requires that hazardous violations
e of record (that is, be recorded in the records of the Department of

Buildings) in order to constitute a defense to an eviction proceeding for failure to pay rent. Consequently, tenants (or any other persons) who have observed the defective conditions should be brought in to court as witnesses. Photographs are very useful if they are large and clear. They should be labelled in order to indicate who took them, when they were taken and precisely where.

How to get the violation on record.

When a violation is of record with the Department of Buildings, its existence will normally be beyond dispute. The existence of a violation "Of Record" renders any testimony of the landlord to the effect that he has no knowledge of the particular violation almost incredible as a matter of law. The tenant should make a thorough inspection of his building. All violations should be entered on "Rent Commission" (Rent and Rehabilitation Administration form: "Tenants Application for a Decrease in Rent".) At least four copies of the form should be prepared for each apartment: one copy for the tenant's records, one for the Buildings Department and two for the City R.R.A. The original of the form must be notarized. The list of violations should be specific and complete, not simply "many rat holes". Instead, specific entries such as "rat hole in northwest wall of bedroom and rat hole under sink in kitchen." The tenant should not forget to repeat all violations in the public areas of the building on the list for his own apartment. The tenant should not fail to include "invisible" violations, that is, insufficient heat, lack of hot or cold water, or neglect with respect to sewage disposal, garbage collection and extermination services. As soon as possible, copies of the list of violations for each apartment should be taken to Mr. Judah Gribitz, Deputy Commissioner, Departmebt of Buildings, Municipal Building, Chambers and Centre Streets, N.Y.C. with the damand that there be an immediate inspection. These copies should be left for him for his inspectors' use and the tenants should be notified of the date of the inspection. If any eviction, "dispossess" or other court proceedings are pending against tenants in such building, Mr. Gribits should be informed of the date the case is to be heard in court. It is important that you impress upon him that he make sure to have the premises inspected and the violations entered on his record before that date.

Using the City R.R.A.

The New York City Rent and Rehabilitation Administration supervises rent control in New York City and consequently has the power to reduce rents (even to $1.00 per month) where there has been substantial deterioration in the premises or services. The tenant should push vigorously for these rent reductions because they result in a permanent saving of rent. That is to say, that when services are restored and rents are returned to their original level, the tenant would not have to make up the difference between the reduced rent and the original rent, for the months during which the services were deficient. Two copies of the "Tenant's Application for Decrease in Rent" for each apartmant (see below) should be sent to the Rent Commissioner. In the more serious cases, a telephone call to Mr. Ed Davis, Chief of the Enforcement Division, will result in accelerated action by the otherwise "pokey" Rent Commission.

What is a hazardous violation?

Whether a violation is "hazardous" is a question of fact for the trial judge and will vary somewhat from case to case. The Department of Buildings itself labels violations of record as being either "hazardous" or "non-hazardous." The court, however, makes its own decision on this matter. The following are examples of hazardous violations:

1. Violations affecting sanitation: no cold water; leaking sewage pipes; protracted failure to remove garbage; failure to employ extermination; and extreme conditions of rodent or insect infestation.

2. Violations affecting heat: no heat or insufficient heat for protracted periods.

3. Violations which increase fire hazards: obstructed or broken staircases; or bannisters; broken fire escape treads or stringers; accumulation of rubbage or other combustibles; dangerous defects in boiler or heating system; failure to have fire retarding material where required; failure to have self-closing fire doors in bulkheads or where other wise required; overloaded, insufficient insulation, or otherwise hazardous electrical wiring; defective fire escape windows, broken plaster on ceilings or walls which are in danger of collapsing; leaking gas; exposed electrical wires; and defective flooring.

When the tenant is in doubt about whether the condition would be considered hazardous, he should consult first a housing attorney.

Custody of rent monies.

Tenants should purchase money orders or bank teller's checks (no personal checks, unless certified) in the exact amount of his rent at the beginning of the month. These should be made out in the tenant's own name and deposited in a safe deposit box. (Withdrawal from an escrow account is very cumbersome and perhaps dangerous when time is of the essence.)

Tenants on welfare.--

Should a tenant on Welfare receive a "dispossess" or eviction notice, his welfare investigator should be notified immediately in order that the welfare attorney may be advised to assist the tenant's attorney in the defense of the welfare recipient-the tenant.

When the Welfare Department is informed that one of its clients is on rent strike, the Welfare Department will withdraw an amount equal to the tenant's rent from its semi-monthly welfare check. The tenant should keep a record of these withholdings since, in such event the Welfare Department becomes an escrow depository for the rent of its client, subject to the order of the court.

When a "Dispossess" comes

A "Dispossess" is the common word to describe the "precept" which summons the tenant to court and the "petition" in which the landlord or his agent requests the court to allow the eviction of the tenant from the apartment. The petition should be examined to see if it is for non-payment of rent (see upper left hand corner of "petition"). If it is for any other reason than non-payment a lawyer should be consulted immediately. These two papers are printed on both sides of an 8" by 13" sheet of paper. The original petition signed by a Marshall or any other person is invalid and A FRAUD ON THE COURT. The "dispossess" may be served either in person or, as is more likely, by "nail and mail."; that is, after attempting unsuccessfully to serve it upon a person of suitable age in the apartment, one copy is attached to the door and one copy of it is mailed to the tenant at his home address. The "dispossess must be answered within the prescribed five day period. This may be done in writing by the tenant's lawyer or by the tenant in person at the office of the clerk of the court. If there is a legitimate question as to whether proper service of the "dispossess" was made on the tenant, or whether the "petition" was signed by the landlord or his authorized agent, the tenant should make a "Special appearance" and put the case down for "traverse". To answer the "dispossess" where the service is not in question, the tenant should state to the clerk that he wishes to enter a "General Denial" and in addition state that he wishes to raise the issue of "abatement of rent" because of constructive eviction -- to wit, failure to repair hazardous violations." The tenant, and all witnesses must be in court on the trial date. The tenant should also have with him the money orders for the rent in the event the Judge requires that the rent be deposited in court.

What if the Tenant receives an eviction notice?

An eviction notice may not be issued except after a trial or after the failure of the tenant to answer a dispossess. It is not inconceivable however, that a Marshall's eviction notice will be the first paper which the tenant receives. In such a case, a tenant may apply to have the judgment dispossessing him because of his default vacated with the request that a new trial date be set in order that he may present his defense. This must be done by an "ORDER TO SHOW CAUSE" supported by an affidavit by the tenant telling the facts of the case (see appendix for samples of such order to show cause and affidavit). At least four copies of the show cause order and affidavit must be prepared. The "Original Order" should be signed by the judge sitting in Civil Court, Special Term, Part II, or, under emergency conditions, by any judge of the Civil Court of Supreme Court. All changes and additions on the "Original Order" must be copied in block printing on the copies and one copy must then be served on the Marshall and another on the landlord's attorney or on the landlord, if no attorney is listed

What if the Landlord or his agent evicts the Tenant?

An eviction by any person other than a Marshall of the City of New York (or a sheriff under certain circumstances) is a CRIMINAL OFFENSE.

How to take the Landlord to Court.

Many of the more serious willful violations will subject the landlord to criminal penalties. Section 2040 of the Penal Law provides: Any leasor, agent, manager, superintendent or janitor of any building or any part thereof, the lease or rental agreement whereof by its terms, expressed or implied, requires the furnishing of hot or cold water, heat, light, power, elevator service, telephone service or any other service or facility to any occupant of said building, who willfully or intentionally fails to furnish such water, heat, light, power, elevator service, telephone service or other service or facility at any time when the same are necessary to the proper or customary use of such building, or part thereof, or any leasor, agent, manager, superintendent or janitor who willfully and intentionally interferes with the quiet enjoyment of the leased premises by such occupant, is guilty of an offense, punishable by imprisonment in a county jail or workhouse for a term not exceeding six months, or by a fine not exceeding fifty dollars, or by placing on probation for a term not to exceed two years, or by all or any of these punishments.

A summons for such violation will be issued by the clerk of Part 7D of the Criminal Court, 52 Chambers Street, upon application by the tenant. A violation by the landlord may be considered willful or intentional if it is a repeated or continuing one and/or if he has knowledge of a serious deficiency and does nothing to remedy it. It is probable that the hazardous violations outlined above would fit the language of the statute which refers to "any other service or facility". When the summons is served it must be served on the landlord or other person named as defendant. It is suggested that the summons not be sought against a landlord in his corporate name by the tenant who is making the complaint. If necessary, the tenant may request the assistance of any police officer in making service of the summons on the landlord.

******

6. therefore the tenant wants:

a. the landlord ordered to make repairs
b. ~~the-city-to~~
the landlord prosecuted
c. to make his own repains with rent money
d. ~~the-landlord-prosecuted.~~ the city to takeover the building and make repairs

CORE will be fighting the real estate intereste of the city, the white politicans who are elected by these interests and are uncöncerned wity the necessity to destrou the ghetto, the black politicians who vefy often are not interested in ~~challenting~~ successfully challenging the status quo as long as they are re-elected, and the civil service and appointed peope who emforce the building code on a small budget, who are lazy, open to bribrary, and too often also basically unconcerned. There is also the welfare dept whicn is rarely has a progreeesive attitude and the ghetto apathy and fears of landlord intimidation and being taken off welfare.

Organizers ~~will~~ may find tennant resitance to organization the most frustrating. H e will hear" people in my building wont get together, it wont work, so and so is dirty, an alcoholic, a prostitute, an uncle tom, never pays the rent, lets her children run wild, etc. etc. and some of this will be true. It is his JOB, howëver, to explain to all the tenants that the larger the tenant council, the greater the chance of success against the landlord. The Landlord is the person at fault. If the yard is cleaned, the children will have a place to play. If the landlord respects his tenants, the tenants will be encouraged to maintain property.

As far as thde landlord is concerned, fä- if a buidding is falling sown it doesn't matter who is in it, his job is to repair. If he can't get mortgaging, that;s his fault. If the super is an alcohilic, the landlord should pay a super who can make some repairs, or at least fire the furnuce.

In chicago, where the courts are very hostile, the emphasis is on negotiation with the landlord in a tenant council meeting. The provate landlord is seared by the ma name of CORE and is often amazed by tenants united to insist on repairs. The landlord often complies. The threat of witholding rent, picketing his home and embarrassing him, ar taking the case to the city gibe, whose processes he is often unaware of, is often adequet pressur.

The large real eatate holding companies offer a different problem. When the emphásis is on a block organization, certain buildings will be managed by these ~~companie-~~ agencies. The tenants are dealing with an agent, krather than the landlord himself, The records are usually purposely muddled so that the owner cannot be found. Real estate agencies are smart operators, wigh well paid, experienced lawyers. They will evict fast. The agent should be dealt with as a landlord, and told that a s the rent is paid to the agency, it is up to to agency to provide for repairs. After a period of time, the chapter will progably be working in several buildings managed by one agence. A large packet line can be thrown up around this agency with tenants from your several buildings. With the statistics of violations on these buildings, CORE may be able to prepare oa sound case against the agency asking fro li license investigation, or recievership. This can be handeled by 1 or 2 interesed ~~parties-~~ people as a side project.

There is a temptation to center activities against particularly negligant agencies however your chapter strength is greatly weakened for you will not have time to work on block committees if you are only speaking to tennants in buildings under one agency. The court process takes a long time, so landlord negotiation is strongly reccomended.

H sing
NYC

Mr. Val Coleman 9/19/63

Housing

Some time ago, as you know, I met rather unexpectedly with Commissioner Birns, Deputy Commissioner Gribitz Chief Inspector Raleigh, Mollen and Mollen's vice chairman. In the course of that meeting I was given a birdseye view of the usual city department excuses for the failure to cure housing problems.

After the NYU Core demonstration, I spoke several times on the telephone with Birns and I believe Joel did also. Birns was cooperative in two respects, in offering himself and Gribitz as witnesses, together with the department records, without sub poena and then causing at least some steps to be taken towards the begining in cleaning up Eldridge Street.

Quite aside from any consideration affecting direct action in Eldridge Street in the near future, there is a real possibility of ameliorating the conditions of the tenants of that area through the following program.

The department says it does not have enough inspectors. This is generally true. The department does, however, have jurisdiction over laws which, at least in part the Police Department also has the power to enforce. The Police Department definitely has power to issue summonses for certain kinds of building violations, health, sanitary and other violations. This means that if two or three city departments can be forced to coordinate their efforts and to put pressure on the Police Department, some 20,000 policemen can become inspectors, at least part time. It is my opinion that, through Messrs. Birns and Mollen, this cooperative arrangement can be secured provided that certain feasible objectives are fixed.

It is well known that 20 to 25 landlords control about 80% of the slums on the lower Eastside. A similar pattern obtains in other slums sections. Bearing in mind the limitations on both Core and departmental manpower, it is obvious that the attack should center on the key landlords.

It is further well known that if the landlord comes in to Court as the recipient of 10 or 15 summonses, the likelihood is that he will be convicted on two or three violations, fined and have sentence suspended on the balance. It is also clear that, if the landlord is given one or two summonses every day and consequently required to be in Court, with an attorney, virtually every day, he is much more likely to feel the pressure and to find it uneconomical to continue his unlawful conduct. This technique has been used widely in the New York City area, particularly by tenants groups in the Bronx.

Putting these considerations together, the various departments and the Police Department should be induced to cause a summons to be filed against given landlords every single day. This means that no individual inspector's or policeman's time is taken up to the extent of preventing him from performing other duties. At the same time, the most effective possible action is being taken against the landlord.

Either Core groups or other groups can greatly assist such a program in certain respects. First, members of the groups can point out specific violations. Second, members of the groups can remain in daily touch with each department to be sure that summonses are being served every day. Third, periodically, members of the groups can appear in Court or see to it that the landlords' appearances in Court are covered by the newspapers so that the judges understand that this program has public support or at least public attention. Fourth, the departments can have assistance by assuring tenants' cooperation and by having the various corporate relationships by which slumlords hide their ownership clarified. This is mainly tedious research work, which students can easily undertake. While such activities would be most helpful in assuring that a program against the slumlords does not whither away, such cooperation is not essential. Periodic inquiry is essential.

Core groups and others can definitely accomplish certain other objectives. First, if a landlord threatens tenants with physical force, immediate contact with Birns will assure police protection. Second, where themtenants are in large parts Spanish speaking, Core members can explain both the problem and the fact that there is hope if the tenants cooperate. Sociologists are particularly happy with Core action in the housing field because they consider tenant apathy as a major aspect of the problem of improving the living and social conditions of slum people. Further, many of the tenants live in fear and do not know their rights. Tenants can help themselves greatly by doing something beyond the scope of Core action, namely joining and becoming active in their local political clubs. Encouraging political action by the tenants, whatever form that political action takes, is of great importance in the ultimate improvement of dwelling conditions.

In my opinion, a program against a given landlord must be counted on lasting for two to three months, It is consequently necessary that city action be taken against several landlords simultaneously. I would suggest starting with one and adding a second, a third and a fourth at one week interval. Since these landlords are known to cooperate, success against one or two is likely to have a wide apread effect among the rest of the group.

It is further important to understand why the landlords find these slums profitable. In the first place, the land is genrally more valuable than the buildings and is the true investment. There is also the expectation in New York City that the land on which a slum stands will be redeveloped and will consequently have a much greater value within the forceable future. Second, the buildings can be amortized for tax purposes with the result that very little in the way of income tax is actually payable on the frequently substantial revenue derived from a group of slum dwellings. The periodic sales of buildings by one slumlord to another, which are in fact merely exchanges, create a series of artificial levels for tax amortization purposes. This, and the fact that many rents are paid in cash, suggest, as Joel has said, encouraging tax investigations of the slumlords.

Action towards the reduction of rents requires an initial decision concerning the desirability of having the city institute receivership proceedings. Under the receivership law, the city can use only rents collected to improve the buildings. If, therefore, the rents are radically reduced, receivership becomes impratical since the city will have no funds which to assist the tenants. Rent reduction should therefore be undertaken only where receivership is ruled out.

In Spanish speaking neighborhoods, it is urgently suggested that Spanish speaking students and at least one Spanish speaking attorney be recruited.

The foregoing program is feasible from the city's standpoint as well as being likely to produce the result of improving living conditions. It meets at all points any reasonable objections of the city based on lack of funds and lack of personnel. It consequently provides a good basis for further direct action should the city refuse refuse its cooperation.

There is another aspect to the housing problem which should definitely be explored. The building department is now committed to a series of cyclical inspections, such as the one recently completed in the Eldridge area. The

Building Department is entirely willing to furnish a schedule of these inspections on unofficial basis. Local Core groups can make these inspections even more effective by securing tenants cooperation and by double checking inspectors for the obvious reasons. Further, after thousands of summonses are served and violation notices sent in a given area, the local Core group can render invaluable service by continuously checking on follow up procedures.

The foregoing proceeds from the recognition of certain circumstances, particularly that the housing problem in New York City at this time is immensely complex. Without direct action, there is in my opinion, no likelihood of any succes.. On the other hand, direct action alone will not accomplish the actual objective of having slum conditions improved in lieu of having slums torn down and the occupants relocated in worse slums. Further, the undesirability of the ghettos that now exist and the recognition of the ultimate objective of breaking up the ghettos does not meet the instant need of improving the slum conditions. Consequently, any program in housing must involve a certain degree of involvement with city government and with social service agencies. It must also be considered that at some point it is necessary for any program to be effective, to undertake a certain amount of tenants' education in maintaining buildings once repaired.

To the extent that the necessary activities exceed the bounds of Core action, cooperation of other groups is an obvious requirement.

G.S.

Good News! Contributions to NCDH are now deductible from your income tax — see page 3.

FEB 21 1964

Mr. Norman Hill
Cong. of Racial Equality
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New York 38, New York

TRENDS IN HOUSING

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Order's 1st Year Had Small Impact

Resistance Negligible

As the first year under the Executive Order barring discrimination in federally-aided housing ended, neither the hopeful expectations of supporters nor the gloomy forecasts of opponents had been realized. The record shows that little happened — good or bad.

Thus far, relatively few minority-group families have been directly benefited by the anti-bias mandate. The limited scope and narrow interpretation of the order, inadequate informational programs about what it covers and how it operates, and cumbersome, slow-moving enforcement procedures have discouraged its use. Throughout the country only 27 complaints under both the mandatory and the "good offices" sections of the order were filed, and less than a third of these had been satisfactorily settled during the year.

"End of Scare"

And what about the industry's contention that the order would play havoc with business? "Integration: End of the Big Scare," *House & Home* (January 1964) headlined one section of its report on the National Association of Home Builders' annual convention, recently held in Chicago. "This year's meeting was in virtually universal agreement that the order has had only a slight effect on housing," *H & H* declared.

The Luce publication for the building industry went on to report that "Home building apparently ended the year 10% ahead of 1962 levels," and the president of the National Association of Real Estate Boards has stated that neither construction nor sale of homes has been much affected "by Federal pressure for the integrated neighborhood" (*Dallas Morning News,* Sept. 4, 1963).

The "end of the big scare" was underscored by a recent report issued by HHFA Administrator Robert C. Weaver.

(*Continued on page* 7)

District of Columbia Gets Broad FH Order

New Law in Madison, Wisconsin

Late Bulletin. St. Louis, Mo., Jan. 31.—The Board of Aldermen of St. Louis today passed a fair housing ordinance by a vote of 15 to 4. It is the first law in Missouri and the 29th in the nation to bar discrimination in private housing.

The nation's capital and Madison, Wis., have joined the growing number of cities and states which, during the short span of six years, have banned racial and religious discrimination in private housing. On Dec. 31, a comprehensive fair housing order was unanimously adopted by the District of Columbia Board of Commissioners, the three-member body appointed by the President to administer Washington's municipal government. In Madison, a more limited ordinance was passed on December 12.

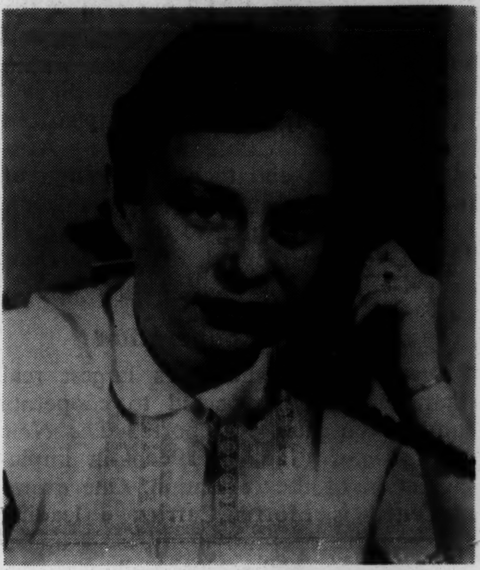
Thus, as 1963 drew to a close, the fair housing roster stood at 28: 13 states, 14 cities, and the Virgin Islands. Four more states and at least 50 additional cities prohibit discrimination in government-aided housing. (For Scoreboard on all nondiscrimination housing legislation, and digests of the private housing laws, see *Trends,* Sept.-Oct., 1963.)

Washington Order

Washington's fair housing regulation, which became effective Jan. 20, 1964, bars discrimination in the sale of all residential property, including building lots, and in all rentals except rooms or apartments in owner-occupied one- and two-family dwellings. Its prohibitions apply to owners, managers, brokers and salesmen, mortgage lenders and to real estate advertising. Provision is made for the enforcement agency to seek temporary court injunctions to hold the housing at issue in status quo during the pendency of complaints.

Real estate brokers and all persons who "operate a housing business" are required to post a summary of the order in a conspicuous place in their offices. Also, panic peddling, or the use of "blockbusting" tactics, by real estate agents or by others is specifically forbidden.

(*Continued on page* 2)



FRANCES LEVENSON

A Message from the Chairman of NCDH

After ten years of devoted, able service as Director of the National Committee Against Discrimination in Housing, our beloved Frances Levenson has tendered her resignation in order to accept appointment as Counsel to the New York City Commission on Human Rights. She will assume her duties in this newly-created post on February 17.

Those of us who have worked with Fran, as officers and members of NCDH, join in thanking her and in extending our hearty wishes for the success of her future work. It is impossible to find words to express the appreciation of citizens, civic

(*Continued on page* 3)

New Legislation

(*Continued from page* 1)

Enforcement will be by the District Commissioners' Council on Human Relations, District Bldg., Room 208, 14th and E Sts., N. W., Washington 4, D. C. The Council is authorized to accept sworn complaints, to investigate the charges, and to attempt settlement by conciliation. If conciliation efforts are unsuccessful, it may refer the matter to the corporation counsel for prosecution.

Violators of the order will be subject to fines up to $300 or imprisonment of not more than ten days. In addition, brokers and salesmen who are found guilty of violating the regulation will be liable to loss of their licenses.

Opposition in Congress

Adoption of the order by the District Commissioners has been described in the press as "an act of municipal courage," in the face of bitter opposition by Southern members of Congress. The Commissioners had delayed action on a pending fair housing proposal in deference to the Southern-dominated District Committee of the House of Representatives, which many months ago requested postponement until hearings could be held by Congress.

The District Commissioners bowed to this request in order that Congress might have "opportunity to enact legislation in this area" before adjournment. However, no hearings were held, Congress adjourned on December 30, and the Commissioners — having fulfilled their pledge — adopted the order the following day.

The House District Committee exercises enormous power over municipal affairs in Washington, and local officials have expressed fear that the District budget, now before Congress, might be a principal target for reprisals. Of particular concern is adequate financing for the city's Human Relations Commission, charged with administering the order.

However, these apprehensions were somewhat offset by President Johnson's unusual action in sending a special separate message to Congress on the budget needs of the District, and his strong appeal to make "the capital of our nation symbolize our civic ideals." Even more significant is the fact that the White House and the Budget Bureau increased by $7.5 million the proposal submitted by the District government—the only item in the entire multi-billion-dollar Federal budget which was raised above the amount requested by the particular government department involved.

Long Campaign

Pressure for a fair housing regulation in Washington has been mounting over the past two years. In addition to the work of civil rights groups, strong support has come from the State Department and the U. S. Commission on Civil Rights. Public hearings held by the Commission in April 1962 revealed widespread discriminatory practices by the housing industry in Washington. More than half of the city's nonwhite residents, it found, lived in neighborhoods which were 90 per cent or more nonwhite, with more than half the whites living in areas which were 90 per cent white (*Trends,* July-Aug., 1962).

(Census figures in 1960 showed that Negroes represented 24.3 per cent of the Washington metropolitan population, and 53.9 per cent of the population within the city proper.)

The State Department has emphasized that the discrimination suffered by African diplomats, and their observation of the barriers faced by local Negro citizens, is extremely damaging to the foreign relations of the United States (*Trends,* Sept.-Oct., 1960, and following issues).

Industry Cooperation

Several of Washington's largest real estate firms are expected to cooperate fully—"even gladly," reported *The New York Times* (Jan. 1, 1964)—in implementation of the regulation. One example cited is Morris Cafritz, a leading builder who operates many large apartment houses in the city. Following desegregation demonstrations at his properties last summer, Mr. Cafritz pledged that he would be the first to open his apartment buildings to all qualified persons on passage of a fair housing order.

Local observers also point out that a number of large downtown apartment buildings are far from fully occupied, and that the regulation will help owners overcome any objections tenants may have to nondiscriminatory rental procedures.

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Madison's Ordinance

Madison's new fair housing ordinance is the first law in Wisconsin to affect private housing. (State law prohibits discrimination in public housing and urban renewal projects.) It will apply to the sale or rental of any housing accommodation if the owner does not reside on the premises, but will exempt all owner-occupied structures with four or less dwelling units. Also excluded is the rental of rooms in private residences. Vacant building lots are covered. The ordinance will apply to mortgage lenders and advertising with respect to all residential property, and to real estate agents in transactions involving property covered by the law.

Persons who are not bona fide homeseekers are prohibited from "testing" for the sole purpose of securing evidence of discriminatory practices.

Those who violate the ordinance will be liable to fines from $25 to $500. Enforcement will be by the Madison Equal Opportunities Commission, 1155 Edgewood Ave., Madison, Wis. 53711-257-2938.

Broad Support

Supporting the campaign was the Madison Citizens for Fair Housing, all civil rights groups, the three major faiths, and a number of civic organizations. A definitive study showing the need for an anti-bias housing law, prepared by the local League of Women Voters, undergirded the drive. The strong support of one of the largest realtors in the city also had a significant impact.

After five hours of heated debate on Dec. 12, the city fathers deadlocked 11 to 11. Mayor Henry E. Reynolds then cast the tie-breaking, favorable vote.

Leading the opposition was the Madison Board of Realtors, whose full-page advertisements in the press, urging defeat of the proposal, drew sharp attacks from leading religious spokesmen. The realtors' ad, declared the Rev. Winslow Wilson, District Superintendent of the Methodist Church, was "filled with ambiguities and half-truths."

The advertisements featured a "Property Owners' Bill of Rights," based on the policy statement being promoted by the National Association of Real Estate Boards and which is being widely used to oppose fair housing legislation (*Trends,* May-June, 1963). Referring to the "rights" listed in the ad, Mr. Wilson declared:

"None of them has any basic relation to the Bill of Rights of the Constitution of the United States, with which they are associated in the advertisement."

Churchmen also condemned use of the terms "forced occupancy" or "forced housing" as a misrepresentation of fair housing laws. All such legislation does, commented one clergyman, "is promise all citizens equal opportunity to find a home. . . . The right of a person to rent or buy a home he can afford in a neighborhood of his choice is a right so basic that it should not be questioned."

Buffalo Bans Panic Peddling

On Jan. 7, the City Council of Buffalo (N. Y.) unanimously adopted an ordinance prohibiting panic peddling ("blockbusting") by those engaged in the real estate business. Violators will be liable to fines up to $500 or one year in jail.

1964 Campaigns

In this off-year when relatively few State Legislatures convene, campaigns for fair housing laws and related measures are getting underway in Illinois, New Jersey, New York State and Rhode Island.

Efforts in New Jersey are concentrated on extending the present limited fair housing law to reach most of the housing supply and on improving enforcement provisions. In New York State, bills have been introduced to authorize the Commission for Human Rights to initiate complaints and to seek temporary injunctions to hold the housing at issue in status quo while complaints are pending. In Illinois and Rhode Island campaigns are being waged to enact the first anti-bias laws in those states to apply to private housing.

In Colorado, following a sit-in demonstration protesting weaknesses in the state's fair housing law, the Governor appointed a representative committee to bring in recommendations for needed amendments.

Efforts are also being made in several cities to pass fair housing ordinances. Among these are Baltimore, Md., and Wichita, Kan.

(A full report on legislative activity across the country will be carried in the next issue of *Trends.*)

Current Roster

States which now bar discrimination in private housing are: Alaska, California, Colorado, Connecticut, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Oregon, Pennsylvania and Washington.

In addition to Washington, D.C., and Madison, Wis., cities with fair housing ordinances are Albuquerque, N.M.; Ann Arbor, Mich.; Chicago, Ill.; Duluth, Minn.; Erie, Philadelphia and Pittsburgh, Penn.; New York City and Schenectady, N. Y.; Oberlin and Toledo, Ohio; and Tacoma, Wash.

NYC Housing Board Acts To Insure Integration

New Rules for Middle-Income Projects

New York City's Housing and Redevelopment Board has instituted a positive program to foster integration in all housing under its jurisdiction. The board supervises the city's urban renewal and middle-income housing activities.

Announcing the new policy, Milton Mollen, chairman of HRB, said: "The Housing and Redevelopment Board goes beyond a mere pledge that the doors of its projects are open to all on the same terms. We also accept joint responsibility with other public agencies for positive administrative action to assist families of varied racial and ethnic background to obtain occupancy of housing in our developments."

Sponsors, contractors and management agents must now agree in writing that they will: 1) make positive efforts to include nonwhite and Puerto Rican families in all HRB-aided projects; 2) submit all applications and waiting lists, with an overall breakdown of ethnic composition, to HRB prior to apartment assignments and periodically thereafter; and 3) follow nondiscriminatory employment practices.

These requirements affect fully-occupied projects with only waiting lists, as well as those in the early stages of occupancy. Also, HRB may withhold approval of applications of co-operators or renters in any development until it is satisfied reasonable efforts have been made to achieve integration.

Other policies adopted by the Board provide that a major consideration in site selection will be whether the location will attract and retain families of various groups; and that in selecting sponsors, the applicant's record in renting or selling to minority families in other properties he owns or operates will be checked, as well as his compliance with state and city fair housing laws.

HRB also furnishes advice to sponsors on their advertising and promotional programs for marketing housing to make sure that proper steps are taken to achieve equitable representation of various racial groups in the final tenancy of each project.

In addition, continuing studies of the racial composition in all of the developments under the Board's jurisdiction are being conducted. A recent survey of 48 of its projects, located throughout New York City, with a total of 28,141 dwelling units, found that 18.5 per cent of the units are occupied by nonwhite families (*Trends,* Sept.-Oct., 1963).

Overall coordination of the program is under the direction of Dr. Frank S. Horne, HRB's Consultant on Human Relations.

"It's Your Move"

The American Friends Service Committee has developed a color slide series, with an accompanying narrative, which is designed to assist prospective home buyers in their search for the housing of their choice. It follows a typical nonwhite couple as they look at various neighborhoods, inspect exteriors and interiors of model houses, talk with a broker about sales terms and explore mortgage financing, and as they examine their own budget and resources.

The narrative provides for description of existing fair housing legislation and the work of local fair housing committees, with symbolic slides to illustrate this section of the script. Both script and slides can be easily adapted for use in most localities.

To show the picture series, a standard projector which uses a 2 x 2 color transparency is needed.

Local groups and organizations interested in seeing or acquiring this excellent aid for promoting residential integration should contact AFSC, 160 North 15th St., Philadelphia, Penna. 19102. There is no charge for inspection. Cost for purchase is minimal.

Message from NCDH

(*Continued from page 1*)

agencies and fair housing groups, all of whom have recognized her values and expertness and have benefited from her cooperativeness with them.

I am glad this regretful message is accompanied by good news. Official notice has just been received that NCDH is tax exempt—that, effective Sept. 23, 1963, contributions to NCDH may be deducted on the giver's income tax return.

This exemption opens possible avenues of financial support for a broad-scale attack on housing discrimination and segregation heretofore closed to us. The NCDH officers and board are now working on proposals for program and organizational changes which look toward a greatly expanded operation.

During this transition period, the current activities of NCDH will be carried on with as little disruption as possible. Margaret Fisher, our associate director and editor of *Trends,* has agreed to serve as executive for the present.

ALGERNON D. BLACK,
Chairman of the Board

FAIR HOUSING AND REFERENDUMS

Growing Movement Causes Concern

A growing movement by the opposition to single out civil rights legislation for "popular referendums," thus removing one of the most complex and crucial issues facing the nation from the regular legislative process, is causing serious concern among thoughtful citizens over the country—even among some who have opposed the enactment of nondiscrimination laws.

In little more than a year, the drive for referendums to prevent passage of fair housing legislation or to revoke existing laws has spread from California to Michigan to Illinois to the State of Washington, and rumblings are being heard in other areas.

In California, the State Real Estate Association is circulating initiative petitions throughout the state in an effort to place a proposed constitutional amendment on the ballot at the 1964 elections. If the signature of some 500,000 registered voters are secured, and if the amendment is approved by the electorate, the state's recently-enacted fair housing law will be repealed and passage of such legislation in the future—either by the state or any of its counties or cities—will be prohibited.

"Homeowners' Rights"

In Detroit, a homeowners council obtained sufficient signatures on an initiative petition to carry a measure called the "Homeowners' Rights Ordinance" (it would guarantee a property owner freedom to discriminate or not, as he chooses) to a referendum on Aug. 4. However, NAACP has instituted court action to prevent its being placed on the ballot on the ground that the proposal is unconstitutional on its face (*Trends,* July-Aug., 1963).

(On Oct. 8, the Detroit City Council defeated a proposed fair housing ordinance by a vote of 7 to 2. The Council's action followed an opinion by the State Attorney General that Michigan's new constitution, which established a Civil Rights Commission with power to enforce nondiscrimination in housing (*Trends,* July-Aug., 1963), makes city ordinances unnecessary.)

In Seattle, the City Council refused to act on an open housing ordinance recommended by the city's Commission on Human Rights, and referred the proposal to a referendum scheduled for March 10, 1964. The local real estate board has assessed each of its members in order to build a campaign fund to defeat the fair housing measure. Elliott Couden, a West Seattle realtor who is a member of both the Commission and the SREB, has vehemently protested board's action. He also notes that two Negro realtors are among those who have been told to help finance the fight against fair housing.

Also in the State of Washington, real estate interests in Tacoma are attempting, by referendum, to strike down the city's new fair housing ordinance. Court action has been instituted by NAACP to prevent validation of the initiative petitions on the ground that enactment of the ordinance was of an emergency nature and it is thus exempt from attack by petition under the city charter.

In Illinois, the State Association of Real Estate Boards, the Chicago and other local boards over the state, and an organization called the Property Owners Coordinating Committee are seeking 510,000 signatures on initiative petitions to force the question of fair housing legislation to a popular vote at the November election. These forces led the opposition to Chicago's recently enacted fair housing ordinance (*Trends,* July-Aug., 1963).

The Arguments

Those who are pushing the referendum movement contend that fair housing laws are "forced housing laws"; that governmental interference with "private property rights" is wrong; and that their purpose in attempting to initiate referendums is to "give the people a chance to vote on an issue this large."

Those who oppose placing such issues on the ballot argue that:

¶ For the protection of the whole community, the legislative function must be left to legislative bodies. For the very reason that it is not possible for the electorate as a whole to make informed and objective judgments on complex issues, the people have placed the responsibility on their elected representatives to determine the kind of legislation needed to deal with problems affecting society, to assemble the facts, to engage in reasoned debate, and then to enact laws which are for the public good. If this responsibility is abused, the people can defeat their representatives at the polls.

¶ Why are civil rights proposals singled out? The proponents of referendums in this area do not ask that all "large" or unpopular issues—such as tax laws—be submitted for approval by popular vote.

¶ Moral and constitutional rights are established rights which are not subject to the popular will.

¶ Issues which arouse racial or religious prejudice should not be involved in election campaigns. With their strong emotional overtones, such issues are open to unusual exploitation by extremist groups. Logical debate is cut off as passions become inflamed. The inevitable result is increased tension and bitterness, greater division within the community, and the infliction of long-lasting scars.

A Dangerous Move

Awareness that the referendum movement is fraught with danger is by no means limited to the traditional civil rights forces. In some areas, individual realtors, local real estate boards, apartment owners, conservative newspapers and others who have opposed the passage of anti-bias housing laws are against placing such an emotion-laden issue on the ballot.

A similar position is being taken by groups which are "neutral" on the question of fair housing practices. For example, the Detroit Bar Association has filed an amicus brief on behalf of NAACP in the court case referred to above. In a statement explaining why it intervened, although it has no official policy on open occupancy, the bar association said the referendum and attendant campaign could have no other result than to give extremists a holiday for "sowing the seeds of hate and violence and fomenting racial strife." The bar also stated that the "Homeowners' Rights" proposal in Detroit appears to be unconstitutional.

Berkeley Experience

Last year the entire nation witnessed what can happen to a sophisticated university community when it is subjected to an election campaign on an issue such as civil rights. After exhaustive study and debate, the City Council of Berkeley, Calif., enacted a fair housing ordinance (*Trends,* Nov.-Dec., 1962). Led by a 69-year-old stockbroker, opponents succeeded in forcing the ordinance to a referendum, where it was rejected by a close vote of 22,700 to 20,300.

In a few weeks, a community with a national reputation for enlightenment and liberalism had been split into two warring camps. The bitter campaign gave rise to wild rumors, bomb scares, a burning cross on the lawn of the pro-ordinance candidate for mayor, middle-of-the-night telephone threats (one member of the City Council who had voted against the ordinance reported a barrage of these), and other racist activities.

The town, comments the *Berkeley Daily Gazette* (Dec. 13, 1963) "underwent the most convulsive, bitter disagreement in its history . . ."

California Campaign

In the current referendum drive in California, the real estate industry itself is split wide open. Although it is being spearheaded by the State Real Estate Association (CREA), its past president and at least 14 of its local member boards—including some of the largest, such as San Francisco—have refused to support the campaign. A group of realtors, all members of CREA, have formed an ad hoc committee called "California Realtors for Fair Housing," and have stated they consider the initiative "morally indefensible." They are urging that the fair housing law be given a fair trial.

"The State association," comments the *San Francisco Chronicle* (Dec. 5, 1963), "should quit now while it's still not too far behind its own membership."

Other real estate interests who are opposing or have refused to support the referendum include home builders associations, the president of the Building Contractors Association of California, the California Real Estate Commission and the State Board of Investment. The past president of the Los Angeles (and National) Apartment Owners Association has urged landlords to "accept the fact that the law is here" and to obey it, posing this question: "If all other types of business can prosper under integration, why can't we?"

"Chaos and Confusion"

Loren Miller, vice president of the National Committee Against Discrimination in Housing and a distinguished California lawyer, says that if the proposed constitutional amendment were approved by the voters it would throw the real estate industry "into chaos and confusion." In its haste to strike down the fair housing law, CREA has drafted a measure with such broad language that present statutes which safeguard the rights of buyers, sellers and brokers would be swept away. Under the terms of the amendment, Mr. Miller states, "The broker could not collect a commission until he had satisfied the whim of the seller and the seller could make it impossible for the broker to satisfy that whim," and, if the amendment withstood constitutional attack, neither the legislature nor the courts could remedy the situation.

Fair Housing Support

The fight against the referendum initiative in California is raising many voices and involving many institutions: the three major religious faiths, individual churches and synagogues, and a host of religious leaders; the California Labor Federation; mayors and city councils; state officials from the Governor down; both the Democratic and Republican parties; at least 15 daily newspapers; the State Board of Education; and all civil rights and numerous civic organizations.

"Like an atomic war, this is a battle which cannot be won by either side, but must be lost by both," California's Attorney General Stanley Mosk recently declared in an appeal to the State Real Estate Association to call off its drive. Mr. Mosk went on to warn that if the issue of fair housing becomes involved in an election campaign, regardless of the vote, "victory would be pyrrhic. Pandora's box of ugly hatreds would have been opened."

AJC Urges Special Aids To Overcome Racial Gap

Opposes Quotas — Benign or Otherwise

The American Jewish Committee has called for a crash program of large-scale, deliberate measures to help Negro Americans overcome the disadvantaged position they occupy due to a heritage of discrimination and social deprivation. At the same time, AJC has expressed strong opposition to "any attempt to create a system of quotas for Negroes or anyone else in housing, employment, education or any other area."

In a policy statement entitled "Quotas and Race Relations," adopted by its national executive board in early November, AJC stressed the constitutional principle that civil rights are individual rights. "The legal recognition of groups even for benign reasons would give rise to a new political principle, one that would perforce make of the group the source of individual rights—a principle repugnant to democracy," the board declared.

Many Precedents

However, the statement continued, it must be recognized that Negroes, as a group, have been subjected to systematic discrimination and for generations have been deprived of the normal benefits and opportunities of society. It is therefore incumbent upon the nation, the AJC board asserted, to provide measures to help close the wide and growing gap which separates Negroes from other Americans.

"America has historically rendered special assistance to special categories of people upon whom society has enforced extra burdens and who have had special needs that could not otherwise be met," the committee pointed out. It cited special programs to aid veterans, workers, farmers, migrants and the aged.

Housing Recommendations

Specific recommendations in the field of housing included the following: extension of the Executive Order on housing to cover all existing federally-aided housing and all mortgage lending institutions supervised by the Federal Government; more state and city fair housing laws; assumption of responsibility by the real estate industry to build and operate open occupancy developments and to promote racial diversity in existing communities; direct support of AJC members and all citizens of efforts to achieve equality of treatment.

"The cause of integration will be better served," the board declared, "if less energy and attention are devoted to controversy over a 'quota' system, and more to the broader scene. Only imaginative, vastly-conceived programs can cope with this situation. Our energies should be devoted toward that end."

On Protest Demonstrations

In a second policy statement, the board pointed out that the American Jewish Committee supported the August 28th March for Jobs and Freedom in Washington and had urged its members to participate on the ground that the demonstration was a "proper, and indeed, characteristically American means of petitioning Government for the redress of grievances and for fulfilling rights guaranteed to all Americans."

Recognizing that social protest and pressure are, at times, effective means of mobilizing support for negotiation and agreement, AJC suggested that the question of participation in specific protest actions should be decided by such criteria as the justice of the cause, the effectiveness of the proposed technique, the question of its constitutionality, the responsibility of the proponents, and the groups which are associated in the proposed action.

"As the aim is to remedy those inequities which provoke protests, efforts to bring about remedies by such means as negotiation or legislation should be continued. Chapters can often serve a useful function in interpreting to their members and leaders of the community the tensions underlying demonstrations," the statement concluded.

Public Housing Is 78% Segregated

Slight Decrease Shown

Almost 78 per cent of the 3,028 public housing projects located in the 45 states which participate in the Federal program are racially-segregated, according to latest Government figures (*Trends Toward Open Occupancy,* Report #12, Public Housing Administration, Washington 25).

The current report, released in October and based on occupancy patterns as of Mar. 31, 1963, states that 675 projects are completely integrated. This represents 22.3 per cent of all projects, as compared with 19.7 per cent which were integrated in 1962. PHA defines a project as being "completely integrated" if tenancy includes at least one Negro family in an otherwise all-white project, or vice versa.

Low-income families now occupy a total of 491,783 dwelling units in public housing developments in some 1,200 towns and cities throughout the United States. Negro families reside in 233,270, or 48.4 per cent of all units. The corresponding percentage for 1962 was 46.7.

Of the total number of Negro families occupying public housing accommodations, 42.2 per cent (98,445) are now in integrated projects—a rise from the 34.9 per cent reported in 1962.

Federal public housing projects breakdown into 1,179 all-white projects, 1,174 all-Negro projects, and 675 integrated projects.

Cities and towns which have adopted open occupancy policies covering public housing installations, or which are operating on an open basis, rose from 36.2 per cent (444) in 1962 to 39 per cent (452) in 1963.

Oberlin & Toledo Laws

On Jan. 22, the Ninth District Court of Appeals in Ohio upheld the validity of the Oberlin fair housing ordinance, overturning the ruling of the lower court that the ordinance violated the state constitution (*Trends,* Sept.-Oct., 1962).

The case will automatically go to the Ohio Supreme Court because the opinion of the Appeals Court is partly in conflict with a recent one by a special panel of Ohio District Court of Appeals judges holding the Toledo fair housing ordinance unconstitutional because it was "too loosely written and therefore unenforceable." The Toledo law had been upheld by a lower court (*Trends,* Sept.-Oct., 1963).

Our Correspondents Report:

Ohio

In Ohio, a white saleswoman in a real estate office filed a complaint of employment discrimination against her employer and the local real estate board.

Her employer, she charged, dismissed her from her job because she refused to pay her membership dues in the real estate board. At the same time, she said, he kept in his employ a Negro saleswoman whom he did not require to pay dues—because the board had refused to admit her to membership.

After investigation, the Ohio Civil Rights Commission upheld the white woman's charge that her employer had treated her differently because of her race.

However, as a result of conciliation efforts, the local real estate board admitted its first Negro to membership, the complainant got her job back, and both ladies cheerfully paid dues to the board.

(From the 4th Annual Report of the Ohio Civil Rights Commission.)

New York

A precedent-setting policy to prevent the sale of real estate syndication securities where the property involved is to be used in a discriminatory manner was recently announced by New York State's Attorney General Louis J. Lefkowitz.

Permits to register such securities on the New York market will be granted only to those who include a statement in their offering prospectus that all facilities they operate or control will be free of discrimination because of race, creed or national origin, regardless of the state in which the property is located.

Mr. Lefkowitz said the market issue arose in connection with application to offer securities involving two motels in Huntsville, Ala. When informed of the new ruling, the promoters agreed in writing to include the anti-bias pledge in their prospectus.

In addition to the Huntsville properties, the agreement will apply to Holiday Inn motels in Oklahoma City; Brunswick and Folkston, Ga.; Charlotte, N. C.; Tampa, Fla.; and Laredo and McAllen, Tex. The new policy will largely affect apartment houses, hotels, motels and office buildings.

Maryland

The developers of all-white Regency Estates in the Maryland suburbs of Washington have been ordered by the U. S. District Court to sell a $26,000 home to a Negro school principal.

Dr. Roland E. Barnes, the principal, was the first person in the country to file a complaint under the Executive Order on housing (*Trends,* Nov.-Dec., 1962). However, FHA ruled it did not have jurisdiction because the property was conventionally financed.

Court action was then instituted. Dr. Barnes charged the developers had contracted to sell him a home, had accepted a $1,000 deposit on a site he had selected, and later returned the deposit with a note stating the property "was not available."

In handing down his decision, Chief Judge Roszel C. Thomsen rejected the developers' contention that they had signed a sales contract under duress. Eleven months earlier he had directed them to hold one of their $26,000 houses unsold until he decided the case.

STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION (Act of October 23, 1962; Section 4369, Title 39, United States Code)

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B. Paid Circulation		
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C. Free Distribution (including samples) by mail, carrier delivery or by other means	270	270
D. Total No. of Copies Distributed (Sum of lines B1, B2 and C)	1,933	2,086

I certify that the statements made by me above are correct and complete.

MARGARET FISHER
Editor

Order's 1st Year

(*Continued from page* 1)

"Predictions that the President's nondiscrimination order would result in a sharp downturn in homebuilding proved false, as we thought they would," he asserted. "Homebuilding has risen, and 1963 promises to be one of the highest homebuilding years on record."

Mr. Weaver said the record shows that resistance to the nondiscrimination mandate during its first year has been negligible. The Urban Renewal Administration had only four cancellations, and only 814 units of public housing (less than one per cent of the total number covered by the order) were withdrawn.

FHA Applications

Applications for FHA assistance totaled 255,854 during the first eleven months of 1963, as compared with 268, 986 for a similar period in 1962. Both industry and Government experts discount the housing order as the reason for the slight drop. FHA Commissioner Philip N. Brownstein notes that applications from Atlanta reached a new high in 1963, topping 1962 by 12 per cent. Many observers feel the exceptional availability of conventional mortgage money accounts in large measure for the less than five per cent decline in FHA applications in 1963.

Builders, observed the *Philadelphia Bulletin* (Oct. 5, 1963), "report that the customer with the cash in his pocket and the desire for new shelter has not been scared off by the housing order."

Immediate Outlook

According to Mr. Weaver's report, more than 600,000 federally-aided housing units covered by the nondiscrimination requirements of the Executive Order are now available or will come on the market during 1964. Almost 200,000 of these are completed homes or apartments now ready for occupancy.

(The mandatory section of the antibias edict covered only housing which was contracted for after the order's effective date, Nov. 20, 1962. Thus, during 1963, a substantial amount of pre-order housing was available. This backlog is almost exhausted, and most federally-aided housing on the market from now on will fall under the order's prohibition of discrimination.)

Urban Renewal Projects

Mr. Weaver also reported that 800 of the 1,400 urban renewal projects undertaken since the program started in 1949 are now subject to specific nondiscrimination agreements under the order. More than 90 of the 800 covered projects were under construction during the last year.

Two Essentials

"The first essential to make housing available to all, without discrimination," said the HHFA chief, "is to provide housing. This is being done, on the private and public market and in the redevelopment of our urban areas.

"This rapidly growing supply of good housing, at many price levels and in urban and suburban locations," he continued, "will provide nonwhite and other minority families a wide choice of better housing from which to choose in the coming year."

Mr. Weaver said the second essential step in achieving an open market is for individuals to avail themselves of the choices provided. He predicted that 1964 will see the start of a significant dispersion of nonwhite families from the segregated ghetto into the general community.

Specific Programs

Housing now or soon to be available and which is subject to the mandatory Section 101 of the order, comes under the following HHFA programs:

FHA. A total of 282,500 units of new housing—191,700 single family homes and 90,800 apartments. About 95,000 of these are completed and ready for occupancy.

In addition, as of November 1963, FHA had available for sale or rent some 70,000 homes acquired through foreclosures. Since the order was issued, a substantial number of FHA- and VA-repossessed houses have been sold to nonwhite buyers.

VA. About 100,000 units of new housing. Figures were not given for the number of these which have been completed and open for occupancy.

PHA. A total of 84,000 new public housing units are covered by the order. Of these, 35,000 are in development, and 49,000 in the preliminary planning stage.

Other Programs. There are 78,944 accommodations for college students and 1,579 for hospital nurses and internes which are subject to the Executive Order and are now or will soon be completed. Also, there are 14,194 units of housing for senior citizens under the direct loan program.

Complaint Load

During the year, FHA received 12 complaints covered by the mandatory provisions of the order (one of these initiated with VA and was supported by FHA—see below). Six of the cases resulted in agreements by the builders to sell homes to the complainants and to refrain from future discriminatory practices. As of mid-December, six cases were pending: in two, the builders had expressed willingness to sell if the buyers made bona fide purchase offers; three were scheduled for hearings; and one was under investigation.

The first suspension of a builder for violation of FHA nondiscrimination rules came on December 30. On that date, FHA announced that H and S Builders, Inc., of Silver Spring, Md. (a suburb of Washington), had been suspended from future participation in its insured mortgage program. The case was based on a complaint filed by the Washington office of the American Friends Service Committee on behalf of a Negro couple who sought to buy a home in Oakwood Knolls, the firm's development in East Riverdale, Md.

In July, after VA suspended a Florida building firm from participation in its home loan guaranty program, FHA also issued a suspension (*Trends,* July-Aug., 1963). After four months, both agencies lifted the suspensions because, VA told the builder, "you have given assurance that you will not discriminate." According to the press, the firm's sales dipped more than two-thirds while FHA- and VA-assistance was not forthcoming.

VA's action in the Florida case drew angry criticism from Rep. Olin B. Teague (D-Tex.), on the ground that the Negro involved had made no clear offer to buy a home. "I do not believe that Builder Norman Rossman was in technical violation," declared the Congressman, "and I do not believe that VA is correct in its interpretation that certificates of reasonable value issued prior to the Presidential order are covered."

"Good Offices" Section 102

Fifteen complaints were filed with FHA which involved housing not covered by the mandatory section of the order. In two cases the Federal agencies were successful in using their "good offices" to persuade builders to comply with the intent of the order; four cases were in negotiation in mid-December; and persuasive efforts failed in the others.

Recent Federal Actions

In late October, FHA issued a new ruling which places a nondiscrimination requirement on extensions or reissuance of unused commitments for mortgage insurance, regardless of whether the builder secured the original commitment before the effective date of the order. A second regulation issued at the same time requires that applications for FHA insurance involving the sale of existing dwellings, or the sale of land upon which a dwelling is to be erected, shall be accompanied by a certification by the seller that he will not discriminate.

More recently, Mr. Weaver announced that the Federal housing agencies have

(*Continued on page* 8)

Order's 1st Year

(*Continued from page 7*)

completed a cooperation agreement with the Minnesota Commission Against Discrimination which is expected to serve as a model for similar agreements with the other states with comprehensive anti-bias housing laws. Under the terms of the agreement, if violation of the state fair housing law involves any federally-aided housing (whether covered by the mandatory section of the order or not), the full sanctions of the order would be invoked. If, for example, an FHA builder is found guilty of violating the Minnesota law, he will be suspended from further participation in the FHA program. The agreement also provides for systematic exchange of information about federally-aided projects which are scheduled and violations under the order or under the state law.

The concept and development of cooperation agreements between those states with nondiscrimination housing laws and the Federal housing agencies was pioneered by Edward Rutledge, Director of the Housing Division, New York State Commission for Human Rights.

The President's Committee

Although members of the President's Committee on Equal Opportunity in Housing were appointed on May 16, 1963, and several meetings of the committee have been held, this important agency is still not organized to meet its responsibility in supervising and promoting the order's effective operation.

The development of a broad educational program designed to inform the public and stimulate nationwide support of the order's objectives has been announced, but the President's committee has not yet staffed its operation.

Meanwhile, local fair housing groups are beginning to publicize the availability of housing covered by the Executive Order in their communities. Many are checking information which is posted in their nearest FHA and VA offices, listing the commitments issued, the name of the project and sponsor and its location (*Trends,* July-Aug., 1963).

The Greater St. Louis (Mo.) Freedom of Residence Committee is conducting an educational campaign to acquaint minority-group families with the location and type of housing offered in the 2,261 units of federally-aided dwellings now on the market in that city.

In Chicago, the American Friends Service Committee office is publicizing housing opportunities available under the order. A recent article by Jane Weston, AFSC Housing Director in Chicago, reports that over 2,000 new houses in 20 developments and more than 1,000 FHA- and VA-repossessed homes are available in the city and its environs.

And, at William Levitts' mammoth FHA-aided Bel Air development in the Washington suburbs—another case where the "good offices" of the housing agencies and the President's Committee on Equal Opportunity in Housing have failed to change the builder's all-white sales policy (*Trends,* July-Aug., 1963)—picket lines continue marching each week-end. On Dec. 7, more than 150 persons participated in the protest demonstration.

Action Needed

The National Committee Against Discrimination in Housing urges groups and individuals throughout the country to take the following action now:

¶ Call on President Lyndon B. Johnson to extend the Executive Order to cover all existing federally-aided housing and all mortgage lending institutions which are supervised by the Federal Government. Point out that leading representatives of the housing industry are urging that conventional mortgage lenders be covered (*Trends,* July-Aug., 1963).

¶ Call on the President's Committee on Equal Opportunity in Housing and on the Federal housing agencies for more liberal interpretation of the present order, more vigorous enforcement, and a realistic nationwide program of public information and education designed to achieve the intent of the order.

¶ Check the nearest FHA and VA offices for information on available housing covered by the order. Current data, giving names and location of developments, and other pertinent information, is required to be posted in the lobby of each of these offices.

¶ Encourage and assist minority-group homeseekers in moving into the mainstream of the housing market, and in making use of the Executive Order.

National Committee Against Discrimination in Housing
426 West 58 Street, New York 19, New York

☐ I enclose $2.00 for a year's subscription to TRENDS IN HOUSING.
☐ To help support the fight for a free housing market, my contribution of $__________ is enclosed.
(Contributors of $10.00 or more receive a year's subscription to *Trends* without charge.)

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(*Please include postal zone number.*)

Literature

NCDH maintains a wide selection of low-cost literature dealing with the various aspects of the housing-civil rights field. A complete list is available on request. The following items have been added recently:

Equal Opportunity in Housing—Challenge to American Communities (1963). Report of NCDH nationwide conference in Washington, designed as a basic reference. Includes summaries of sessions dealing with the Executive Order on housing; background information on principal Federal housing programs; program ideas based on activities of local fair housing groups; and excerpts from major conference speeches. Also includes digests of the Order and of state and city fair housing laws. 50 pages. (Single copy $1.00; quantity prices on request.)

The Fair Housing Statutes—A Survey of Their Scope, Validity and Effect (1963). Special legislative issue of *Trends in Housing.* Includes an evaluation of how the laws are working; court rulings on their constitutionality; scoreboard on anti-bias housing legislation; and digests of the private housing laws. 8 pages (Single copy 10¢; $8.00 per 100.)

Residential Integration and Property Values, by Erdman Palmore and John Howe (1962). Article based on a study of nine stable integrated neighborhoods in Connecticut, finding values generally have increased, a low degree of Negro influx, and average rates of turnover. Reprinted from *Social Problems.* 4 pages. (Single copies only—10¢.)

We Moved to an Integrated Neighborhood, by Lois Mark Stalvey (1963). A white housewife tells why she and her family moved to a racially-mixed community, the reactions they encountered before moving in, and their experiences afterward. Reprinted from the *Philadelphia Bulletin Magazine.* (Single copy 5¢; $3.50 per 100.)

The "Quiet" Integration in the Suburbs, by Margaret Fisher (1963). A feature story on what grassroots citizens committees are doing to achieve integrated living patterns in their own communities. Reprinted from *Council Woman,* magazine of the National Council of Jewish Women. 3 pages. (Single copy 10¢; $8.00 per 100.)

Freedom of Residence (1963). Includes articles on open occupancy, scoreboard on legislation, and a case study of fair housing efforts in one community. Special issue of *Social Action,* official publication of the United Church of Christ. 36 pages. (Single copy 25¢; 10-99, 20¢ each; 100 or more, 15¢ each.)

Contributions to NCDH Are Deductible!

If you made a contribution to the National Committee Against Discrimination in Housing on or after Sept. 23, 1963, it's deductible on your Federal income-tax return, as pointed out in the message from our chairman on page 3.

If you can make a contribution now, please remember—it's deductible! And we especially and urgently need your help now and through the coming weeks.

MEMORANDUM FROM SCHIFFER & COHEN File NYU 40 EAST 49th STREET, NEW YORK, N.Y. 10017 • PLaza 2-8060

TO: CORE DISTRIBUTION LIST DATE: December 17, 1963

RE: Housing - Shipulsky

A meeting was held at one o'clock today at the offices of CORE. Present were: Shipulsky, Gordon Carey, Bob Gore, Sandy Baron, John Kaufman, and George Schiffer. The meeting had been requested by Shipulsky. Shipulsky has become owner of 209-11 Eldridge in lieu of foreclosure.

We explained to him the outlines of CORE policy: that it was our desire to have the buildings fixed to a decent standard in compliance with law; that we desired to cooperate with the landlord to that end; that if the landlord did not cooperate, we would do everything we could to secure vigorous law enforcement; that we understood the landlord's problem and would cooperate with him in putting buildings voluntarily into city receivership if they were such that the cost of repairs made them totally uneconomic; that we desired to fix a schedule for a joint inspection by him and our people of the buildings, to be followed by a repair program. We further stated that the repair program would be closely timed.

The landlord appeared amenable to fixing the buildings. He made statements such as "We are on the same side of the fence" and "These things are required by law and you can avoid complying with the law only so long."

Consequently, the following arrangements were made:

1. As quickly as possible, John Kaufman or Sandy Boyer or both are to determine when a tenants' meeting can be held for each building. The landlord is then to be notified of these two meetings.

2. The landlord will attend each meeting, at which complaints may be stated.

3. After the meetings, an effort should be made to take the landlord through each building, apartment by apartment, to list all repairs which are to be made. This list will include all existing violations as well as those not yet on record. Our people understand that they must act reasonably. The landlord understands that all significant plumbing, plaster, paint and fire violations must be removed and that vermin must be exterminated.

4. The landlord has represented that he now has a painter, a plasterer, a carpenter and a plumber working in the two buildings. We have indicated that we expect all listed repairs to be completed by about the middle of January. The landlord seemed to believe this a reasonable position.

5. If the listed repairs have not been substantially completed by the middle of January, in the absence of a major disaster such as a blizzard which ties up the town for a week, immediate steps to convert the unfixed

violations to court action will be taken by us. In other words, if the landlord does not show good faith immediately, there will be no further effort to negotiate.

6. If the landlord shows good faith with respect to these buildings, we will proceed to discuss with him all other buildings which he and his family owns. NYU CORE has already begun compiling a list of these buildings. If there is no show of good faith, the complaint technique will be applied to a group of his buildings promptly.

7. If the landlord shows good faith, the two buildings should be in substantial repair by the middle of January. If he does not show good faith, he should be at the conviction stage by the middle of March, with respect at least to the two buildings and possibly more.

8. The rent strike will continue in the two buildings until repairs are made. Presumably, rent strikes will be extended if good faith is not shown.

9. The problem of tenant re-education is of primary importance. All of us are aware that, if the landlord does fix the buildings, tenant carelessness can reduce them to the condition in which they are now within six months. Either CORE or a social service agency in the area will have to persuade the tenants to take care of the buildings once repairs are made. This applies equally to the Kaplowitz situation.

10. We broached the idea of the landlord's hiring tenants to do some of the repair work without eliciting any particular response. I think that Shipulsky might be a good landlord with whom to explore such a program, in other buildings.

I believe that the consensus of impressions was, that Shipulsky will be easier to work with than Kaplowitz and that there is some hope that he means what he says. All of us are naturally skeptical and ready to proceed to other techniques as soon as necessary. Shipulsky was clearly impressed by the trouble we had caused for Kaplowitz. Since Shipulsky controls a substantial number of buildings, gaining his cooperation may prove significant. The contrast would unquestionably carry weight with other slumlords. Of primary importance, with respect to other landlords, is to show them in the Shipulsky case that we have learned to move much faster than in the Kaplowitz situation.

I should like to add the following comment. Psychologically, it will be important to attack other Kaplowitz buildings while the Shipulsky matter continues and while Kaplowitz is still under threat of sentence with respect to the Eldridge Street buildings. This will demonstrate to other landlords that we do not mean to pick on just one or two of their buildings, letting them do as they please with the rest.

An attack on other Kaplowitz buildings is not really within the capability of NYU CORE at this time. That group simply does not have enough people. It would, however, prove an excellent target for another CORE group. The prospect is that Kaplowitz, having been through the mill once, will give up much more easily the second time around. This would give another CORE group a good start in the housing area. Since Kaplowitz owns buildings all over the lower east side it would seem appropriate to hand him over to downtown CORE or to another CORE group operating in the area. In this connection, assistance may be secured from the mobilization people whom, Mike Schwerner has stated, he thinks he can recruit.

Practically, the most important specific request which Shipulsky made of us, and which indicates a note of great tactical strength for us is that he claims to have had difficulty in securing access to apartments to make repairs. NYU CORE will therefore undertake to arrange access in accordance with a schedule determined by the landlord, his workmen and CORE. On the one hand, this places a responsibility for detail work on NYU CORE. On the other hand, it creates a situation in which CORE will have day to day knowledge of progress and an opportunity to keep its inspection current. More generally, if the landlord in fact requires help to secure access, he needs CORE to keep from being convicted of violations since CORE will always arrange access for City inspections.

·G·I·C·

General Improvement Contractors Association
AN INDEPENDENT PROFESSIONAL ORGANIZATION OF GENERAL IMPROVEMENT CONTRACTORS
1522 CONNECTICUT AVENUE, N.W., WASHINGTON, D.C. 20036 • TELEPHONE NO 7-0541

PRESIDENT: E. L. BRINCEFIELD
VICE PRES: RUSSELL A. HITT
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EXEC. VICE PRES: JOHN H. HAAS

MAR 6 1964

Program Dept.

File

TRADE INFORMATION BULLETIN # 14 March 1964

NO "WAR ON POOR HOUSING" IN 1964

* *

A series of important Congressional hearings on the National Housing Act of 1964 has just been concluded in the nation's capital; their contents reveal in no uncertain terms that neither government nor industry have shown any serious concern about the 13 million substandard homes now existing in this country. Among over 100 depositions, statements and speeches less than half a dozen dealt with the deplorable condition of our existing housing inventory or offered some suggestions for remedial legislation.

Most of the testimony centered around the Administration's Housing Bill which consists of 59 items: only 5 of them deal with problems of the inventory and even these 5 proposals, if enacted, would have a ridiculously small impact on the existing housing dilemma since they apply mostly to urban renewal project areas and individuals over 62. A bill introduced by Senator Clark (D.,Pa.), which contained a number of helpful provisions for assistance to substandard housing and lower income groups, was largely ignored during the discussions. Witnesses of most major industries and trade organizations confined their comments primarily to the proposals designed to benefit future generations or urban renewal.

The National Housing Act is the only instrumentality in the federal government machinery through which legislation for new or improved assistance to housing can be created. This year, neither the industry nor federal agencies have submitted any measures that could be of material benefit to substandard housing outside of renewal projects. Only one group, the General Improvement Contractors Association, submitted a set of proposals to help the ailing inventory and its owners. It listed the following items.

1. Rehabilitation- and relocation mortgages under sec. 221-d-2 should be available to individual displacees or owners of distressed property;
2. These 100% mortgages under sec. 221-d-2 should be revised to have one $15,000 ceiling everywhere; certificates of eligibility for these mortgages should be valid anywhere (to enable a displacee to relocate in another community); 221 mortgages should be processed under revised, liberalised credit eligibility rules to enable families and individuals "on their way up" to qualify;

3. F.H.A.'s Title I program should be extended to permit loans up to $5,000. for a maximum of 7 years to make possible more substantial repairs and to replace the unworkable loan programs under sections 220-h and 203-k;
4. Scattered public housing sites should be restricted to defective dwellings which, when acquired and rehabilitated, would help upgrading the neighborhood;
5. Tenants in scattered site public housing should be allowed to, eventually, purchase their premises and thus "graduate" into the open market;
6. Carefully screened and justified public housing should be authorised for localities regardless of urban renewal operations wherever such need exists;
7. Conservation procedures in urban renewal should be thoroughly changed, esp. as to project standards and time tables;
8. F.H.A. should introduce a "conditional mortgagor's qualification" that would establish an applicant's eligibility ceiling subject to an acceptable property;
9. Introduction of a federally assisted "municipally-insured mortgage" for owners of distressed property or displaced persons; such mortgages, furnished by local lenders on near-conventional terms but with a risk premium deducted at initiation, could be underwritten by the municipality or county whenever it would serve the preservation or upgrading of existing housing, could become a more desirable and far less complicated substitute for F.H.A. insured lending programs;
10. Establishment, through federal-local collaboration, of a "housing agent", similar to the agricultural county agent, to assist localities and counties in all types of housing problems and serve as guide and liaison between property owners, housing officials, lending programs, contractors and federal assistance programs. He would be available, on request, to areas of no less than 25,000 population and could become the central authority on all problems dealing with existing housing and its owners, tenants and purchasers.

The Association's proposal concluded with a comment that its purpose is to furnish assistance to those who cannot reach necessary housing objectives under their own power within the framework and facilities of the open market: "if and when open market and free enterprise cannot satisfy the needs of certain individuals or families, society must step in and provide reasonable aid to sustain them or, preferably, guide them back and up to a self-sustaining level of existence. This should be one of the major functions of a good Housing Act. It is up to Congress to establish and maintain that function..."

G.I.C. hopes that other groups - civic and trade associations, news media, religious and social organizations - will join the battle against poor housing, evaluate the above suggestions, add their own ideas and communicate with members of Congress and federal housing agencies concerning the urgency of these problems and their treatment. This Association will gladly serve as an exchange and information center for any group desirous to use its good services in this important segment of our "War against Poverty".

EMERGENCY COMMITTEE FOR MORE LOW-RENT HOUSING
20 West 40th Street LO 3-5990

Organized by
Citizens' Housing
and Planning
Council

SUMMARY OF PROPOSED FEDERAL PUBLIC HOUSING LEGISLATION
(H.R. NO. 9751 and S. NO. 2468)

TITLE IV - HOUSING FOR LOW-INCOME FAMILIES

1. Authorization for 60,000 additional low-rent housing units in each of the next four years, to be obtained in the following manner:

	Total Program	N.Y.State's Share*
New Construction	35,000	5,250
Purchase and rehabilitation	15,000	2,250
Lease	10,000	1,500 **
	60,000	9,000

*No one is prepared to say how much of New York State's share will come to New York City.

**Since there is no surplus of housing units available for lease in New York City it is unlikely that the City will be able to take advantage of this allotment.

A new method may be used for the acquisition or lease of existing housing. Local authorities will be permitted to purchase, purchase and rehabilitate, or lease privately-owned housing for low-rent housing. Currently a 40-year amortization period is required for all types of projects, whether they involve new construction or acquisition. In order to permit the use of housing over shorter periods of time changes in the law are necessary.

Under the new formula the Federal government will be permitted to make contributions for acquisition and use of existing housing if the amount needed does not exceed the amount which would be needed for construction of a new low-rent housing project for the same number, types and sizes of families. This technique would allow broader use of existing structures.

II. Authorization for payment of a special subsidy for public housing units occupied by displaced low-income families. Payments of up to $120 per dwelling per year would be made to the local authority. Payment would be made for the difference between what the family can afford and the rental needed to operate the project on a solvent basis.

III. Provision for families and individuals displaced from sites to be used for low-rent housing projects. The local authority will be required to demonstrate that there is a feasible method for relocating displaced families in decent, safe and sanitary housing units which meet the needs of the displacees.

IV. Relocation payments to those displaced from sites for proposed low-rent housing project sites will be made on the same basis as payments authorized for those displaced from urban renewal areas. Currently there is no provision for relocation payments to those displaced from low-rent housing project sites, even though others similarly situated may receive such payments if displaced from urban renewal sites. The amendment would eliminate this disparity in treatment of those displaced under urban renewal and those displaced under low-rent housing programs.

V. Exclusion of direct Federal supervision over the equivalent elimination provision. It is required the direct Federal supervision be exercised to assure that at least as many substandard dwellings have been eliminated as the number of low-rent units constructed. Under the new provision certification may be made by the local governing body that the elimination of substandard dwellings is equivalent to the number of low-rent units constructed.

VI. An increase to $10 million (from $5 million) in the amount available for grants by the Housing and Home Finance Administrator to assist in developing and demonstrating new and improved means of providing housing for low-income persons and families.

4/14/64

Pentagon Finds Housing Discrimi
in North a

By JACK RAYMOND

Special to The New York Times

WASHINGTON, March 25 — There is just as much housing discrimination against Negro servicemen near military bases in the North as in the South, according to the results of a nationwide survey by the Pentagon.

A tally released by defense officials today indicated that communities near 90 per cent of 305 installations practiced housing discrimination against Negro servicemen and their families.

The compilation was based on reports of "off-base equal opportunity" filed by base commanders at the request of Secretary of Defense Robert S. McNamara last September.

It represented 305 military installations with 500 or more officers and men assigned.

The impact of discrimination on servicemen was considered in the survey and not any discriminatory practices against local civilians.

Housing discrimination was only one of several aspects of discrimination covered in a questionaire circulated
military commanders
Defense Department.
B. U. Fitts, Deputy A
Secretary of Defense
Rights, stressed, howev
housing was "the most
ing" discrimination
Negroes in uniform.

Robert Jordan, Mr
assistant, added:

"There is not much d
—North, East, South o
in the pattern of bias
ing, and the servicemen
fected by it as much
Negroes apparently."

have equal opportu
housing in nearby com

"Some commanders
that Negro servicemen
have to travel as muc
miles to find decent a
dations for their famil
ers suggested that the
find nearby facilities
paid more than whites,
others reported Negro
not find satisfactory
under any circumstanc
Jordan said.

The defense official
out that certain criter
for officially recognize

THE NEW YORK TIMES, THURSDAY, MARCH 26, 1964.

rimination Against Negro Servicemen

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circulated among
manders by the
partment. Alfred
Deputy Assistant
Defense for Civil
ed, however, that
"the most unyield-
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rdan, Mr. Fitt's
ed:
ot much difference
, South or West—
of bias in hous-
ervicemen are af-
as much as other
rently."

The initial reports covered the incidence of discrimination last October. This will be used as a reference for a second survey to be completed in May.

Secretary McNamara has stated that discrimination against Negro servicemen affects military efficiency. The surveys started after President Kennedy requested that action be taken against discrimination that was cited in two Government reports.

According to the initial survey, 196 base commanders reported that Negroes did not

opportunity for
arby communities.
manders indicated
servicemen might
el as much as 28
decent accommo-
neir families; oth-
that they could
facilities if they
n whites, and still
ed Negroes could
isfactory housing
rcumstances," Mr.

e official pointed
ain criteria exist
recognized hous-

ing standards. In that connection, he added, there were many instances where whites as well as Negroes had difficulty in finding adequate housing near military bases.

In addition to the 196 who reported outright discrimination, 78 commanders whose bases were chiefly in urban centers reported that Negroes could find adequate housing, but only in certain segregated sections.

Thus, Mr. Jordan said, Negro servicemen found housing that was "comparable but separate."

Base commanders at 31 installations reported that there was "equal opportunity" for housing for Negroes and whites near their bases. Mr. Jordan pointed out, however, that the commanders had not elaborated.

Thus, in response to the simple question whether there was equal opportunity, the base commanders replied simply, "yes."

Mr. Jordan observed that there was no way of knowing at this time whether the commanders' judgment of what constituted equal opportunity was subject to challenge.

A REPORT TO THE MAYOR AND
THE CITY COUNCIL OF CHICAGO
ON THE PRESENT STATUS AND
EFFECTIVENESS OF EXISTING
FAIR HOUSING PRACTICES
LEGISLATION IN THE UNITED
STATES AS OF APRIL 1, 1963

A REPORT TO THE MAYOR AND CITY COUNCIL OF CHICAGO ON THE PRESENT STATUS AND EFFECTIVENESS OF EXISTING FAIR HOUSING PRACTICES LEGISLATION IN THE UNITED STATES AS OF APRIL 1, 1963

PREPARED BY:

Clifford J. Campbell, Deputy Commissioner of City Planning
Edward Marciniak, Executive Director, Chicago Commission on Human Relations

Technical assistance by Robert A. Adams, director, coordination division, Department of City Planning; Bernard Gordon, economist, Department of City Planning; Ernest V. Yancey, director of housing, Chicago Commission on Human Relations; and Richard Youhn, public information assistant, Department of City Planning.

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* Includes experience under Pittsburgh law beginning on page 22.

I. INTRODUCTION

Two years ago, at the request of the Chicago City Council, the Department of City Planning and the Commission on Human Relations conducted a study of those cities and states which had enacted fair housing practices legislation applying to private housing and/or real estate operations. A report summarizing the findings of this study was presented to the Mayor and the City Council on March 21, 1961.

On April 10, 1961, the City Council passed a resolution requesting the Illinois General Assembly to enact a State fair housing practices law. Subsequently, city officials testified in behalf of House Bill 1052 which would have prohibited discrimination in the transfer, sale, rental, or leasing of housing containing five or more housing units under the control of one owner. Passage of the bill was recommended by the House Executive Committee, but the proposed legislation failed to get a constitutional majority on the House floor. (The vote was 71 to 55 in favor of the legislation, with 51 abstentions.)

Mayor Richard J. Daley requested the Department of City Planning and the Commission on Human Relations to study the experiences in the new areas now covered by the legislation and to review the subsequent experience in the cities and states which were covered in the initial study.

In conducting this study mail survey forms were sent to the three cities, twelve states, and one territory now covered by fair housing practices legislation. In addition, city and state officials, community leaders and representatives in the housing industry were interviewed in Philadelphia, Boston, New York, and Newark by Clifford J. Campbell, deputy commissioner, Department of City Planning; Edward Marciniak, executive director, Commission on Human Relations; and Richard Youhn, public information assistant, Department of City Planning.

II. SUMMARY OF FINDINGS

The purpose of fair housing practices legislation is to allow all segments of the population, regardless of race, creed, ancestry, or national origin to have equal opportunity to purchase or rent housing which would otherwise be available to them. The legislation also may include the activities of real estate brokers, lending institutions, advertising media, and sellers of vacant land.

Fair housing practices legislation does not compel the owner or manager of a housing unit available on the market to sell, lease, or sublease to any family or individual who applies. The owner or manager retains the right to consider the ability to pay, credit-rating, character, conduct, and family composition of the prospective tenant or buyer.

Many major developments have occurred in the two years that have elapsed since the Department of City Planning and the Commission on Human Relations conducted their first study of fair housing practices legislation.

On November 20, 1962 President Kennedy signed an executive order barring discrimination in federally assisted housing. It is estimated that the order will apply to about 25 per cent of the new housing to come on the market.

Since the first study was completed six states--Alaska, Minnesota, New Hampshire, New Jersey, New York, and Pennsylvania--enacted fair housing practices legislation applying to private housing. Furthermore, court decisions in California and Washington ruled that the public accommodations laws in those states apply to real estate operations. This brings the total of states with fair housing practices legislation to twelve.

In addition, one city--Toledo, Ohio--and the territory of the Virgin Islands passed fair housing laws. At the time of the first report only two cities--New York and Pittsburgh--and four states--Colorado, Connecticut, Massachusetts, and Oregon--were covered by fair housing practices legislation.

Some 68 million persons--38 per cent of the total population of the United States--live in the twelve states now covered by fair housing practices legislation. Another 350,000 live in Toledo and the Virgin Islands.

In many states, not now covered, there has been increasing support for proposed fair housing practices legislation. In Illinois alone more than 125 organizations have advocated passage of such legislation at the state level.

In 1963 fair housing practices legislation has been introduced or is expected to be introduced in the following states: Illinois, Indiana, Michigan, Rhode Island, Kansas, Ohio, and Wisconsin. It is expected that amendments increasing the scope of coverage or strengthening administrative procedure will be considered in the following states already covered by fair housing practices legislation: California, Connecticut, New Jersey, New York, and Washington. An amendment extending fair housing practices coverage has already been enacted in 1963 by the Massachusetts State Legislature.

In most areas fair housing practices legislation has been in effect long enough to evaluate the experience and draw some preliminary conclusions.

1. The number of states which have recently enacted fair housing laws indicates a growing trend towards state legislation to cover the widest geographical area possible--with less emphasis on municipal coverage alone.

2. There is recurring evidence that general acceptance of such legislation--even by many who originally opposed it--increases with the length of time the law has been in effect. In no state, is there any sign of an organized effort for the law's repeal.

3. Amendments strengthening the legislation are continually being passed without substantial opposition.

4. Of paramount importance is an educational campaign, directed at the housing industry, individual owners, and prospective buyers and renters. Where extensive educational campaigns on fair housing practices have been conducted by public agencies or private organizations apprehension about the legislation has diminished considerably.

5. Experience under the law indicates that far fewer complaints are filed than was anticipated by the law's proponents and opponents alike. In all the cities and states where the law now applies less than 1800 complaints have been filed.

6. As far as can be determined, imprisonment or fine has never been imposed. Conciliation and, on rare occasion, court orders have satisfactorily obtained compliance with the legislation.

7. The number of complaints settled is not the sole measure of the law's effectiveness. The mere existence of the legislation has resulted in some voluntary compliance. The entire policy of a landlord is often affected by the conciliation of a single complaint, and members of minority groups formerly discriminated against are thereafter admitted voluntarily.

8. There has been a slow, but steady opening of housing opportunities for non-whites.

9. The first report noted, and this report confirms, the fact that fair housing practices legislation has had no adverse effect on (a) vacancy rates, rent levels, or the rate of residential construction; (b) property values and the availability of mortgage funds; (c) racial tensions.

10. Also as indicated in the first report, the legislation has not resulted in any significant changes in the rate of white migration to the suburbs or the movement of non-whites into all-white neighborhoods.

11. The strongest premise advanced in favor of fair housing practices legislation in the cities and states covered in this survey has been the establishment of non-discrimination in housing as a legal and moral principle. It was generally believed that the legislation's greatest value would be as a long-range instrument of education.

12. Studies indicate that most complaints under fair housing laws are filed by minority-group families with middle or upper-middle incomes. This indicates that the demand to own, rent, lease, or co-op by Negroes outside established neighborhoods comes chiefly from middle-income families. However, no studies could be found in the four states visited which indicate the depth or extent of this middle-income Negro demand for housing.

III. EXTENT OF FAIR HOUSING PRACTICES LEGISLATION

As of April 1, 1963, three cities, twelve states, and one territory had enacted fair housing practices legislation applicable to private housing with varying degrees of coverage:

Cities
New York
Pittsburgh
Toledo

Territory
Virgin Islands

States
Alaska
California
Colorado
Connecticut
Massachusetts
Minnesota
New Hampshire
New Jersey
New York
Oregon
Pennsylvania
Washington

It is significant to note that with the exception of the New York City, Toledo, and Colorado fair housing practices legislation, all of the remaining laws consisted of amendments to existing public accommodations, civil rights, fair employment practices, or similar anti-discrimination legislation.

Tables 1, 2, and 3 indicate length of experience, extent of coverage, and number of complaints filed in the cities, states, and territory covered by fair housing practices legislation.

NUMBER OF MONTHS
PRIVATE HOUSING

Cities

- New York
- Pittsburgh
- Toledo

States

- Colorado
- Massachusetts
- Oregon
- Connecticut
- New Hampshire
- New York
- Pennsylvania
- New Jersey
- California
- Alaska
- Washington
- Minnesota

Territory

- Virgin Islands

(1 Enforcement halted since November 2, 1

(2 Decision by California Supreme Court, applied to real estate operations.

(3 Decision by Washington Superior Court of 1957 applied to real estate broker

Table I

S FAIR HOUSING PRACTICES LAWS APPLICABLE TO NG HAVE BEEN IN EFFECT AS OF APRIL, 1963

Number of Months
60 mos.
46 mos.
17 mos. (1
47 mos.
44 mos.
44 mos.
42 mos.
19 mos.
19 mos.
19 mos.
19 mos.
12 mos. (2
12 mos.
11 mos. (3
3 mos.
22 mos.

1961, by a temporary court injunction.

, March, 1962, ruled Unruh Civil Rights Act of 1959

t May 3, 1962, ruled state public accommodations act
rs.

Tab

PROVISIONS OF FAIR HOUSING PRA
PRIVATE HOUSING IN CITIES, STATES,

	Extent of Coverage		
City, State, or Territory	Public Enforce-ment Agency	Housing Rental or Sale by Owner	Real Estate Agent Operati
Cities			
New York	x	x	x
Pittsburgh	x	x	x
Toledo	x	x	x
States			
Alaska	x	x	
California			x
Colorado	x	x	x
Connecticut	x	x	x
Massachusetts	x	x	x
Minnesota	x	x	x
New Hampshire		x	
New Jersey	x	x	x
New York	x	x	x
Oregon	x	x (3	x
Pennsylvania	x	x	x
Washington	x		x
Territory			
Virgin Islands	x	x	x

(1 Provides for punitive damages to be added to act
(2 By ruling of the Connecticut Commission on Civil
(3 Advertising practices only.
(4 Provides for revocation of real estate, salesman'
(5 Provides for revocation of business licenses.
(6 Provides for civil damages and punitive damages,

Chief Source: Housing and Home Finance Agency -
Ordinances and Resolutions Prohibi
Operations (G. P. O.: Washington,

able II

RACTICES LEGISLATION APPLICABLE TO
S, AND TERRITORIES AS OF OCTOBER, 1962

				Method of Enforcement	
s tions	Lending Institutions	Advertising Media	Land	Court Order	Specific Penalty Provided
x	x	x		x	x
x	x	x		x	x
x	x	x			
					x
x				x	x (1
x	x	x	x	x	
x (2	x (2		x	x	x
x	x			x	x
x	x	x	x	x	x
					x
x	x	x	x	x	
x	x	x		x	
x		x		x (4	
x	x	x	x	x	
x	x	x		x	
x			x	x (5	x (6

tual damage in civil suit.
l Rights.

's, or brokerage licenses.

, as well as criminal fine.
Office of the Administrator. State Statutes and Local
iting Discrimination in Housing and Urban Renewal
December 1961).

Tal

NUMBER OF FORMAL COMPLAINTS FILED IN CITIES AN

	New York City	Pitts-burgh	Colo-rado
Total Complaints	939	82	66 (
Satisfactorily Adjusted or Settled by Conciliation (Includes offer of housing unit at question to complainant, offer of similar unit, placement on waiting list, promise not to discriminate, etc.)	437	38	
Administrative (Lack of jurisdiction, withdrawal of complaint, etc.)	230	13	
No Evidence of Discrimination	200	19	
Pending	72	12	

(1 Periods covered are as follows: New York City--Apri
Colorado--May, 1959, to June, 1962; Connecticut--Oc
June, 1962; Minnesota--January, 1963, to March, 1963
1959, to June, 1962; Pennsylvania--September, 1961,
junction in Toledo; figures unavailable for Californ
Virgin Islands.

(2 Total complaints received. Disposition not available
90 per cent of complaints handled by conference and

(3 Includes complaints alleging discrimination in publi
legislation applying to private housing market.

(4 One case settled by court action.

(5 Does not include Colorado because disposition unavail

able III

ND STATES WITH FAIR HOUSING PRACTICES LEGISLATION (1

o- o	Connecticut	Massachusetts	Minnesota	New Jersey	Oregon	Pennsylvania	Total
(2	141	229	15	56 (3	49 (4	122	1,633 (5
	67	134	7	15	32	31	761
	17	29	—	21	5	8	323
	16	50	1	20	7	21	334
	41	16	7	—	4	62	214

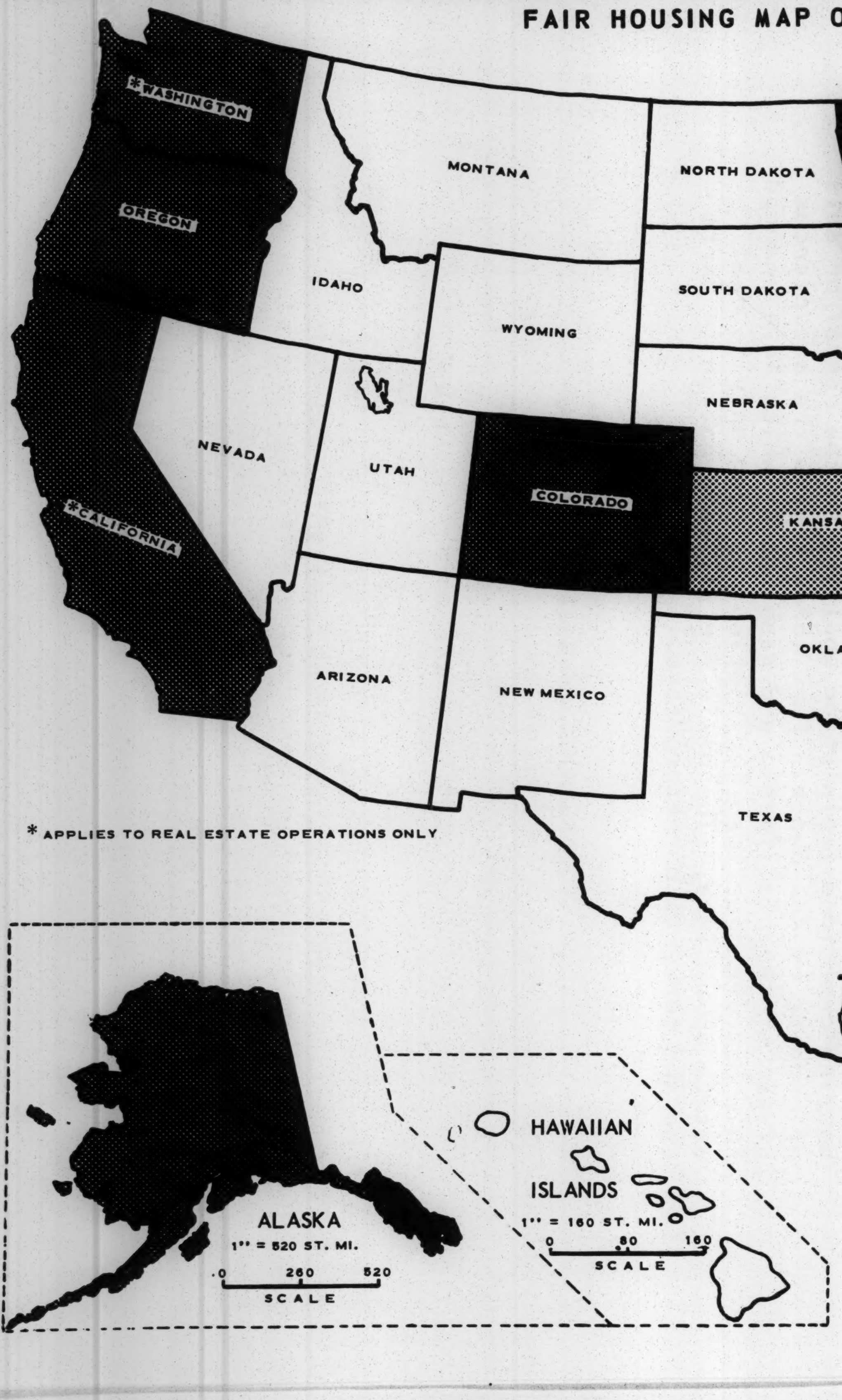
ril, 1958, to March 1962; Pittsburgh—June, 1959, to May, 1962;
October, 1959, to June, 1962; Massachusetts—July, 1959, to
63; New Jersey—July, 1961, to June, 1962; Oregon—August,
l, to August, 1962. Enforcement halted by temporary court in-
rnia, New Hampshire, Washington, New York State, Alaska, and

le, but Colorado Anti-Discrimination Commission estimates
d conciliation.

licly-assisted housing before passage of fair housing practices

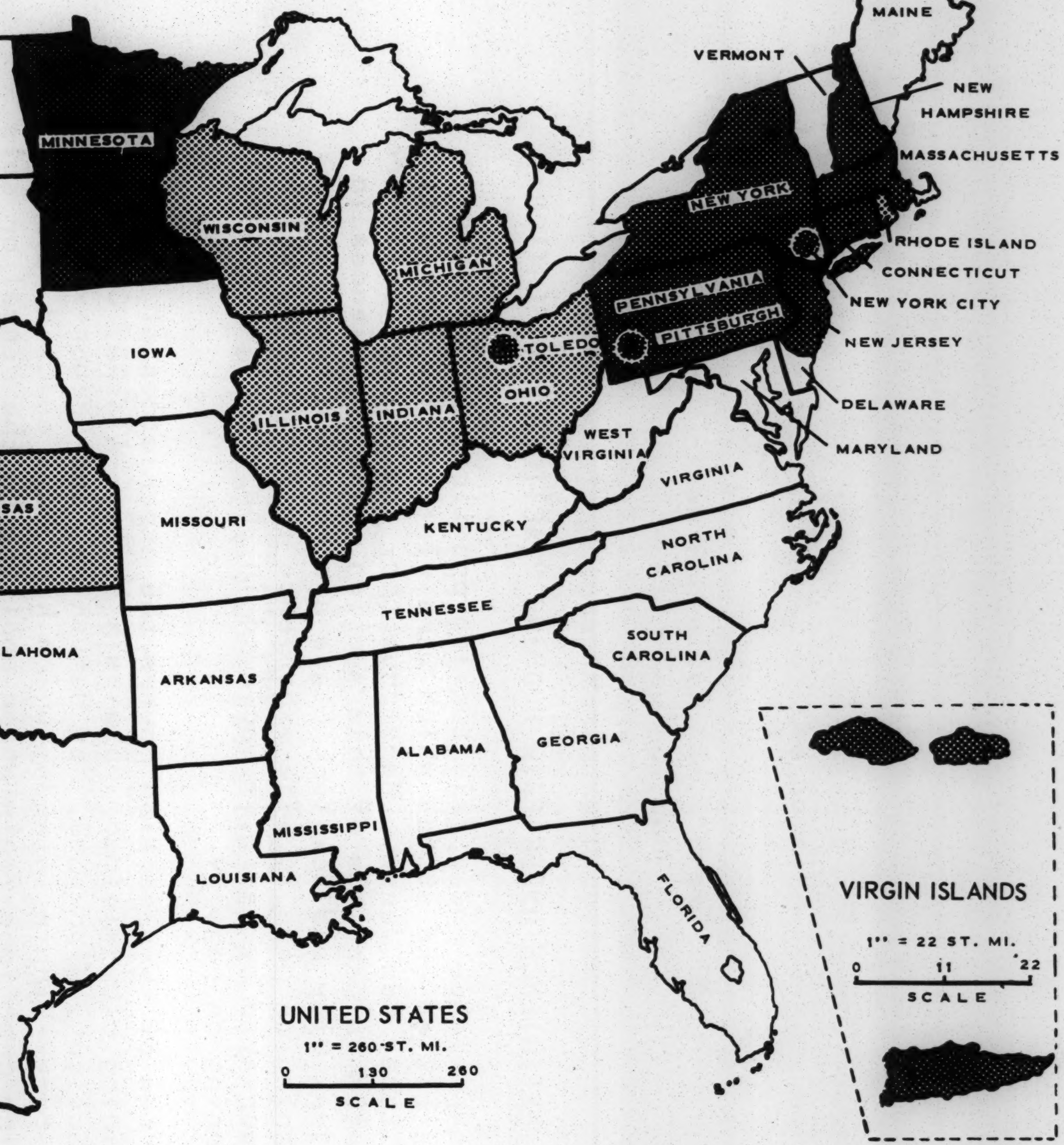
ilable. Includes one case settled by court action.

FAIR HOUSING MAP O


*WASHINGTON
OREGON
*CALIFORNIA
MONTANA
IDAHO
NEVADA
UTAH
WYOMING
COLORADO
ARIZONA
NEW MEXICO
NORTH DAKOTA
SOUTH DAKOTA
NEBRASKA
KANSA
OKLA
TEXAS
ALASKA
1" = 520 ST. MI.
0
260
520
SCALE
HAWAIIAN
ISLANDS
1" = 160 ST. MI.
0
80
160
SCALE

* APPLIES TO REAL ESTATE OPERATIONS ONLY

OF UNITED STATES


MAINE
VERMONT
NEW HAMPSHIRE
MASSACHUSETTS
RHODE ISLAND
CONNECTICUT
NEW YORK CITY
NEW JERSEY
DELAWARE
MARYLAND
NEW YORK
PENNSYLVANIA
PITTSBURGH
TOLEDO
OHIO
MINNESOTA
WISCONSIN
MICHIGAN
IOWA
ILLINOIS
INDIANA
WEST VIRGINIA
VIRGINIA
SAS
MISSOURI
KENTUCKY
NORTH CAROLINA
TENNESSEE
SOUTH CAROLINA
LAHOMA
ARKANSAS
ALABAMA
GEORGIA
MISSISSIPPI
LOUISIANA
FLORIDA
VIRGIN ISLANDS
1" = 22 ST. MI.
0
11
22
SCALE
UNITED STATES
1" = 260 ST. MI.
0
130
260
SCALE

■ CITIES, STATES AND TERRITORIES COVERED BY FAIR HOUSING PRACTICES LEGISLATION AS OF APRIL, 1963

▨ STATES INTRODUCING OR EXPECTED TO INTRODUCE FAIR HOUSING PRACTICES LAWS AT 1963 LEGISLATIVE SESSIONS.

DEPARTMENT OF CITY PLANNING AND
CHICAGO COMMISSION ON HUMAN RELATIONS. APRIL 1963

IV. EXPERIENCE UNDER FAIR HOUSING PRACTICES LEGISLATION

The experience under fair housing practices legislation in those cities and states which were visited--New York City and State, New Jersey, Massachusetts, and Pennsylvania--are reported in part one of this section. The experiences in New York City and New York State are reported together, beginning on page 14. The experience in Pittsburgh, which was surveyed by mail, is included in the report on Pennsylvania, beginning on page 19.

Part two of this section covers the experiences of the remaining city--Toledo, Ohio--six states--Alaska, Colorado, Connecticut, Minnesota, New Hampshire, and Oregon--and one--territory--Virgin Islands--which have have enacted fair housing practices legislation applying to the rental or sale of housing by the owner. Part three covers the experiences of two states--California and Washington--which have enacted fair housing practices legislation applying only to real estate operations. The basis for all information in parts two and three is correspondence.

Part One: Cities and States Visited

MASSACHUSETTS: The following government officials, community leaders, and representatives of the housing industry were interviewed in Boston:

Mr. Joseph Bacheller, Jr., President
Suffolk Franklin Savings Bank

A. Donald DeLuse, Managing Director
Rental Housing Association

Roy Kenneth
Boston Redevelopment Authority

J. Westbrook McPherson
Boston Urban League

Mrs. Mildred H. Mahoney, Chairman
Massachusetts Commission Against
Discrimination

Frank F. Mann, Director of Research
Greater Boston Real Estate Board

Walter H. Nolan, Executive Secretary
Massachusetts Commission Against
Discrimination

Ben G. Shapiro, Commissioner
Massachusetts Commission Against
Discrimination

Miss Penny Starr
Boston Redevelopment Authority

William J. White, Managing Director
Multiple Listing Service
Greater Boston Real Estate Board

Massachusetts' fair housing practices law became effective on July 21, 1959, and consisted of an amendment to the General Laws of Massachusetts. The law, as originally enacted, applied to the rental or lease of any apartment in a multi-family dwelling containing three or more units and the sale of units in housing developments containing ten or more units located contiguously. An amendment, passed March, 1963, extended coverage to all residential sales and rentals, except the rental of an apartment in an owner-occupied, two-family house.

On November 24, 1959 an opinion from the Massachusetts Attorney General stated that under the terms of the Massachusetts Public Accommodations statute real estate agencies could not refuse to service a client because of his race, creed, or color, regardless of whether the properties in question were covered by the fair housing practices law.

In February 1960 the legislation was extended to cover any person engaged in the business of granting mortgage loans. In May of 1961, the legislation was amended to authorize a commissioner of the Massachusetts Commission Against Discrimination to obtain an injunction restraining the respondent in a complaint from disposing of the housing accommodation pending final determination of the alleged violation.

From July 1959 to September 1962, 229 complaints were filed with the Massachusetts Commission Against Discrimination. A total of 134 complaints were settled by conciliation (complainant obtained or was offered the accommodation at issue, placement on a waiting list, etc.). Seventy-nine complaints were dismissed (charges of discrimination not proven in 50 cases, lack of jurisdiction in 20 cases, and withdrawal of complaint in 9 cases.) Sixteen cases were pending.

The great majority--approximately 85 per cent--of the complaints have come from the Boston area. Only five of the complaints in the Boston area have concerned housing outside of the city limits. Boston's population (1960 census) is 801,000 with non-whites comprising slightly less than 10 per cent of the total. There are about 14,000 non-whites in Boston's suburbs. Between 1950 and 1960 the non-white population in the suburbs increased 24 per cent.

There was a decrease in the number of complaints filed in 1962. Members of the Commission Against Discrimination said this decrease represents a greater general compliance, resulting since the Massachusetts Supreme Court issued a decision early in 1962, upholding the constitutionality of the fair housing law. The Commission said compliance in the real estate industry has improved greatly since the decision.

Those members in the real estate industry who were interviewed said they supported the law, and that it was a most useful law.

This generally favorable reaction apparently is due in large part to an extensive program of education on behalf of fair housing practices legislation, both before and after the legislation was enacted. A strong "grass-roots" campaign, organized primarily by white persons, developed into the formation of numerous fair housing practices committees throughout the suburbs. Today there is a federation of fair housing practices committees.

These committees worked closely with members of the real estate and home-building industries. A former president of the builders association in Boston was cited as a prime mover in the enactment of the legislation.

Two years ago the State Commission on Discrimination held a meeting at Boston College University with the Massachusetts Association of Real Estate Brokers and fair housing practices committees. Speaking on the results of this meeting the Reverend Robert F. Drinan, S.J., Dean of the Boston College Law School, said:

> "There is a consensus in this group that integrated housing does in fact work...The participants of this conference are agreed that education plus enforcement is required for effective elimination of discrimination. Education without enforcement tends to degenerate into pious platitudes while enforcement without education, will, in the long run, be ineffective."

Representatives of the Brokers Institute of the Boston Real Estate Board and of seven homebuilders associations were among those who testified before the State Legislature in behalf of the 1963 amendment, subsequently adopted, which greatly extended the coverage of the legislation.

Those interviewed by the study group in Boston agreed that fair housing practices legislation has had absolutely no adverse effect on the rate of residential construction, and that more apartments are being built in Boston than ever before.

It was also agreed that the law had not increased vacancy rates, had not affected the rate of white or non-white migration, and had not increased racial tension.

NEW JERSEY: As part of the survey of the effects of fair housing practices legislation in New Jersey the following persons were interviewed in Newark:

Dan Anthony, Executive Secretary
Newark Human Rights Commission

Louis Danzig, Executive Director
Newark Housing and Redevelopment Authority

Isham Jones, Supervisor of Compliance
Division on Civil Rights

George Oberlander, Director
Newark City Planning Board

James A. Pawley, Executive Director
Urban League

New Jersey's fair housing practices law became effective on September 13, 1961 and consisted of an amendment to the State Law Against Discrimination. The amendment barred discrimination in the rental or sale of structures accommodating three or more families (not including the owner in owner-occupied dwellings) and in developments of 10 or more housing structures owned or managed by one person and located on land that is contiguous.

The law also covers the sale or lease of vacant land and the activities of real estate brokers, salesmen, lending institutions, and advertising media.

The public enforcement agency in New Jersey is the Division of Civil Rights in the Department of Education. The division has offices in Newark and Trenton. Field representatives are dispatched from these offices if a housing complaint comes from another part of the state.

Newark, the city in New Jersey selected for study, has a population of about 450,000. The non-white population (1960 census) is 34 per cent. The state fair housing practices law covers about 70 per cent of the dwelling units in Newark, but a smaller proportion in the rest of the state.

The Division on Civil Rights settled a total of 56 housing complaints throughout the state from July of 1961 to July of 1962. This total also includes complaints about discrimination in publicly assisted housing filed both before and after the private fair housing practices legislation became effective in September.

Of the 56 settled complaints a total of 15 were satisfactorily adjusted (apartment or house made available, landlord agreeing not to discriminate if the apartment or house had been taken by someone else when the complaint was being processed, etc.)

The Division found no evidence of discrimination in 20 cases, and 15 complaints were withdrawn. Complainants were not covered by the law in six cases.

It was agreed by those interviewed that the law is useful in that it established non-discrimination in housing as a legislative principle. It was also agreed that the law has had no ill effects on the housing industry.

It was the consensus that there is widespread ignorance of the law, and the number of complaints is probably very small in proportion to the total number of violations. Mr. James A. Pawley, executive director of the Urban League, said there may be a vague general knowledge that a fair housing practices law exists, but that there is little knowledge of what it covers and what should be done in the event of discrimination.

NEW YORK (CITY AND STATE): As part of the survey of the effects of fair housing practices legislation in New York City and State the following government officials, community leaders, and experts in the housing industry were interviewed in New York City:

Doris Beausoleil, Housing Division
State Commission for Human Rights

Earl Brown, Member of the Board
New York City Housing and Redevelopment Board

John Dobbs, Housing Director, New York
City Commission on Human Rights

Margaret Fisher, Editor, Trends in Housing
National Committee Against Discrimination
in Housing

Irving Goldaber, Deputy Director, New York
City Commission on Human Rights

Harold Goldblatt, Research Director, New York
City Commission on Human Rights

Harry Held, Senior Vice-President and Head of
Mortgage Department, Bowery Savings Bank

Lloyd W. Hardy, Braudeis and Nauman, Inc.

Madison Jones, Executive Director, New York
City Commission on Human Rights

Frances Levenson, Executive Director, National
Committee Against Discrimination in Housing

Joseph Lilly, Public Relations Counsel, New York Real Estate Board

Frank McKeown, Executive Vice-President
New York Real Estate Board

Milton Mollen, Chairman, New York City Housing and Redevelopment Board

Edward F. Rogers
Douglas L. Elliman & Co., Inc.

Hillard Sachs, Director of Sales
Herbert Charles & Co.

Murray Siegel, Vice-President
Herbert Charles & Co.

Howard M. Sonn
Sonn-Swalberg Co.

Edmund E. Thomas, President
New York Real Estate Board

Dr. Louis Winick, Director of Research
New York City Housing and Redevelopment Board

Alexander Wolf, Jr., Executive Vice President Herbert Charles & Co., Inc. and member of the State Commission for Human Rights, Housing Advisory Council

Lou Zimmerman, Enforcement Director, New York City Commission on Human Rights

Both New York City and New York State have fair housing practices laws. The city's law has been in effect for a longer period of time and is more extensive than the state law.

The city's fair housing practices law, oldest in the nation, has been in effect five years. Known as the Sharkey-Brown-Isaacs Law, the legislation originally applied to the sale or rental of private dwellings containing three or more apartments and to real estate developments containing ten or more one-family and two-family houses owned or managed by one person and located on land that is contiguous. On June 16, 1961 an amendment was passed which expanded coverage to all housing units, exempting only the rental of a room or rooms in a single-family structure and the rental of an apartment in a two-family owner-occupied structure. The law includes provisions covering the activities of lending institutions, advertising media, and real estate brokers.

In 1962 an amendment was passed providing for an injunction to compel a landlord to hold an apartment vacant for a month while a complaint is pending against him.

New York City's fair housing practices law covers approximately 95 per cent of the housing units in the city. Population of New York City is 7,781,984 (1960 census) with 1,087,931 Negroes and an estimated 612,000 Puerto Ricans.

New York State's fair housing practices law, consisting of an amendment to the state's anti-discrimination law, was approved April 11, 1961 and became effective September 1, 1961. The amendment banned discrimination in the rental or sale of all housing units accommodating three or more families, excluding the residence of the owner; and in structures, which are among 10 or more housing accommodations located on land which is contiguous. The act also covers the activities of real estate brokers and salesmen, lending institutions, and advertising media.

The city and state enforcement agencies have agreed that housing bias complaints arising in New York City will be handled by either agency in the event of concurrent jurisdiction.

The state enforcement agency, the New York Commission for Human Rights, does not yet have figures on the disposition of complaints charging discrimination in private housing.

In an effort to educate the public and win voluntary compliance with the law the Commission for Human Rights has held a series of public meetings during the past several months in 11 cities throughout the state.

Attendance at these meetings has ranged from 100 to 300, and has included a high proportion of persons from the housing industry. Regional conferences with such groups as the executive boards of local home builders or bankers associations also are being held.

The Commission for Human Rights believes these meetings are producing a willingness on the part of many industry representatives to comply voluntarily with the law. Recently, 14 lending institutions in Albany publicly announced a policy of non=discrimination in their lending practices.

During the first four years of operation under the city law a total of 1,167 complaints charging discrimination in housing were filed with the city's public enforcement agency, the Commission on Human Rights (formerly known as the Commission on Intergroup Relations.) Of this total 939 involved cases where the complainant swore that his attempt to buy or rent housing had been denied because of discrimination. The remaining 228 complaints were registered informally.

Settlements had been reached on 1,092 complaints, or 93.6% of the complaints docketed. This left 75 complaints unresolved, all but three of which were sworn complaints. More than 80 per cent of all sworn cases on the docket have been settled within the end of the year with the exception of 1958, the year in which the law took effect.

Satisfactory settlements were reached in 437 sworn complaints, or 50.4% of those cases settled. In 232 of these cases the apartment at issue or an alternate, comparable housing unit was offered the complainant. Many of the other units in question were rented or sold to another applicant during the time the case was being settled.

Approximately 25% of the complaints were dismissed for administrative reasons, such as a lack of jurisdiction. In another 25% of the cases no evidence of discrimination was found.

The New York City Commission on Human Rights believes its handling of complaints has become quicker and more efficient with five years of experience. A higher percentage of apartments are being obtained for those persons who do file complaints. Many persons who are discriminated against, however, remain apathetic about filing complaints.

Those interviewed said the number of complaints is not the sole criterion for judging the law's effectiveness. The Commission on Human Rights believes its efforts in educating the people about the law and encouraging voluntary compliance are as important as its work in settling complaints. It is impossible to determine precisely the extent of voluntary compliance. It was pointed out that some landlords openly invited non-whites to move into their buildings following passage of the legislation.

The New York City Housing and Redevelopment Board feels that its work in urban renewal and public housing has been facilitated by fair housing practices legislation. Mr. Milton Mollen, the board's chairman, said:

> "The law has been beneficial in easing the problems of relocation. Now when we start to look for housing

> for those families displaced by the project we at least have the advantage of the law."

The successful settlement of one complaint often affects the overall policy of the owner. A survey by the City Commission on Human Rights of 35 apartment buildings in which families had obtained housing following formal complaint revealed that about 120 additional families, representing minority-groups formerly discriminated against by these landlords, had been admitted voluntarily.

Others who were interviewed agreed that the owner's policy often changes after conciliation of the first complaint, but said resistance remains in other cases, and that the quota system is probably being applied by some landlords.

Earl B. Schwulst, Chairman of the Board of the Bowery Savings Bank, recently spoke before the Governor's Conference on Equal Housing Opportunity in Philadelphia. Schwulst said:

> "On the whole, it seems to me, experience in New York is telling us that qualified non-white families in New York are taking advantage of our law and moving into a significant number of middle-income rental and cooperative housing developments in accordance with their economic status. Predictions of chaos, 'inundation' and indeed 'riots in the street' made some years ago by vocal opponents of New York State and New York City anti-discrimination legislation have not materialized. Home construction prospers in New York and, in fact, exceeds construction in many states that have no residential discrimination laws...
>
> "With the enactment of laws--state and municipal--throughout the country, a universal public policy against discrimination in housing is being slowly but surely established.
>
> "As a result of intelligent action by regulatory commissions and some builders, there is an ever increasing number of demonstrations that integrated housing is not only morally, but economically sound...
>
> "With the dissipation of residential bias, we may expect other forms of discriminatory action to weaken and ultimately disappear. If we are successful in this aim, the non-white will truly become a first-class citizen--his

> talents will be more fully available to meet the growing needs of our times--and we shall have repaired an international 'image' which is now somewhat tarnished by present practices."

Some members in the real estate business were strongly opposed to fair housing practices legislation at the time the law was passed. The attitude is generally much more favorable to the law today. In some cases those who originally opposed the legislation now openly support it. Some representatives in the real estate industry do feel that fair housing practices legislation should have been originally enacted at the state, rather than at the city level.

It was generally agreed by those interviewed that the law has had no adverse effect on the rate of residential construction. (New York City has been experiencing a residential building boom since the law was passed.) It was also agreed there has been no adverse effect on the availability of mortgage funds, real estate values, or racial tensions.

PENNSYLVANIA: As part of the survey of the effects of fair housing practices legislation in Pennsylvania the field study group interviewed the following government officials and housing experts in Philadelphia:

Thomas Burress, III, Executive Secretary
Philadelphia Branch of the National Association
for the Advancement of Colored People

Terry C. Chisolm, Supervisor
Housing Division, Philadelphia Commission on
Human Relations

William Cousins, Housing Director
Pennsylvania Human Relations Commission

Ray Andrew Hill, Executive Vice-President
Home Builders Association of Philadelphia and
Suburbs

Robert S. Irving, Vice-President
Mortgage Loan Department, First Pennsylvania
Company for Housing and Trust

Wilbur Lew, Executive Vice-President and
Real Estate Broker of Friends Suburban Housing, Inc.

Robert W. Plank, President
Philadelphia Board of Realtors

George Schermer, Executive Director
Philadelphia Commission on Human Relations

Vinton E. Ziegler, Field Representative
Philadelphia Commission on Human Relations

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The Pennsylvania law bars discrimination in the sale or lease of all housing accommodations, with the exception of owner-occupied single and two-family structures and accommodations used in the programs of religious, fraternal, or charitable organizations. The law covers the activities of owners, real estate agents, builders, and advertising personnel.

The steps in the administrative and enforcement procedure are as follows:

(1) The Pennsylvania Human Relations Commission receives and/or initiates complaints of housing discrimination.

(2) Complaints are investigated and probable cause established.

(3) Adjustment is attempted through conference, conciliation and persuasion.

(4) Informal hearings may be held.

(5) If adjustment fails a public hearing is held before the Commission. If the complaint is found to be justified the Commission directs the respondent to make the housing accommodation in question available to the complainant.

(6) If the orders are not obeyed enforcement may be obtained through court order.

The Commission has the subpoena power and may use it to secure records and the attendance of persons at the hearings.

Between September 1, 1961 and August 31, 1962 a total of 122 complaints had been received by the Pennsylvania Commission on Human Relations. Sixty of these cases had been settled with the following results:

4--lack of jurisdiction (owner-occupied unit, etc.)

4--complaint withdrawn

21--discrimination not established

31--charges found and adjusted (complainant obtained housing accommodation or similar one, or was placed on waiting list)

Eighty of the 122 complaints came from persons interested in housing accommodations in Philadelphia. Philadelphia's population, according to the 1960 census, was 2,002,512. The non-white population was 535,033, or 26.7 per cent of the total. Practically all of the complaints have been based upon racial discrimination.

Only two had not been decided by the end of the informal hearing stage. In one, the respondent waived the hearing procedure and consented to make the accommodation available. In the other, which reached the public hearing stage on September 17, 1962, the Human Relations Commission ordered the developer to sell a new home in Philadelphia to a Negro couple.

There is a general spirit of cooperation between the real estate industry and the Pennsylvania Commission on Human Relations. A center of opposition remains within the home building industry, but the commission feels that the builders generally are becoming more cooperative. There is no organized effort urging repeal of the legislation.

The legislation apparently has not had any significant effects on the rate of residential construction, property values, the availability of mortgages, or the rate of white or non-white migration.

It was generally agreed that there had been no increase in racial tensions under the legislation. Several of those interviewed expressed the opinion that the racial climate had definitely improved now that the principle of fair housing practices has received legal sanction.

It was the consensus of those interviewed that a program of positive education will make the legislation more effective in the long run. There was some feeling in the housing industry that too much publicity has been given to the filing of complaints, and not enough to the experiences of non-white families living in peace and harmony in predominantly white areas.

The City of Pittsburgh had enacted fair housing practices legislation prior to the passage of the Pennsylvania state law.

Pittsburgh's fair housing practices law was passed on December 8, 1958 and became effective on June 1, 1959. The Pittsburgh ordinance bans discrimination in the sale, lease, or rental by the owner of five or more housing units whether single-family homes or in multi-family structures; and owners of less than five housing units if transactions are handled by a real estate agent. The law's provisions cover the activities of real estate brokers, salesmen, lending institutions, and advertising media.

During the period June 1, 1959, to May 31, 1962, 82 housing complaints were processed by the Pittsburgh Commission on Human Relations. The following disposition was made of the aforementioned cases:

Probable cause found and satisfactorily adjusted (15 complainants offered unit or comparable unit; placement on waiting list, promise not to discriminate, etc. in other cases)	38
No probable cause found	19
Complainant failed to proceed in the action	9
Open or under investigation	12
No jurisdiction	4
TOTAL	82

No case has reached the courts since the law went into effect.

A proposal to expand coverage to bring it in line with the state law is being considered. At the present time the city refers cases outside its jurisdiction to the state agency. Cases of concurrent jurisdiction may be handled by either the city or the state agency.

Part Two: Areas Surveyed by Mail

TOLEDO: On September 25, 1961 the Toledo City Council passed an ordinance prohibiting discriminatory practices in the rental or sale, advertising, or financing of residential property because of race, color, religion, or national origin.

The sales provision would apply to all housing structures, while the rental provision would apply only to residential buildings containing five or more housing units.

Enforcement of this ordinance was halted on November 2, 1961, when opponents of the legislation were able to obtain a temporary court injunction.

ALASKA: On April 3, 1962 the state of Alaska amended its statute prohibiting discrimination in public accommodations to include all housing accommodations offered for sale, rent, or lease. The amendment became effective April 4, 1962.

The Alaska state attorney general, George N. Hayes, replied that the one discernable effect since passage of the legislation has been the elimination of discriminatory advertising.

COLORADO: Colorado's fair housing practices law, first state law of its kind in the nation, went into effect on May 1, 1959. The Colorado fair housing act is applicable to all private transactions except those involving owner-occupied units. It also covers the sale or lease of vacant land and the activities of real estate operators, lending institutions, and advertising media.

As of June 30, 1962, a total of 66 formal verified (notarized) complaints had been received by the State of Colorado Anti-Discrimination Commission. In addition, 75 reported violations also have been handled. The latter category includes instances where there is prima facie evidence of routine violation. The commission reports about 90 per cent of the complaints are handled by conferences and conciliation. The Colorado Supreme Court upheld the constitutionality of the law by a 6 to 1 decision rendered December 17, 1962.

The Anti-Discrimination Commission of Colorado stated the law has had no adverse effect on the rate of residential construction.

(The State of Colorado in general and the city of Denver in particular are experiencing a residential building boom.) The Commission also said that the law has had absolutely no adverse effect on property values, and that surveys show a marked property-value increase in several areas where there has been an in-migration of Negroes.

According to the Anti-Discrimination Commission there are at least 500 Negro families living outside the predominantly-Negro areas, but there have been no reports of increased racial tensions. There is no evidence of any increase in the rate of white migration to the suburbs.

The Commission said, "The strongest argument (in favor of fair housing practices legislation) is based on the simple belief that the average American wants to be a law-abiding citizen. When you add to this the fact that there is a large number of people who believe that housing discrimination is wrong, the purpose of such a law becomes apparent. Whether the person simply wants to be law-abiding or is a person who feels strongly that housing discrimination is wrong, the law gives these people the courage to stand up for their behavior when they adhere to its terms. Many sympathizers do not have the courage to stand up and be counted in this area without a law to back them up."

CONNECTICUT: Connecticut's fair housing practices law became effective on October 1, 1959 and consisted of an amendment to the Connecticut Public Accommodations Statute. The amendment provides that there shall be no discrimination on the basis of race, creed or color in any housing accommodation offered for sale or rent which is one of five or more housing units located on a single parcel of land or on contiguous parcels and owned or controlled by one person.

On October 1, 1961, the Connecticut General Assembly extended this coverage to contiguous units of three or more, including building lots on which it is intended to build housing. It also broadened the definition of ownership to cover property transfers intended to avoid the provisions of the law.

As of June 1, 1962, the Connecticut Commission on Civil Rights, the state enforcement agency, had received 141 complaints under the housing amendment. An analysis of the 100 that have been disposed of follows:

Complaint		Disposition	
Refusal to rent unit	78	Complainant rented or was offered rental unit	47
Refusal to sell unit	12		

Complaint (Cont'd.)	
Attempted eviction of occupant	2
Refusal to show unit	2
Other	6
TOTAL	100

Disposition (Cont'd.)	
Complainant bought or was offered home	6
Respondent will show apartment or home	7
Insufficient or no evidence of alleged discrimination	16
Discriminatory practices eliminated	7
Other	17
TOTAL	100

In reply to the section in the questionnaire on the social and economic effects of fair housing practices legislation the Connecticut Commission on Civil Rights said there is no evidence that the legislation has had any adverse effect on the rate of residential construction, property values, or the availability of mortgage funds. There has been no substantial movement of non-whites into all-white neighborhoods, and there are no indications of increased racial tensions.

MINNESOTA: Minnesota's fair housing practices law, which became effective December 31, 1962, prohibits discrimination on the basis of race, color, creed, religion, or national origin in housing transactions carried on by an owner, lessee, sub-lessee, assignee, or managing agent; a real estate broker or salesman; and lenders, banks, or other financial institutions. Residential properties excluded are two-family structures where one unit is owner-occupied and owner-occupied one-family dwellings that are not publicly assisted. The law was approved on April 17, 1961, and is administered by the State Commission Against Discrimination.

As of the middle of March, 1963, the Minnesota Commission Against Discrimination had received 15 complaints. Seven had been settled by conciliation and one had been dismissed because of lack of evidence. Seven were pending.

NEW HAMPSHIRE: In 1961, the New Hampshire legislature prohibited discrimination in the rental or occupancy of a dwelling in a building containing more than one housing unit by amending an existing statute which barred discriminatory advertising by places of public accommodation. The rental or occupancy of private, public, and publicly-assisted housing units are encompassed by the new provision of the law. Single family homes are excluded from the provisions of the act.

OREGON: Oregon's fair housing practices law became effective on August 5, 1959, and consisted of an amendment to an existing statute which prohibited discrimination on the part of all persons engaged in the business of selling, leasing, or renting of real property. The sale, lease, or rental of real property by an owner who is not in the business of selling, leasing, or renting is not covered by the law.

As of June 15, 1962 the Civil Rights Division of the Oregon State Bureau of Labor had settled 32 cases by conciliation. In these cases 14 complainants obtained the housing unit at question or a comparable one, and 12 complainants were offered, but refused the housing accommodation. A total of 16 complaints were dismissed because of unsubstantiated charges, lack of jurisdiction, or withdrawal of the complaint.

The Civil Rights Division, Oregon Bureau of Labor, stated it has been told by the immediate past-president of the Portland Realty Board that no realtor has suffered any economic loss from the Oregon Law. The division also said the law has not had any great impact upon residential patterns, but that it had made it possible for members of minority groups to move into areas previously closed to them "with far less conflict...than experienced prior to the law."

The Civil Rights Division said the law has resulted in "a broader understanding of and respect for the right of the minority person to an equal chance for choice of housing, and is creating improvement in inter-group relations in neighborhoods and communities."

VIRGIN ISLANDS: The Virgin Island's fair housing practices legislation consisted of an amendment on June 9, 1961, to the Virgin Islands Civil Rights Act. The legislation bans discrimination in the sale, rental, or lease of any houses, apartments, or building sites. Real estate salesmen and brokers also are covered.

Part Three: Areas With FHP Laws Applying Only to Real Estate Operations

CALIFORNIA: On July 14, 1959, the section of the California Civil Code known as the Unruh Civil Rights Act became effective. The act stated that all Californians are free and equal and entitled to equal accommodations, advantages, facilities, privileges or services in all business establishments of every kind. In November of 1959, the State Attorney General ruled that the operations of real estate brokers and salesmen are included in the act. The California Supreme Court upheld this ruling in March of 1962. Those violating the act are liable for actual damages in a civil suit plus punitive damages of $250.

WASHINGTON: On May 3, 1962, the Washington Superior Court ruled that the state's law barring discrimination in places of public accommodations applies to real estate offices. An appeal contesting the Superior Court ruling has been filed with the Washington Supreme Court.

The Washington public accommodations law, which became effective in 1957, is administered by the Washington State Board Against Discrimination.

V. EXECUTIVE ORDER NO. 11063, EQUAL OPPORTUNITY IN HOUSING

President Kennedy signed an executive order, prohibiting discrimination in federally aided housing, on November 20, 1962.

Under the order, all federal agencies involved in housing programs are directed to prevent discrimination in new housing built with federal assistance. The order includes the sale or lease of housing built with federal grants, loans, mortgage insurance, or other guarantees. It is estimated that the order will cover approximately 25 per cent of the new housing to come on the market.

The order does not apply to housing contracted for prior to November 20, 1962, except for property owned or operated by the federal government, such as housing repossessed by the Federal Housing Administration or the Veterans Administration. With regard to other existing housing the agencies are directed "to use their good offices to promote and encourage the abandonment of discriminatory practices that may now exist."

The President's Committee on Equal Opportunity in Housing was established to coordinate the enforcement activities of the various agencies covered by the order. David L. Lawrence, former governor of Pennsylvania, is chairman of the committee. The committee includes the Secretary of the Treasury, the Secretary of Defense, the Secretary of Agriculture, the Housing and Home Finance Administrator, the Veterans Administrator, and the Chairman of the Federal Home Loan Bank Board.

Opinions as to the possible effects of the order, expressed both before and after the order was issued, have varied.

In July of 1962, several months before the President signed, the National Association of Home Builders surveyed its entire membership to obtain their reactions to the possible impact of the order. Approximately 38 per cent of the NAHB members responded. Approximately 41 per cent of those who replied said the order would adversely affect their plans. The builders in the South were the most apprehensive, with more than half the total number of predicted decreases coming from this region.

Two weeks before the executive order was issued Practical Builder magazine conducted a survey in which 1500 leading builders throughout the nation were asked to evaluate the housing outlook for 1963. The builders predicted a 3.2 per cent rise in the number of housing starts in 1963. Shortly after the executive order was signed the magazine conducted a follow-up study. An increase of 3.3 per cent in the number of housing starts was predicted in the second survey.

According to the United States Bureau of the Census the number of private housing starts during December of 1962--the first month after the signing of the order--was at a seasonally adjusted annual rate of 1,499,000 units, approximately 16 per cent higher than the rate for December of 1961. Permits were issued for 79,934 new private units in December of 1962, equivalent to a seasonally adjusted annual rate of 1,361,000. The permit figures are 12 per cent higher than the corresponding figures for December of 1961.

Speaking in Chicago on March 25, Philip N. Brownstein, commissioner of the Federal Housing Administration, said the executive order has resulted in "no significant changes in the rate of new housing starts."

"Not only has there been no wholesale abandonment of FHA financing," Brownstein said, "but even the slight hesitation FHA expected has not taken place."

Brownstein further said the housing industry appears to be making a genuine effort to comply with the order, and that "the FHA does not anticipate many problems in enforcement of the order."

INCONSISTENCIES IN ATTITUDES TOWARD NEGRO HOUSING

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Much of the research on attitudes has assumed that a person has a single attitude toward a given object. This is probably because most of this research has been guided by behaviorist theory, which considers behavior a specific response to a given stimulus. On the other hand, both psychoanalytic and symbolic interactionist theory would expect many attitudes to be ambiguous and/or inconsistent. By "inconsistent attitudes" I mean that a given individual may hold a number of attitudes toward the same object, perhaps applicable in different settings, but logically incompatible if they should be confronted with each other in the same setting.

The study of race attitudes has been partially an exception to the tendency of attitude researchers to ignore the inconsistency of attitudes. An early study by LaPiere[1] showed that proprietors of hotels and restaurants manifested one set of attitudes toward the Chinese (openly hostile) when asked by mail to hold reservations for them, but another set of attitudes (formally polite) when confronted with a Chinese customer in the flesh. Levinson and Sanford[2] discovered several interesting inconsistencies in their study of stereotypes. They found that there was one stereotype of the Jew as cliquish and clannish, but another stereotype of the Jew as "pushy" and seeking integration. In a fascinating field experiment, Saenger and Gilbert[3] found that there was no relationship between a customer's expressed willingness to be waited on by Negro sales personnel and their actual tendency to select or avoid a Negro sales clerk when confronted with a choice. Aurbach, Coleman, and Mausner[4] recently demonstrated that different forms of a questionnaire will elicit markedly different proportions of people in favor of "fair housing" legislation: one form presented the law as a device which "enforces integrated housing"; the other form presented the law as a protective device assuring the rights of individuals to seek housing in a free market regardless of race or color. Gunnar Myrdal[5] raised this matter of inconsistency of attitude to a principle in the study of race relations. He held that there was a fundamental dilemma in American whites' attitudes toward Negroes, that whereas they believed in repressing and segregating them, they also believed in dealing with them in terms of justice and democracy.

I suspect there is ambiguity and inconsistency in all but the most superficial attitudes, that we do mingle love and hate (as Freud said), and that we do respond to the varied and diverse aspects of experiences and situations (as the interactionists would have it). Yet so much of contemporary research

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Assistance in carrying out some phases of the research on which this article is based was provided by my students Frank Caro and Samuel Wallace.

[1] Richard T. LaPiere, "Attitudes Versus Actions," *Social Forces*, 13 (December, 1934), pp. 230-237.

[2] Daniel J. Levinson and R. Nevitt Sanford, "A Scale for the Measurement of Anti-Semitism," *The Journal of Psychology*, 17 (April, 1944), pp. 339-370.

[3] Gerhart Saenger and Emily Gilbert, "Customer Reactions to the Integration of Negro Sales Personnel," *International Journal of Opinion and Attitude Research*," 4 (Spring, 1950), pp. 57-76.

[4] Herbert A. Aurbach, John R. Coleman, and Bernard Mausner, "Restrictive and Protective Viewpoints of Fair Housing Legislation: A Comparative Study of Attitudes," *Social Problems*, 8 (Fall, 1960), pp. 118-125.

[5] Gunnar Myrdal, with the assistance of Richard Sterner and Arnold Rose, *An American Dilemma*, New York: Harper, 1944.

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still assumes that an individual can have only one attitude toward a given object, and so much of contemporary practice still assumes that attitudes are consistent. Even in the field of race attitudes we are likely to do surveys showing that such and such a proportion of whites are against desegregation of schools, or that a majority of whites think that Negroes are dangerous. Yet by probing just beneath the surface, one can find marked inconsistencies and self-contradictions in race attitudes, as I shall demonstrate by using crude statistical comparisons of responses elicited in an interview survey in Minneapolis.

TOPIC OF RESEARCH, PROCEDURE AND SAMPLE

Although the Negroes of Minneapolis comprise only 2 per cent of the total population of the city, they share with Negroes in other urban areas of the United States the problem of finding adequate housing. Among the causes of difficulties which Negroes experience in finding housing are objections of white residents to having Negro neighbors. Northern whites' resistances to living near Negroes are a composite of many attitudes. It was the original purpose of our survey to measure the extent of the opposition to mixed racial residence, and we sought to approach the matter with many different questions. The chief finding that emerged from our questioning was that we could not, in fact, measure the extent of the opposition, as we got almost as many different results as we had approaches to the question. In other words, attitudes (and behaviors reported in answers to questions) are inconsistent.

Construction of the Interstate Freeway System has provided an opportunity for studying restrictive attitudes under unusually realistic conditions. A freeway will cut a swath, one block wide and thirty blocks long, through a large Minneapolis residential area, and those living in the area face the necessity of finding new housing. Some of the neighborhoods crossed by the area studied are racially mixed. What makes the attitudes toward Negro housing of this population interesting is the fact that it is, of necessity, sensitized to the whole question of housing. For the families forced to find new homes, questions concerning the acceptability of Negro neighbors assume an unusually pertinent and present meaning. The study attempts to discover the reactions of this group to its own housing in the presence or absence of Negro neighbors, the manner in which attitudes toward Negroes affects its preferences for future housing, and the way in which the group views Negroes' problems in finding housing.

The area to be taken by the Freeway had a population of about 650 families, and it was planned to reach half of these in the study. Using a prepared questionnaire and following instructions on interviewing procedures, students in a sociology class interviewed respondents in every second housing unit in the area. One adult member of each household was interviewed. Of the original sample of 325, 28 could not be reached in the interviewing conducted between October 17 and November 21, 1959, even though the interviewers were instructed to try on three different occasions. A validity check by comparing answers within the questionnaries eliminated three interviews. The sample included 16 Negro households which were excluded from the present analysis.[6] The final sample size was 278.

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[6] The small number of Negro households found in the original sample does not indicate much about the extent of racial mixture in the neighborhood, as the area studied was a long, narrow strip, and there could be Negroes living across the street from our households without having a chance of getting into the original sample themselves.

In addition to being tabulated as a whole, the data were analyzed separately for those who owned their own homes and for renters, and for those who had and those who did not have Negro neighbors. The criterion for having a Negro neighbor was an indication by the respondent that a Negro family lived within half a block on any side.[7] The sample included 96 home owners with no Negro neighbors, 60 home owners with Negro neighbors, 87 renters with no Negro neighbors, and 35 renters with Negro neighbors.

In order to assess the generalizability of the findings, we shall report some characteristics of the sample. The area is predominantly one of single family homes, with some scattered duplexes and small apartment houses. The median age of the respondents was 42 years, and 78 per cent of them were married. While the typical home owner was in his early fifties, the renters as a group were much younger, having a median age in the low thirties. No attempt was made to interview an equal number of men and women, and almost two-thirds of the respondents were women. Seventy per cent of the women in the sample listed their occupations as housewife; the remainder were employed outside their homes on a full- or part-time basis. Those with occupations, both male and female, were located most frequently in clerical, skilled, and semi-skilled jobs. Both the highest (professional) and lowest (slightly skilled and laborer) occupational groups were only lightly represented (4.3 per cent and 6.4 per cent of the respondents respectively). Satisfaction with current career, including that of housewife, seems reasonably high, with two-thirds indicating they would choose the same career if they were 18 years of age again.

Most respondents were high school graduates, and approximately one-third reported additional education. Three-fourths of the respondents reported that they had attended church in the four-week period preceding their interview. The majority were Protestants (67.5 per cent) with Lutheran being the most strongly represented single denomination (32.4 per cent).

On a six-level social stratification scale, the respondents generally rated themselves as either upper-middle class or lower-middle class (46.4 per cent and 41.4 per cent, respectively). Some support is given to the economic class-self ratings by the fact that they correlate closely with a furniture rating made by the interviewer. The very low relationship between class self-ratings and educational level reflects the presence of college students of low current economic status among the residents as much as it may indicate any inadequacy of the self-ratings. Home owners rated their class positions higher than did renters (chi square = 13.32).[8]

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[7] This is not a thoroughly reliable criterion since some whites are not aware of the presence of Negro neighbors. C.f. A. M. Rose, F. Atelsek and L. McDonald, "Neighborhood Reactions to Isolated Negro Residents," *American Sociological Review,* 18 (October, 1953), pp. 497-507. But conscious nonawareness of Negro neighbors might be considered as equivalent to the subjective absence of Negro neighbors. There may also be some cases of respondents who were aware of Negro neighbors but lied to the interviewers. However, since the total of those reporting no Negro neighbors is about two-thirds of the whole sample—a proportion which coincides with our impressions of the proportion actually without Negro neighbors—the number reporting no Negro neighbors and actually having them must be small. We doubt that there are any cases of white persons reporting Negro neighbors who actually do not have them.

[8] Unless otherwise indicated, all reported chi square values will be for 2x2 matrices. All tests are two-tailed. The 5 per cent level of significance was arbitrarily selected. Critical value for a two-tailed chi-square test at the 5 per cent level, with one degree of freedom, is 3.84.

Home owners reported their homes as having a median value of about $15,750. Those in all-white neighborhoods reported a median value of $17,300 while those with Negro neighbors claimed a substantially lower value of $13,500. Median rental payment was between $85 and $86 with no apparent difference between the two kinds of neighborhoods.

FINDINGS INDICATING INCONSISTENT ATTITUDES

1. *Spontaneous attitudes vs. invited statements of preference regarding Negro neighbors.*

When asked a general open-ended question regarding the respects in which they were dissatisfied with their present neighborhood, only 7.7 per cent of those with Negro neighbors mentioned these neighbors. Similarly, when asked a general open-ended question regarding the characteristics they would look for in a future neighborhood, only 11 per cent said they would look for an all-white neighborhood. However, when asked specifically how they felt about neighborhoods with regard to racial composition, 74 per cent expressed a preference for an all-white neighborhood. On the other hand, when asked a loaded (but not unrealistic for Minneapolis) question about whether they would object to living in a neighborhood where there were one or two Negro families who kept up their homes and tried to be good neighbors, only 19 per cent gave negative answers. Obviously, the proportion of people who express antipathy to having Negro neighbors depends greatly on the way the question is put.

2. *Present behavior and future preference.*

Those who live in mixed neighborhoods are no more likely to mention a racial factor as one of the three main considerations in the selection of a future neighborhood than are those who live in an all-white neighborhood (11 per cent of both groups mentioned their preference for an all-white neighborhood). That is, no relationship was found between the present behavior of having or not having a Negro neighbor and preference for an all-white neighborhood in the immediate future. This is comparable to Saenger and Gilbert's finding of no relationship between behavioral selection of a white or Negro salesperson and expressed preference for avoiding Negro salespersonnel.

3. *Status self-evaluations and presence of a Negro neighbor.*

Fear of loss of status, in the eyes of others, seems to be a major reason for opposing having Negro neighbors. (Thirty-two per cent of the respondents mentioned this when asked to explain why they preferred to live in an all-white neighborhood.) Yet when class self-rating was correlated with presence or absence of a Negro neighbor, the relationship was so low as not to be significant (biserial $r = .09$). This is in spite of the fact, noted earlier, that home owners with Negro neighbors had homes for which they reported a substantially lower value than did those who lived in all-white neighborhoods. Apparently subjective class self-rating does not suffer from the presence of Negro neighbors, although fear of loss of status is a major reason for opposing Negroes as neighbors.

4. *Fears concerning Negro in-migration and residential stability.*

While 66 per cent of the white respondents believe the presence of a Negro in their neighborhood reduces the value of the property, and 32 per cent believe the presence of a Negro in their neighborhood reduces their status, these and other negative beliefs did not make them move away. Those in racially mixed neighborhoods were at least as residentially stable as those in all-white neighborhoods. Eighty per cent of the white home-owners in both all-white and racially mixed neighborhoods reported that they had not moved within the past three years. Among renters, 40 per cent of those in racially mixed neighborhoods have not moved within the past three years, but only 32 per cent of those who live in all-white neighborhoods indicate this.

5. *Fears about intermarriage and objections to Negro neighbors.*

While a major reason given against living in mixed neighborhoods is the possible consequence of intermarriage when white children grow up in proximity to Negro children (33 per cent of those favoring living in an all-white neighborhood said this when asked why they gave this preference), those who have children themselves showed greater willingness to have Negroes live in the same building with them than did those without children (chi square = 10.79).

6. *Negro housing needs and solutions.*

While fewer than 20 per cent believed that plenty of housing is available to Negroes, and it is generally known that practically no more land for residential construction is available in the city of Minneapolis, the most popular choice (in a checklist of possibilities) for increasing the amount of housing available to Negroes (stated by 45 per cent) is to build more housing in Negro neighborhoods.

7. *Public positions concerning an "open occupancy" law and knowledge of these positions.*

While in fact the local newspapers and most clergymen have openly and strongly favored an open occupancy law for sometime, the great majority of the respondents said they did not know the positions of these groups. On the other hand, practically all the elected public officials have in fact avoided public commitments concerning the open occupancy bill, but a much larger proportion of the respondents ascribed positions to them than to the newspapers or clergymen. A majority of the respondents thought that the mayor and their ward alderman opposed the proposed law, and a plurality thought that the governor, their state senator, and state representative were in favor of such legislation.

8. *Neighborhood integration and the presence of Negro neighbors.*

Considering the extensive verbal expression of concern about having Negro neighbors, their presence makes little difference in the extent of neighborhood integration for the whites. The extent of neighborhood integration was measured by three indices (see Table 1), and while there are differences regarding these between owners and renters, they are little affected by the presence or absence of Negro neighbors. This finding, unlike those previously mentioned, is not reported to indicate inconsistency of attitude, but to support one implication of the finding of inconsistency—namely, that little is changed by the presence of a few Negro neighbors. Additional data along this line, which are especially interesting in view of the greater proportion of owners than of renters expressing antagonism toward having Negro neighbors (chi square = 12.06), are the following: two-thirds of the renters said that they had not gotten to know any Negroes in the neighborhood while only one-third of the home owners said the same (chi square = 8.71). Owners reported meeting Negroes at neighborhood meetings more often than did renters (chi square = 7.00). While it appears that neighborhood integration of renters in this area is basically very low, what little there is, is not inhibited by the presence of Negro families.

SOME ADDITIONAL FINDINGS

A few additional findings from the

TABLE 1

NEIGHBORHOOD INTEGRATION AS MEASURED BY NUMBER OF NEIGHBORS' NAMES KNOWN, NUMBER OF NEIGHBORS EVER VISITED AND NUMBER OF NEIGHBORS CONSIDERED GOOD FRIENDS

	Home owners with		Renters with	
Median number of:	No Negro neighbors	Some Negro neighbors	No Negro neighbors	Some Negro neighbors
Neighbors' names known	10.1	9.2	3.6	3.2
Neighbors ever visited	6.2	4.2	1.6	1.7
Neighbors considered good friends	4.4	2.6	1.0	1.1

survey will be summarized here for the light they shed on attitudes toward Negro housing, recognizing how unstable these attitudes are.

Fear of depreciation of land values, "don't like Negroes," the possibility of intermarriage, and fear of what friends think of one who has Negro neighbors (interpreted as "status"), are, in order of importance, the reasons listed by respondents for their preference for an all-white neighborhood. Beliefs that Negroes are dirty, or that they make bad and dangerous neighbors were not frequently mentioned. Owners tended to give depreciation of land values as a reason significantly more often than do renters (chi square = 15.29).

When asked their opinion of Negro families who live in neighborhoods in which they are the only Negroes, respondents gave no clear reaction pattern. Some expected that the Negroes would feel uncomfortable. A number saw the situation as one in which the Negro was trying to advance himself socially, while a larger proportion preferred to judge on the basis of the particular persons involved. A majority (57 per cent) felt that in such a situation Negroes would encounter unfriendliness from white neighbors. Renters suggested this difficulty significantly more often than did home owners (chi square = 5.98).

More than a third of the respondents thought that only a low status white family would live in a neighborhood otherwise completely Negro. Over 40 per cent expressed the opinion that Negroes would cause some kind of trouble for such a white family.

Some indication of variation in expressed willingness to associate with Negroes was sought by asking two social-distance-type questions. Response to these indicate that 86 per cent of the respondents were not opposed to integrated schools, and that approximately 42 per cent thought that Negroes should be permitted to live in the same building with white persons.

Partially to indicate the respondents' conception of Negro mobility and also to get opinions on the future of racial integration, questions were asked about the future composition of most Minneapolis neighborhoods. Thirty-nine per cent thought that most Minneapolis neighborhoods would be mostly white in the future, and 18 per cent predicted that most neighborhoods would probably be evenly mixed white and Negro. These realistic and "tolerant" answers are to be compared with those of the 15 per cent estimating that most neighborhoods would be all white, and the 6 per cent saying they would be all or mostly Negro. The latter answers are probably especially unrealistic in that only 2 per cent of Minneapolis' population is Negro today, and the rate of emigration from the Southern states is not likely to continue at the same high rate at which it occurred during the past 45 years because of the lower proportion of Negroes remaining in the rural South and because the migration has been increasingly westward rather than northward. Among the renters in the sample, it was those with Negro neighbors who particularly overestimated the future proportion of Negroes in the local population (chi square = 3.89).

For respondents who saw a trend to more racial mixture in local neighborhoods, the reason most frequently given was the current migration pattern of Negroes moving out of the South into the North. Those who foresaw less residential mixing in the future most frequently gave as their reason the notion that races prefer to remain segregated. It is noteworthy that those with Negro neighbors perceived a trend towards more racial mixture as a result of Negro migration from the South significantly more often than those in all-white neighborhoods (chi square = 8.20).

In attempting to explain why neighborhoods tend to be racially segregated, respondents most frequently (63 per cent) said that Negroes prefer to live with other Negroes. The second most frequent reason (53 per cent) given for segregated neighborhoods was that property owners refuse to see or rent to Negroes. The third most frequent answer (21 per cent) was that since Negroes can afford only the cheapest housing, they live together where housing is cheap: this was stated by respondents with Negro neighbors more often than those without Negro neighbors (chi square = 10.22).

When asked for their own opinion about the proposed open occupancy law, a majority (52 per cent) opposed the legislation. Thirty per cent were in favor while 18 per cent reported no opinion. Home owners were significantly more often opposed to open occupancy than were renters (chi square = 3.87).

CONCLUSION: THE INCONSISTENCY OF ATTITUDES

This survey of attitudes toward Negro housing problems among white residents of a Minneapolis area was conducted because they were faced with the specific problem of finding new housing for themselves (as a result of dislocation by the forthcoming construction of a freeway), and because some who lived near Negroes could be compared with others who did not live near Negroes. The findings show a mixture of ignorance and knowledge concerning Negro housing problems and what can be done about them, as well as a mixture of tolerance and prejudice toward having Negroes as neighbors. The most significant finding that emerged from the study was that most of the expressed attitudes were contradicted by other expressed attitudes or by reports of behavior. Since the inconsistencies are shown by averages and correlations, they are *not* characteristic of *all* respondents: certainly *some* of the anti-Negro and of the pro-equality respondents are consistent.

But these inconsistencies apply to many or most of the respondents, and reveal a good deal about the mental dilemma which these northern white people have concerning Negroes and their relations with them. They indicate that there is a good deal of psychological rationalization of traditional and purely "emotional" negative attitudes toward having Negro neighbors, and suggest that this propensity to rationalize could turn negativism into at least grudging acceptance if some outside force would oblige these people to live in mixed neighborhoods. They also indicate that most measures of opposition or willingness to live near Negroes, and of support for or opposition to any given policy with regard to Negro housing, cannot be regarded as having much reliability or validity.

file

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AVC ON CIVIL RIGHTS -- 1963-1964

NATIONAL AFFAIRS PLATFORM

Statement of Principles

AVC stands for the Bill of Rights as a living force animating the political life of our Nation and as a firm limitation on the arbitrariness of government.

AVC stands for the Bill of Rights as a guarantee of our freedom to speak, to assemble, to believe, and to dissent without fear from the conformities of the day.

AVC stands for the constitutional guarantees of equality for all regardless of race, color, ancestry, national origin, and religion.

Government and Liberty

I. The Nation's Freedom--The Bill of Rights

1. We affirm the basic right of all Americans to due process of law, the rights to counsel and to freedom from unlawful search and seizure. We oppose all efforts to suppress freedom to believe speak, write, assemble, criticize, and dissent.

2. We urge the passage and enforcement of Federal legislation and regulations which will insure to the citizens of the United States and of the several States the full measure of their privileges and immunities of due process of law and the equal protection of the laws guaranteed to them by the Constitution, regardless of race, color, ancestry, national origin, religion, or sex.

3. In furtherance of the decision of the U. S. Supreme Court calling upon the States to integrate their school systems "with all deliberate speed," we urge the passage of Federal legislation which will:

a. Direct Secretary of Health, Education and Welfare to give technical assistance to communities engaged in integration as well as draw up plans for any community which has failed to initiate such integration plans.

b. Give the Secretary of Health, Education and Welfare the further duty of seeking assistance from the Attorney General to enforce the above through all legal means at hand.

c. Provide Federal funds to help support school systems deprived of State financing because of State or local laws designed to hinder or evade integration.

d. Empower Attorney General to seek injunctions or proceed under law on behalf of persons claiming deprivation of civil rights or liberties.

4. We urge enactment of Federal, State, and local legislation to prevent discrimination, whether through segregation or otherwise, because of race, color, national origin, ancestry, religion, or old age and also the denial of equal opportunity in:

a. Voting: (1) by abolition of poll tax and and any other undue restriction of voting rights; (2) by legislation which makes mandawory for all State voting registrars to maintain their records; (3) by legislation empowering the Justice Department to obtain such records under orders from any Federal District Court.

b. Housing: By legislation aimed at cutting off Government aid to builders practicing racial or religious discrimination.

c. Employment: By creation of a Federal Commission on equal job opportunity under Government contracts; and other legislation at all levels aimed against segregation in employment.

5. We urge inclusion in all Federal legislation making loans or grants to states, municipalities or private institutions, of a provision requiring these loans or grants to be used without discrimination on the basis of race, color, ancestry, national origin, religion or sex (recognizing, however, the right of any institution to limit its religious service to the members of a particular religious denomination or to limit its services to the members of one sex).

6. We urge protection by Federal law of all members of the Armed Forces from physical violence because of race, color, ancestry, national origin or religion; we urge making lynching a Federal crime, as well as making provisions for compensation to the families of lynching victims; we favor Federal legislation making it a crime to bomb or to conspire to bomb school, church and public and quasi-public property.

II. The Nation's Government

1. Freedom of Information: The right of the people to full knowledge of governmental affairs must not be abridged, except where disclosure would imperil the national security or where disclosure would, without substantial public benefit, encroach on the right of the individual to personal liberty or freedom.

2. Congress: We urge changes in rules of the Congress of the United States which will make it possible for the majority of members to vote cloture or close debate on legislation after a reasonable period, and which will make merit, not tenure alone, the standard to be used in selection of committee chairmen.

3. District of Columbia: We urge that the District of Columbia receive the right to full local self-government; right to representation in the electoral college in proportion to its population; right to elect Senators and Representations in Congress in the

as the states; a fixed annual contribution in lieu of real and personal property taxes on Federally owned property within the District.

III. Housing and Urban Affairs

A. An enlarged and vigorous middle income program, both publicly owned and Government stimulated as well as privately sponsored, is the best method of meeting the needs of an evergrowing middle class.

B. Eliminate all racial discrimination in the building, sale and real estate tax abatement.

IV. Labor

Legislation must require unions to admit to membership qualified applicants without regard to race, color, ancestry, national origin, religion, and sex.

V. Indian Rights

We oppose revocation of commitments entered into by treaty between the U. S. Government or the Government of any state and the various Indian tribes.

We support all efforts (a) to safeguard Indian lands and resources from exploitation and expropriation in violation of treaty rights and (b) to make the Indian tribes capable of supporting themselves from the proper development of their resources. We support adequate health and educational services for the Indian reservations as well as training in modern industrial and management skills to enhance the opportunities for better living and the ability of the Indian tribes to manage their own affairs.

We also support social services to those Indians who desire to live outside their tribal reservations so as to assist them in adopting themselves especially to urban living and to protect them against discrimination and hostility in their new environment.

VETERANS AND ARMED FORCES AFFAIRS PLATFORM

I. Veterans' Benefits

Veterans' benefits should be administered without regard to race, creed, color, sex, or national origin. Since benefits are a Federal responsibility, uniform standards of administration and compensation should be applied throughout the nation.

II. Veterans' Housing

AVC urges that the President's Executive Order 11063, which borbids racial discrimination in the sale or lease of housing by persons who obtained a commitment after November 20, 1962 for GI loan guarantees on purchase of housing, be administered vigorously to fulfill its purpose, and, in addition, be broadened to apply to all housing financed in whole or in part by funds of institutions aided by the Federal government through loan insurance or guarantee, or other government financial aid.

III. Non-Service Treatment in V. A. Hospitals

In many areas of the country, especially in the South, veteran members of minority groups cannot obtain adequate medical treatment at any price at other than VA hospitals. In other areas local health facilities are insufficient to cope with the increasing needs of the country.

IV. Segregation in the Armed Forces

We maintain that no assignments of any personnel should be made to overseas posts on the basis of segregation because of color, religion, ancestry, or national origin.

VI. Military Manpower, Reserve Forces and National Security

AVC believes that any Reserve program, present and future, which does not completely revoke segregation in the Armed Forces is incompatible with democratic ideals and frustrates the moral fiber of our society. It is essential for the future security of this nation that our manpower resources be used for the defense of our way of life without regard to regional prejudices. We urge therefore, that an anti-segregation amendment be added to the Reserve law, and the Congress prohibit racial segregation in any Federally recognized and/or Federally aided National Guard unit.

CIVIL RIGHTS RESOLUTIONS (June 1963)

I. Integration of American Society--AVC Solidarity with Struggle for Racial Equality

Twenty years ago, when AVC was founded, the achievement of equality in every aspect of life-legal, cultural, economic and social - for all Americans regardless of race, color, creed of national origin became one of the main goals of our organization.

In particular, our first platform adopted at Des Moines in 1946, the revision of our platform in 1953 at Atlantic City and numerous resolutions and and actions of AVC have spelled out over more than fifteen years the meaning and scope of integration and of the equality of rights guaranteed under our Constitution.

Twenty years have passed and much progress has been made in attainment of our goal but progress has been often painfully slow; we cannot in truth say that our goal of an integrated American society which treats equally all of its members without regard to race, creed, color or national origin has been attained. AVC notes with sympathy the ever increasing intensity, militancy and scope of the struggle fof equal rights and an integrated society.

AVC will continue to participate in this struggle and do all within its means to bring about its victoriuos conclusion. On this its Twentieth Anniversary AVC zealously rededicates itself to the task of integration of American society so that all its members can equally enjoy the life, liberty and pursuit of happiness which the Constitution promises to all.

Only total integration of our society will overcome the poison of racism and religious prejudice which still threaten injury to the well-being of the American people. AVC sharply condemns acts of violence which are constantly committed against those seeking to bring about racial integration and equality in our society. It calls upon all citizens and upon the Governments of all the States, counties and municipalities to cease persecution, whether by abuse of the police power or of the judicial process.

AVC calls upon the Federal and State Governments to protect rights of protest and free speech It calls upon the Federal Government to use its Armed Forces as well as its power over the purse, if and where necessary, to assure constitutional rights of every American.

II. Discrimination in Housing

AVC notes with satisfaction that by his Executive Order of the Fall of 1962 the Presdidnt has publicly established non-descrimination in housing as a principle of federal housing law. The step taken byhim in applying this principle was only a modest one of limited application, and long delayed.

The field of application of the Executive Order excludes all housing built prior to its date. In order to open up all housing which has ben constructed, rented, bought or sold with direct or indirect financial aid of the Federal government, any person on account of race, creed, color, or national origin.

4. To prohibit by law discrimination in respect of all housing construction, rental, sale, or acquisition of which is directly or indirectly federally financed or supported.

5. To protect effectively the voting rights of all citizens, in particular by making six years of education at a public or at an accredited private school conclusive evidence of a voter's or prospective voter's qualification under any literacy or voter qualification test, by providing for the appointment of registration and voting referees and by granting preference in the federal courts to all voting rights cases.

6. To enace legislation forbidding any person or firm to sell any commodity or service, on the basis race, creed, color, or national origin.

IV. Executive Action to Enforce Civil Rights

AVC calls upon the President and his Administration to take virorous action to abolish and suppress discrimination, whether by segregation or other wise, on account of race, creed, color or national origin throughout the United States and in particular throughout the executive branch of the Government.

Complaints of discriminatory action of segregated activities are still being heard in respect of the executive branch and in particular the Armed Forces; we mention especially the National Guard, ROTC, and other Reserve programs. Though progress has been made, it is clear tht even in the civilian branch of the Armed Forces, members of minority groups and in particular Negroes still do not occupy their proper share of higher positions and are still largely confined to menial and clerical jobs of non-professional character. Still more energetic action than that taken heretofore, it is necessary, and we consider it feasible, to take the following further steps:

1. To extend the provisions of the Executive Order to all housing built, rented, bought or sold with funds wholly or partially provided by financial institutions which are in any way insured, regulated or supervised by the Federal Government.

2. To extend the provisions of the Executive Order to housing built prior to the issuance of the Order or at least to housing built since 1933.

3. To activate fully the persuasion and conciliation activities provided for in the Executive Order by appointing the members of and adequately staffing the commission set up under the Order for this purpose and which is now chaired by former Governor Lawrence.

III. Civil Rights Legislation

Assembled in National Convention to commemorate the Twentieth Anniversary of its founding and the Centenary of the Emancipation Proclamation, AVC calls upon the Congress of the United States speedily to enact comprehensive civil rights legislation to close the gaps left open in the 1957 law and to go further. AVC calls upon the Congress in particular:

1. To enact Title III, deleted from the 1957 civil rights legislation, so as to authorize the Attorney General of the United States broadly to take all necessary legal action to redress all denials and violations of and to enforce the civil rights of every American.

2. To enact a Fair Employment Practices Act to be executed by a Commission with broad powers of investigation, subpoena and enforcement, and with penalties for violation of law.

3. To provide for withholding of Federal funds from any state, local or private activity or program which in any way discriminates against

especially by the Civil Service Commission and Executive agencies, is needed to overcome this situation.

We call upon the President to implement the recommendations of the U. S. Civil Rights Commission. We urge the Commissioners to exercise their acknowledged authority to issue regulations requiring non-discrimination in housing in the District of Columbia. We support the recommendations of the Civil Rights Commission that federal funds be withheld from the State of Mississippi and institutions, which practice segregation or discrimination.

While we have called upon the Congress to enact a broad program of civil rights legislation, we simultaneously call upon the Administration to accomplish everything in the same directions that can be accomplished by administrative means. While at the beginning of its term the Administration emphasized the scope os possible administrative action, the powers of the Executive have not been used to the fullest possible extent. To the degree that executive power has been allowed to lie fallow, the Administration must share with Congress the responsibility for the failure to attain the integration of American society.

V. Civil Rights Commission

AVC commends toe U. S. Civil Rights Commission for its keen analysis and courageous proposals for solution of the problems raised by evils of discrimination and denials of civil rights to many of our fellow Americans.

AVC urges the Congress to make the Civil Rights Commission a permanent Government agency and to pass the necessary legislation during the current session.

RESOLUTION ON FAIR HOUSING

The District of Columbia, as you know, now has a Fair Housing Ordinance, which became effective on January 20, 1964. The American Veterans Committee now respectfully addresses each of the governing bodies of the local governments in Metropolitan Washington area of Maryland and Virginia to urge consideration of a similar fair housing ordinance to govern in the respective jurisdictions.

Our organization, whose guiding principle has been "Citizens First, Veterans Second," believes that housing should be open to all persons without regard for their race or religion, and we conclude that the open occupancy principle should govern in the Nation's Capital and its environs. And we have considered this matter of such importance that both the national and local organization of the American Veterans Committee have joined together to make this recommendation.

Whether the county councils or other independent local bodies adopt such an ordinance may necessarily be resolved differently in different jurisdictions. But the goal of all, we have concluded after careful study of the matter for more than a decade, is to bar no person on account of his race or religion -- if the American promise is to be fulfilled.

We have been greatly heartened during the last year by the pronouncements of former President Eisenhower, the late President Kennedy, and President Johnson that our commitment to our neighbor that we do not discriminate against him on account of his race is a moral commitment. This basis for nondiscrimination thus gains a proper footing with the legal and constitutional guarantee of "equal protection of the laws" and the economic conclusion that a community and a nation suffer when some of its citizens are restricted in their contribution to the economy.

We enclose for convenience a booklet on the District Commissioners' Fair Housing Ordinance.

Paul Cooke
National Chairman

Frank E. G. Weil
Chapter Chairman

Norm

MAR 9 1964

AVC
"CITIZENS FIRST, VETERANS SECOND"
AMERICAN VETERANS COMMITTEE INCORPORATED
NATIONAL OFFICES • 1830 JEFFERSON PLACE, N. W. • WASHINGTON 6, D. C. • FEderal 8-1455
To achieve a more democratic and prosperous America and a more stable World

file

March 5, 1964

MEMORANDUM TO COOPERATING ORGANIZATIONS

AVC planned to mail the attached letter and resolution to the sixty-three local governing bodies when we concluded that once again the kind of joint memoranda and other cooperative efforts of the past decade and a half might be persuasive and impressive.

We invite your organization (national and local units) to join with us in signing. As in the past, when AVC spearheaded joint efforts we will remove the references to AVC, place all communications on plain paper, and clearly establish that the recommendation is joint. For purposes of reply we would use the AVC address.

Let us know (phone J. Arnold Feldman, AVC Executive Director, FE 8-1455 or drop us a note) if your organization can be listed and whose name is to be listed. Please reply to us at your early convenience; we plan to mail the resolution within ten days. You may share in the expense if you will.

Paul

Paul Cooke
National Chairman

Frank E. G. Weil

Frank E. G. Weil
Chairman, D. C. Chapter

March 20, 1964

Montgomery County Council
Rockville,
Maryland

Ladies and Gentlemen:

The American Veterans Committee (AVC) calls to your attention the attached resolution on fair housing, urges your formal consideration of it, and respectfully invites your reply.

Sincerely yours,

Paul Cooke
National Chairman

Frank E G Weil

Frank E. G. Weil
Chairman, D. C. Chapter

Lecture #1: The Open Occupancy Community: A Survey

New School Course; Black and White in the American City
Chaired by Morris Milgram

Definition of Open Occupancy Housing. That housing which is open to all, regardless of race, creed, color, etc. Open occupancy housing is not that housing which is intended only for Negroes. However, there is an unwritten law in real estate, that housing is for whites only unless specified, then it is for Negroes only. There are now laws which say this is illegal, but the change is scarcely noticable.

Housing is the last stronghold of segregation. The Executive Order, has, to some degree, abolished the unwritten law, but as Martin Luther Ling says of this order: the administration has retreated from a battlefield of honor. At present, the housing starts since the order is unkown. All in all, the order is a significant step, but more psychologically than legally -- it may give courage to builders and buyers alike. Most builders and agents will try to preserve the status quo, and until hard-pressed, they will ignore reality

Milgram stated here, in answer to a question, that yes, the housing starts would probably be lower.

Interracial Developments. Milgram's first example was housing which inadvertently became truly interracial. In Glen Cliff, in San Diego, Cal., the FHA pressured a builder into opening up his development. As a result, and because the man made no attempt to attract white buyers, the distribution was 150 Negro families, 2 white families. The buildings began to be run down, the owner lost money and sold out to speculators. A woman came in and got the idea of renting to all white. Some of the tenants were evicted, she fixed up the buildings and rented to whites. Then she discovered, to her surprise, that the whites did not at all mind moving into a house where their next-door neighbors were Negro. The development is now 2/3 white, and 1/3 Negro. At that time, Milgram himself would have said it was impossible. (The year was ___) He visited the development and met one woman, a white Southerner from Tennessee, whose best friend was in truth, a Negro. He was surprised, but found out that Southerners thought (at that time) that all housing in the North was integrated, and that it was a case of when in Rome . . .

In California, there are other cases. Eichler, the biggest building in the Bay area, builds about 900 units a year on open occupancy basis. His housing was opened up when F. Williams, Jr., a lawyer, attempted to get a house and was refused. Williams made a fuss all over California, and the development was opened up. When asked now what effect race has had on his business, Eighler states unequivequally, no. There are always other factors affecting business, especially the real estate business, but race has never been one. This particular development of Eichler's is now slightly higher non-white, but most of his developments have a relatively low percentage.

There are actually about 50 successfully integrated communities in the country. Concord Park and Greenbelt Knoll were the first two of Milgram's projects. Concord was planned for the Philadelphia area in 1954. It is actually located right outside the city. At first, 5% of the lookers were

Negroes, and Negroes moved into the model homes. Whites liked the homes, but asked, why are you renting to Negroes? The development moved quickly toward all Negro occupancy and Milgram decided that he must take the advice of the Friends Committee and set up a "fair housing pattern" or else he would simple create another ghetto. He then promised the customers a 55%-45% distribution. Whites evidently were willing to buy when promised that they would still be in a majority; and the Negroes were willing to accept these percentages. The development was completely sold in 3-years, and would have sold more quickly, if the "quota" was set earlier. (At time lag cuts the profits, among other things). Milgram set up a 3-yr. resale agreement: that for 3 years the company would handle all resales. Their houses were good houses, in that they were authorized to sell at $12,000 while comparable houses, with the same footage, area, number of rooms, etc., sold nearby for $11,500. Of the people who bought maybe 11% were "crusaders"; 52% not crusaders, but just people wanting housing, The balance were bothered to some degree at living in interracial neighborhoods, but their desire for a suitable house that they could afford was the important and overriding factor. (See attached - Suburb Where Everyone's Welcome, for details on Concord Park).

Greenbelt Knoll, the other development is different -- the houses sell for $25,000 to $40,000 and the small community of 19 houses is made up of professional people, who for a long time had been looking for an interracial community. This development was sold out in two years. This is where Milgram makes his present home.

In Chicago, "the most reactionary city outside the South" there are several interracial projects (see flier attached) York Center is one; there is also a New York Life Insurance housing project built almost in the heart of Chicago's ghetto. The first buildings were almost 100% Negro; then owners decided to attract white buyers. Following this, the owner, a member of a Presbyterian congregation with an open occupancy covenant, "got religion" and the last building ended up about 50% white. This community has stayed at these percentages, perhaps helped by the fact that the development is large, and sets up a community in itself.

and publicly assisted ?
Housing Statistics. 80.3% of all public housing/is segregated. 34% of all Negroes who live in public housing live in integrated facilities. The criteria for integration in these places, is that there be two non-while families, one of which is Negro.

Deerfield. " the exciting thing about Deerfield is not the opposition, but the support." (See attached, Homes Without Hate.) On February 22, the case comes up before the Supreme Court on a writ of certiori, at which time the Court must deside whether they will hear the case. If the Court decides to hear it, the case is ~~considered~~ expected to be won. The decision could possible as important as the one on school desegregation, in that it would deny communities the right to use their power of "eminent domain" to keep Negroes out.

Question period. Q. Were the sites picked with deliberate intent? A. No, except for the first initial projects, MCD does not build except where invited by a civic group, usually a religious or social group. In Chicago (Deerfield) they were invited by the Friends.

Q. Q. What is the proportion of Negro to White in Concord Park now that the three year resale agreement is over? A. It has gone up. Milgram extended his answer here, explaining that there is great pressure from the Negro housing market on the integregated areas, which does lessen when new areas open up, i.e. Levittown. Ordinarily, Negroes will pay more in the integrated areas than whites, so the realtors bring Negroes into the area.

Q. In Deerfield, if inhabitants had been informed, wouldn't this have been better? A. No., for instance, the land was hard enough to get, and when someone knows you want the land, they are going to give you a high price anyway. They wouldn't even have sold if they knew the intention of the builder. The word got out a little too early; the "stereotype" had no time to be destroyed.

The Migration of the '50's. There was an increase of 50% in the Negro population of the Northern cities, with an opposite trend in the suburbs. Washington, D.C. for instance, is now 54% Negro (with an all-white "center city" area), Baltimore, New Orleans, have Negro populations of about 35%. Other large cities, like Cleveland, ____________,____________, have Negro populations of ¼ or more. At present the percentage of Negroes in the U.S. in 11.5. 13,000.000 of the Negroes are Urban; 5,064,000 are rural. Most of the urban Negroes have recently come from the rural South. The birth rate of this urban Negro population is greater than the white, so by this rate alone, discounting further migration, the Negro population will continue to increase substantially in cities; in New York City the population of Negroes has risen 2½ times since 1940. San Francisco and Oakland are moving toward 52% minority population in 1980 if the present trend continues. With this trend solidyting the Negro ghettos, it is possible, and will become more so, in cities like Chicago, Newark, New York, to be born, work live and die without ever coming into real contact with a white person. And these ghettos remain the centers of low-income living, with all its accompanying problems.

Washington, D.C. has a closed center-city area. These were virtually lily-white, and remain so, even though a few years back the state department made a fuss, and managed to get 8 families of diplomats located in these areas. However, the real estate people would simply not cooperate. In Washington, as in states like Rhode Island, there never have been developments with new buildings sold to Negroes.

The Negroes in the metropolitan areas will continue the present trend toward the large cities becoming centers of depressed areas. According to Milgram, once the "white noose" in the suburbs is broken, these people who are about to "flee" to the suburbs will not move, since the "problem" they are fleeing will follow them, and they will remain in the cities, to give some stability to the now rapidly changing neighborhoods.

Areas of feeling. In the South and Mid-West, hostility is highest, in North and West, people have relatively high receptibity to integration. In 1956, 58% of the poeple in the North and West wouldn't object to having a Negro live next door. (For further information, contact the Dept of National Opinion and Research at the University of Chicago, which conducted this survey.)

Problems of integration. Those of eye, statistics, and "mind." In the mind

"mind" context, Milgram brought our attention to the poem "Dark Testament" (see reading list), with the lines:

> and swapped the wooden selling block for
> ghetto and gun

Negroes instinctively distrust, or hate whites. James Baldwin states in his article"Letter from a region in my mind" that they hate them; Murray (who___) from a survey conducted at Howard University, asking students if they automatically distrusted a white, found that 9 out of 10 did.

Questions: Why can't you buy sites openly? A.. Not availble if open. In fact, most major land purchases, like those for industries, etc., are done quietly, becuase once someone know why the land is desired, as in the case of large factories, they figure you want the land, and can pay for it, and try to make you pay as much as possible. However, in the case of building interracial housing, it depends somewhat on the community. The MCD development in Princeton was open from the very beginning.

Q. What were the most frequent complaints given by people as to why they wouldn't buy. A..Actually, most people didn't say, they just didn't buy. Often the property value scare comes up, and the various stereotypes.

Conclusion. The picture is not actually as bad as sketched, as bad news is news, good new is not -- for instance, in places like Chapel Hill, N.C., at the University of North Carolina, students can live in integrated dorms. And in many other communities, people are adjusting and not fleeing.

Mr. Norman Hill
Cong. of Racial Equality
38 Park Row
New York 38, New York

Sorry to be so late—we're temporarily short of staff. The March-April issue of Trends will be back on schedule.

TRENDS IN HOUSING

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1964 Housing Act Has Broad Scope

More Low-Income Aids

The 1964 Housing Bill, now before Congress, gives major emphasis to the housing needs of low- and moderate-income families. The following are some of the highlights:

Low-rent public housing. An additional 240,000 units would be provided over a four-year period. Of the 60,000-unit average per year, 35,000 would be new construction; 15,000 would be provided by purchase and rehabilitation of existing housing; and 10,000 would be made available by leasing existing accommodations.

"Rent Supplements." A new program would provide for payment of rent supplements, up to 24 months, for displaced low- and moderate-income families, and for elderly individuals, to pay the difference between 20 per cent of their incomes and rentals necessary for adequate housing. Also, additional contributions could be made to public housing authorities—up to $120 per year (now permitted for elderly tenants)—to provide housing at below-average rentals for very low-income displaced persons.

Single persons. Low-income displaced single persons generally would become eligible for public housing (now limited to those single persons who are elderly or handicapped).

Other Programs

The bill would add $1.4 billion to the authorization for urban renewal grants, estimated to meet new project needs for two years. FHA home mortgage limits would be raised (from $25,000 to $30,000 on single homes). New programs would allow comprehensive planning and development of entire "New Towns" and subdivisions. A Department of Housing and Community Development, with Cabinet status, would be created.

New Fair Housing Laws In Mid- and Far-West

Defeats in Seattle and Tacoma

Fair housing continued on the march during recent weeks, with attention focused on the mid- and far-West. King County, in the State of Washington, became the first county in the nation to enact a fair housing law; and ordinances affecting the private housing market were adopted in St. Louis, Mo., Grand Rapids, Mich., Beloit, Wis., and Peoria, Ill.

Coming Soon! Fair Housing Handbook

The first manual for fair housing groups is scheduled to come off the press June 15, under the joint sponsorship of the National Committee Against Discrimination in Housing and the American Friends Service Committee.

Designed as a practical reference, here are a few of the activities for which guidelines are suggested: organizing a committee; getting a program going and moving ahead; how to locate available housing; how to make contact with homeseekers; getting ready for new neighbors, and suggestions on things to do—and not to do—when they have moved in; action to keep neighborhoods inclusive.

Also included are detailed suggestions for conducting a "Good Neighbor" pledge signing campaign and using it as part of a long-range program; a description of "Operation Windowshop"; and guidelines for "testing" and direct action projects.

Separate sections deal with the "myths"; religious pronouncements; coverage of the Executive Order and ways to use it and the fair housing laws; national organizations which may be helpful; and a comprehensive bibliography.

This 48-page illustrated booklet is priced at 50¢ each. If sufficient prepublication orders are received immediately, it will be possible to offer it at 35¢ each for quantity orders of 100 or more. Let us hear from you!

A measure to prohibit "panic peddling" was passed by the City of Wichita, Kan. And in Detroit, Mich., as a result of court action instituted by NAACP, a circuit judge ruled that a so-called "Homeowners' Rights Ordinance," which would guarantee an owner freedom to discriminate (*Trends*, Nov.-Dec., 1963), may not be placed on a referendum ballot.

Setbacks

On the other hand, several setbacks occurred. On April 9, the Rhode Island House of Representatives killed proposed fair housing legislation by a vote of 61 to 32. In Tacoma, Wash., a five-months-old fair housing ordinance was struck down 3 to 1 in a referendum. In Seattle (located in King County), city voters rejected proposed legislation by more than 2 to 1. And in New York State, two measures designed to strengthen the enforcement powers of the State Commission on Human Rights died in committee.

A crucial contest is shaping up in California, where sufficient signatures were obtained on initiative petitions to place on the ballot an amendment to the state constitution which would strike down existing anti-bias housing laws and which would forbid such legislation in the future. Similar petitions are being circulated in Illinois.

The New Laws

King County, Wash. The first county fair housing law in the United States became effective March 3. It bars discrimination in housing located in the

(*Continued on page 2*)

New Legislation

(*Continued from page* 1)

county's unincorporated areas (excludes Seattle). Covers all sales and rentals except the rental of an apartment in an owner-occupied two-family house and the rental of rooms in private residences. Building lots are covered. The law applies to owners, real estate brokers and salesmen, mortgage lenders, and to advertising. Violators will be liable to fines up to $250, or 90 days in jail.

Complaints will be handled through the King County Sheriff's office. Sheriff Jack Porter told the press that investigations will be conducted in the usual manner, and that if evidence indicates the law has been violated cases will be turned over to the County Prosecutor for court action.

Unanimous Vote

The Board of County Commissioners passed the law by a unanimous vote, following seven hours of testimony. About 60 persons spoke in favor, and 20—mostly real estate brokers and apartment house operators—against.

Some dramatic moments occurred during the testimonials as parents took the floor to speak in behalf of the welfare of their children. Several mothers expressed distress because their families were being "culturally deprived" by unwritten laws which bar them from knowing Negroes as neighbors.

Robert Belote, an ex-Southerner, said he wanted to see his children grow up with fewer "prejudices than their father had." Mr. Belote told the commissioners: "I suppose I will carry my prejudice against the colored with me the rest of my life. But my four children are yet unaware that discrimination exists. I ask for legal support to sustain their present belief that Negroes are no different than the rest of society."

Adoption of the King County law came just one week before the Seattle proposal, upon which it was modeled, was rejected by that city's voters. The Attorney General of the State of Washington has ruled that the county law cannot be subjected to a referendum.

Broad Coverage

St. Louis, Mo. On Jan. 31, the Board of Aldermen of St. Louis passed a far-reaching fair housing ordinance by a vote of 15 to 4. Effective Feb. 6, discrimination is barred in the sale or rental of all housing, including building lots, except for the rental of rooms in private residences. The ordinance applies to owners, real estate brokers and salesmen, and to mortgage lenders, and includes a prohibition against "panic peddling." Violators will be liable to fines up to $500, or one year in prison, or both.

Enforcement jurisdiction is given to the St. Louis Council on Human Relations, which is empowered to receive and investigate complaints, to attempt settlement by conciliation, and to hold public hearings. If conciliation efforts fail, the Council may then refer cases to the City Counselor for court action.

Community Support

A number of neighborhood groups in St. Louis joined religious, civil rights, labor and civic organizations in supporting the campaign for a fair housing ordinance. "I've always thought of this issue in terms of railroad tracks running through the community, with some people on one side and other people arbitrarily on the other because of their color," commented the president of the Inter-Association of Neighborhood Organizations. "This bill removes those tracks."

Elmer C. Carlisle, vice president of the Real Estate Board of Metropolitan St. Louis, told the press he did not expect the ordinance to bring great changes (*St. Louis Post-Dispatch,* Feb. 2, 1964). He said he had opposed the ordinance on the ground it infringed upon an owner's right to sell to whoever he pleased, but that he had favored the "panic peddling" provisions.

Grand Rapids, Mich. This city's new fair housing ordinance became effective on Dec. 23, 1963. It covers sales or rentals by persons who own or control three or more building lots or housing units, whether or not they are contiguous. The accommodations may be separate houses or multiple dwellings with three or more units, except that rentals in owner-occupied buildings with five or less apartments are exempt. The ordinance applies to real estate brokers and salesmen, mortgage lending institutions, and advertising. Violators will be subject to fines up to $100, or 90 days in jail, or both.

Enforcement will be by the Grand Rapids Human Relations Commission, with powers similar to those provided under the St. Louis ordinance, with provision for the City Attorney to institute court action in cases where conciliation efforts are unsuccessful.

No Enforcement Powers

Beloit, Wis. A less comprehensive measure was adopted by the Beloit City Council during January. Discrimination is prohibited in the sale or rental of housing, excluding rentals in one, two, and three-family buildings except when such buildings are in a development of 10 or more built on contiguous land. Building lots also are covered. The ordinance applies to owners, real estate brokers and salesmen, mortgage lenders, and to advertising.

Administrative jurisdiction is given to the Beloit Human Relations Commission, with action limited to investigation, conciliation and the holding of public hearings.

Narrow Scope

Peoria, Ill. Adopted by the City Council on Dec. 30, 1963, this measure applies in limited fashion only to licensed real estate brokers. It bars discrimination in advertising and in providing or arranging for mortgage loans. It also prohibits "panic peddling." Violators will be subject to loss of their city and possibly state licenses.

Enforcement will be by a Fair Housing Board, which is authorized to investigate complaints, hold hearings, and attempt adjustment by conciliation. If unsuccessful, the Board may recommend to the City Manager that the respondent's city license be revoked. In addition, the Corporation Counsel may file a complaint with the official state licensing agency, requesting revocation of the guilty party's state license.

Reports from Peoria indicate that while civil rights supporters are disturbed by the narrow scope of the ordinance, at least some regard it as a small step in the right direction. Peoria is a heavily industrialized city of 105,000, with a metropolitan population of some 200,000. It is said to have the highest percentage of Negro professionals of any city in downstate Illinois.

Wichita, Kan. An anti-panic peddling ordinance was adopted by this city's Board of Commissioners in late February and became effective March 3, 1964. It also forbids economic reprisal against

(*Continued on page* 7)

TRENDS ***IN HOUSING***
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ALGERNON D. BLACK, *Chairman* CHARLES ABRAMS, *President*
MARGARET FISHER, *Editor*

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WHO SPEAKS FOR THE HOUSING INDUSTRY?

"I can no longer morally live at peace with myself, for I am split with one side of me yearning to see that all can have the same rights of citizenship; and the other side of me realizing that to go it alone would be economic suicide."—MAL SHERMAN, Baltimore realtor and NAREB director.

Who speaks for the nation's real estate industry?

The retiring president of the National Association of Real Estate Boards (NAREB) says that government pressure for open occupancy housing hasn't hurt business (*Dallas Morning News*, Sept. 4, 1963), and cites with approval cases of successful integration.

At the same time, he and his successor are promoting NAREB's "Property Owners' Bill of Rights" (which holds that owners have a "right" to practice or not to practice racial or religious discrimination, as they please), and are urging the real estate fraternity to fight fair housing legislation—which they have labeled "forced housing."

"Social acceptance cannot be legislated," NAREB president Edward E. Mendenhall maintains. "The achievement of social consent will automatically solve any housing problem which may exist."

"We turned a deaf ear to that kind of reasoning a long time ago," replies William F. White, executive director of the Brokers' Institute of the Greater Boston Real Estate Board (*Boston Globe*, March 1, 1964). The Brokers' Institute was represented among the seven leaders of the industry who testified in favor of sweeping amendments to broaden the Massachusetts fair housing law (*Trends*, Jan.-Feb., 1963). "We are doing everything in our power to support the fair housing laws in Massachusetts," Mr. White declares.

Split and Confusion

There is mounting evidence of split and confusion in the real estate fraternity on the question of open housing. Despite significant breaks in the ranks, industry-led campaigns to strike down anti-bias housing laws or to prevent the passage of new legislation appear to be accelerating.

At the same time, endorsement of the *principle* of equal opportunity in housing is widely expressed by members of the real estate profession—usually with the proviso that it be achieved by education, not by law.

Increasingly state real estate associations are heeding the call of NAREB officials and are spearheading drives for referendums to kill fair housing legislation. But in some states local boards and individual realtor members are actively opposing the referendum campaigns. In California, members of an ad hoc committee of "realtors for fair housing" are pressing their colleagues to "give the law a fair trial," and are fighting their state association's effort to strike down fair housing legislation by popular vote.

Last fall, the New York State Association of Real Estate Boards called on its members to work for crippling amendments to the state's fair housing legislation. Two months later, the Long Island Real Estate Board pledged it would urge its constituents to comply with the law, and warned them that violations would make them liable to disciplinary action under the board's code of ethics.

And in Illinois, where real estate interests are pressing for a referendum to prevent fair housing legislation, the Real Estate Association of Carbondale, representing all brokerage firms in the city, issued a unanimous policy statement declaring that "the facilities and services of their offices shall be equally available to all persons, regardless of race, color or creed."

The Carbondale resolution cited requests of the late President John F. Kennedy to end discriminatory practices in the sale and rental of housing, and Joseph R. Ragsdale, president of the Real Estate Association, said the policy decision was an effort to meet possible racial problems rather than wait for them to occur.

The Line Shifts

The once-hard line laid down by the industry is shifting as experience refutes old myths. Opposition to early fair housing laws was based primarily on the contention that a governmental ban on discrimination would damage business—that the entry of nonwhite families into all- or predominantly-white neighborhoods would inevitably result in a drop in property values.

"Depreciation occurs only when property owners flock from the area, dumping their property," NAREB's retiring president Daniel F. Sheehan said in Dallas last September. He backed up his point by citing a recently integrated neighborhood. "A realtor, one of the community's leading citizens, urged other residents not to get excited, not to rush out and put up 'For Sale' signs. At the end of the year, property values remained the same," Mr. Sheehan reported.

In New Jersey, the Board of Realtors of the Oranges and Maplewood is giving similar advice in a form letter it is distributing to residents in appropriate neighborhoods.

"It has come to our attention," write the realtors, "that a member of a minority group has recently purchased a home in your neighborhood. Experience has shown that unwarranted alarm and panic, and not the presence of a particular family, has been the cause of depreciated property values."

The board in New Jersey does more. Its letter goes on to "urge that the treatment accorded this new family be no different from that accorded any new family coming into your neighborhood." It also asks that any instances of "blockbusting" pressure by brokers be reported to the board.

In Texas, the president of the State Real Estate Board told the *Houston Press*, "Both the real estate board and the board of realtors have discouraged mass selling, and have forbidden their members to participate in any 'get rich quick' transactions stemming from racial disharmony."

A Few Voices

While the official line seems to have changed, a few voices still cling to the "property values" argument. Testifying before the House Judiciary Committee last summer, Oscar H. Brinkman, a lobbyist for the National Apartment Owners Association, declared:

"When one of the so-called minority groups moves in, the majority group moves out, and the end result will be financially calamitous to an owner who has had no racial prejudices of his own."

But Earle R. Vaughan, past president of the same organization, says: "If all other types of business can prosper under integration, why can't we?"

The "property values" argument is rejected also by Mal Sherman, a director of NAREB. In a statement presented to the Human Relations Commission of Baltimore County (Md.) last October, he declared:

"We have long noted that in Baltimore City the arrival of Negro families into a neighborhood has had no depreciating effect on the property values of the neighborhood." Mr. Sherman went on to say that it is "completely a myth" to contend that nonwhites cause a decline in neighborhood standards. "The fact is that these Negro families have taken great pride in home ownership, and have kept

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their properties as well as the white families . . ."

The Baltimore realtor also told the Commission that fair housing legislation in states and cities over the country "definitely has not resulted in any significant changes in the rate of white migration to the suburbs . . ."

And in Boston, Mr. White of the Brokers' Institute says: "Property values do not drop when Negroes move into an all-white neighborhood."

The New Line

The industry's new line makes its stand on the proposition that laws or regulations which say that housing may not be denied solely on the basis of race, religion or national origin are an infringement of an owner's right to do as he sees fit with his property.

"One of the fundamental purposes of a just government is to protect the right of citizens to acquire, own, use, possess and control their own property," Mr. Brinkman told the Congressional committee. "It is a great human right, and the impairment or deprivation of that right would cause great and irreparable harm to the nation's economy and the general welfare of all our people . . . it would be destructive of the great civil right of all of us to own, possess and control private property."

Similarly, NAREB's property owners' manifesto, which Mr. Sheehan and Mr. Mendenhall are promoting throughout the country, emphasizes the owner's right to "dispose of property without governmental interference in accordance with the dictates of his own conscience."

"It's not meant to be discriminatory," insists Mr. Sheehan.

Do these three gentlemen speak for the real estate industry?

Part of it thinks so. The NAREB declaration has been adopted by some state realty associations, most recently by those in Nebraska and Iowa. Part of it doesn't think so. Last spring the directors of the National Association of Home Builders refused to approve the same "Bill of Rights" NAREB later adopted.

"Don't Legislate — Educate"

Mr. Sheehan concedes that "injustices do exist in this nation for minority groups," but the solution, he says, must come through education. "You can't do it overnight," he declares. "Education must be accomplished in the home, in the churches, not by pressure."

How much has education without legislation accomplished?

William J. Levitt, often called the nation's largest home builder, having seen his all-white Levittowns in Pennsylvania and Long Island end up as integrated communities, announced a "For Whites Only" sales policy for Levittown, New Jersey. After Mr. Levitt lost three times in the courts, he bowed to that state's fair housing law and called for "voluntary integration" and "education."

Now Mr. Levitt is building his all-white Belair development in the Maryland suburbs of Washington, where no fair housing legislation reaches his operation. So far as is known, he has not proposed voluntary integration nor education for Belair, but says he will continue turning down Negro applicants until open occupancy becomes general policy in the area. (Levitt is now building housing integrated by law in New York and New Jersey.)

Yet a number of builders over the country have not waited for a general policy of nondiscrimination. One of them is St. Louis (Mo.) builder Charles F. Vatterott, who thinks "Integration must come to the suburbs." Last year, Mr. Vatterott launched a successfully integrated development in north St. Louis county. "We've had no ill effects whatsoever," he reports.

The St. Louis builder, who supports his city's new fair housing ordinance, does not agree with the NAREB position that education alone will do the job. Anti-bias laws, he told the press (*St. Louis Review*, March 12, 1964), "are needed simply because the rights of many of our people to rent or buy according to their means are denied. Fair housing laws are necessary tools to open housing opportunities for Negroes and other minority groups." Mr. Vatterott says such laws "will not transform the community overnight, but bit by bit they will enable the presently encircled citizens to climb to a plateau of higher hope and greater motivation."

Seeks Negative Evidence

In New York, the executive director of the State Home Builders Association recently sent a memo to builder-members, soliciting on a confidential basis "problematical" experiences they have had with minority groups since the state's fair housing law went into effect. "The industry is at a serious point now," he warned.

"The survival of our industry," fired back one member, "depends in large measure on its ability to meet the changing demands of our society. I believe you do us all a grave disservice by prejudging the nature and results of field experience. I am very ashamed of the fact that our State Association has failed to produce a single positive program, although the first [nondiscrimination] statute affecting us became effective more than eight years ago."

Who speaks for the builders? Mr. Levitt—or Mr. Vatterott? The official who circulated the memo—or the builder who questioned his tactics?

Who's Responsible?

Who really bears major responsibility for residential segregation? The real estate agent, or his clients, or both?

"The whites are not ready to accept Negroes as neighbors. Until such time as they are, we as brokers are not going to be in the forefront of putting Negroes into white neighborhoods," says Nebraska realtor Alfred C. Kennedy (*House & Home*, Nov., 1963).

"Up to now, we realtors have reflected the thinking of our clients and kept 'hands off.' No longer can we attempt to solve the problem by avoiding it—we must seek an affirmative solution, built on reason rather than emotion," said a past president of the Chicago Real Estate Board (*Trends*, Sept.-Oct., 1961). Last year, however, the same man opposed the adoption of Chicago's fair housing ordinance.

"The role of the board should be an active rather than a passive one in reaching a solution to these problems," more recently commented James Grady, president of the Cincinnati Real Estate Board (*Cincinnati Post*, Oct. 16, 1963). Simultaneously, the Cincinnati board adopted a program to publicize the NAREB's "Property Owners' Bill of Rights," which asserts that a broker "fully performs his legal and social responsibilities when he faithfully engages to find a purchaser acceptable to his principal."

Housing Primer

A "Housing Primer," published by the Women's City Club of New York, is designed for the average citizen who finds today's housing programs and problems filled with complexities and confusion. It explains in simple, concise language the functions of the various Federal, state and city housing agencies and the major programs they operate, as well as the meaning of many technical terms used in the housing field.

Although addressed primarily to a New York audience, there is much valuable information in the handbook which is applicable to all regions of the country.

The primer was written by Elinor G. Black, and was illustrated by her husband, NCDH board chairman Algernon D. Black. Mrs. Black is a former chairman of the WCC's housing committee.

Copies of this 26 page booklet may be obtained from NCDH, or may be ordered from the Women's City Club of New York, 6 West 48 St., New York 10036. Single copy, 25c.

“The National Association of Real Estate Boards directs its fellow realtors not to be an advocate for or against open housing,” says Baltimore realtor Mal Sherman, “and the National Association of Real Estate Boards charges its member realtors to fight on every level any legislation for fair housing. What is it to be an advocate for open housing? Surely, all of us are advocates of one kind or another.”

Mr. Sherman goes on to say that if open occupancy is not achieved by education, “and if we shall then face the proposition of fair housing practices legislation for the State of Maryland . . . or for the Baltimore Metropolitan area, then I would have to stand as an individual . . . squarely for such legislation.”

Do real estate brokers really take no position for or against open occupancy? Are the actions of the brokers and their salesmen only a reflection of the wishes of their clients?

The Negro Broker

NAREB speaks of the “free enterprising individual American.” What about free enterprise and the Negro broker?

Two years ago, a nationwide survey of NAREB’s member boards showed that in most of the major cities the local real estate boards had no Negro members (*Trends,* Sept.-Oct., 1962). The same year, California’s Attorney General Stanley Mosk ruled that exclusion of Negro members by real estate boards in that state is barred by public policy. In his ruling, the Attorney General pointed to the “power of such realty boards, the public interest in their activities, and the impact both economically and professionally on those excluded from membership.”

Barred from the benefits of multiple listing services, denied the wide business and professional contacts and facilities which trade associations provide for their members, the majority of Negro brokers have found themselves restricted to sales in segregated neighborhoods.

Some have been working actively with fair housing groups. (In Seattle, five Negro real estate men recently incorporated the Central Brokers Association, inviting white brokers to join them in seeking better housing opportunities for minority-group families. Twenty-five of the first 125 listings are in white neighborhoods.) Others, like their white counterparts, engage in “panic peddling” in changing neighborhoods.

The New York State Association of Real Estate Boards says that under the restrictions of the state’s fair housing law “it may become impossible for real estate brokers to legally conduct a residential brokerage business . . .”

What about conducting a brokerage business under restrictions which bar a broker from the advantages offered by membership in his trade association?

Do NAREB and its constituents really speak for all “free enterprising individual Americans” engaged in the real estate business?

The Financial Community

Who speaks for the mortgage lenders?

“The infiltration of Negroes into a white section knocks h—— out of values . . . this company does not wish to encourage, through lending, the movement of Negroes into white neighborhoods,” an official of a large mortgage lending institution told an interviewer for the Commission on Race and Housing study (*Residence and Race,* page 226). “Our company cannot make loans in these circumstances [Negroes buying outside of circumscribed areas],” stated another.

The Eichler Story

California builder Edward Eichler turned his mind back ten years to a night he was working late in his office. The telephone rang, and a lady’s voice said: “Do you discriminate in the sale of your houses? Do you sell houses to minorities?” The lady said she was a Negro and so was her husband. They wanted to buy a better home.

The Eichler firm had sold homes in its developments to a number of Oriental families but this was the first time the question of selling to a Negro family had come up. Mr. Eichler said he would like to discuss it with his father, the head of the firm.

“My father’s reaction was somewhat like: ‘Why are you bothering me about this? I’ve got lots of problems, and I haven’t got time for these little problems.’ I went back and told the couple, ‘Okay, go pick a house and make a deposit and we will put it through the regular procedure.’ ”

Soon the couple moved into their Eichler house. Any overt community reactions? “Flat out nothing,” says Mr. Eichler. “Everything went smoothly.”

That was in 1954. Today, Eichler Homes, the nation’s largest builder of $25,000-plus houses, a corporation doing annual sales of more than $19 million, is widely known throughout the United States for its design standards, the diversity of its developments —and for its policy of selling on an open occupancy basis.

The story of how this firm made its success story under the leadership of founder Joseph Eichler and his son, is told in an 11,000-word interview of the latter conducted by HHFA’s Marshall Kaplan. In it, Edward Eichler, now president of the company, talks candidly about the firm’s experience with open occupancy, its matter-of-fact sales techniques, problems and failures, reactions from white owners and customers, the myths which have slowed the development of integrated communities, and a builder’s responsibility in a democratic society.

An abridgement of the interview, published under the title “How Eichler Sells Open Occupancy With No Fuss,” is given a five-page spread in the February (1964) issue of *House & Home,* Luce publication for the building industry.

Reprints of the *H & H* article are available from NCDH at 10c each; $7.50 per 100.

Not so with the world’s largest savings institution, the Bowery Savings Bank of New York, nor with the mammoth Bank of America. Both have issued public statements declaring a policy of nondiscrimination.

“We make no inquiries along these lines [race of the applicant],” Earl B. Schwulst, president of the Bowery, testified before the U. S. Civil Rights Commission. “If credit checkings are satisfactory and the value of the real estate in relationship to the loan applied for meets our usual requirements, the loan is granted.”

In Restricted Areas

And says the Bank of America: “Our policy is to make loans to non-Caucasians to buy or build in restricted areas, provided other relationships and credit factors are favorable.”

The financial community is similarly split regarding its experience with Negro borrowers.

“My experience has been pretty bad,” a San Francisco mortgage lender has said. “Our delinquency experience with minorities has been no higher than with majorities,” says the Bank of America, operating in the same area.

House & Home (March, 1958) has cited builders’ public charges that “mortgage delinquency among Negroes is worse than the delinquency among white families.”

“To my knowledge,” says Mr. Schwulst, “there has been no greater rate of delinquency, nor have the problems of collection been greater, with respect to mortgaged properties occupied interracially or by minority groups, than with respect to properties occupied by whites.”

“Sound Business”

Freedom of choice in housing would be good for business, the president of Chicago’s mortgage banking firm of Salk, Ward & Salk recently told a group of business leaders. Speaking to the real estate committee of the South Shore Commission, Erwin A. Salk said actions for open occupancy “are in our economic interest” and “will create a more stable and productive real estate market and will have better financial benefits for all involved” (*Chicagoland’s Real Estate Advertiser,* March 13, 1964).

“I am thoroughly convinced,” the banker declared, “on the basis of sound

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business analysis and the application of sound business reasoning that open occupancy if applied intelligently and received intelligently can be one of the major factors leading to stabilization of our real estate picture both in Chicago and our suburbs."

"One of the greatest tragedies that exists in our real estate community, whether in Chicago or the suburbs," Mr. Salk went on to say, "is that we know that integration is coming as a way of life—whether we like it or not, but we refuse to plan or prepare for it."

When asked what might happen if housing were marketed on a nondiscriminatory basis, the mortgage banker said: "Any buyer would have a wide number of choices he might make, not confined to a limited area. Any seller, now aware that there were no longer fences around any area of the city or suburbs—including his own—would think twice before yielding to the impulse to sell unless he truly wished to. The panic peddlers would have their chief weapon taken from them. Finally, a source of great social discontent would be removed."

Profitable Experiences

Over the years, the experience of a number of real estate men, as in the case of Mr. Vatterott, has borne out Mr. Salk's belief that open occupancy is financially sound. Here are words from two developers who voluntarily market their housing on a nondiscriminatory basis.

"My experience has in no way resulted in financial loss," said Joseph Eichler when, in 1958, he resigned from the Associated Home Builders of San Francisco in protest of an official's statement supporting racial restrictions on the ground that open occupancy is unprofitable. (See "The Eichler Story" above.)

"Open occupancy is not only morally right," says developer James Scheuer, "it is also good business practice." Mr. Scheuer's prize-winning Capitol Park development in Washington's Southwest has been successfully integrated for several years.

On the other hand, one Washington real estate firm found its long record of discrimination distinctly unprofitable. Developers W. C. and A. N. Miller, who have barred Jews, Negroes and other minority groups from suburban Washington areas, were half-owners of a firm slated for a huge urban renewal contract in the city's Southwest. Despite their promises that this particular project would be open to all, the public uproar was so great that the Millers withdrew from the contract, charging "outside interference" (*Trends,* Sept.-Oct., 1961).

"What's All the Fuss About?"

Does any group or any official or any group of officials *really* speak for the real estate industry today?

Californian Earle R. Vaughan, past president of the National Apartment Owners Association may not speak *for* the industry, but his words clearly are addressed *to* it.

Mr. Vaughan simply is not worried about what he calls the "bug-a-boo" of integration. In a recent article in *The Apartment Journal,* he recalls discussions of the race problem when he was a boy in Hawaii. Now, he says, there is widespread residential integration in Hawaii, and it works.

He points out that fair housing laws are working well in Alaska, New York and other states. "I have heard no rumor of any 'cheap' New York property or vacancy situation," he comments. Mr. Vaughan thinks California's fair housing legislation should be extended to cover the entire housing market.

"For many years," he recalls, "I have written . . . that in my judgment integration was on the march, was coming, and that there was great need for an educational program to promote its acceptance. . . . I think this is true today and that an enlightened enforcement of the Rumford [fair housing] Act may well work this way . . .

"If integration can take place on an economically sound basis in other states, is there any valid reason to fear it in a state noted for its race relations as the most advanced on the mainland? . . .

"In a short time, the novelty will have evaporated and we will ask ourselves with our sister states that have gone before, 'What's all the fuss about?' "

Industry Adopts Open Occupancy Agreement in Wilmington, Delaware

The organized real estate industry and top industrial and business interests of Northern Delaware have joined in an important voluntary agreement to provide all rental and sales housing on a nondiscriminatory basis throughout the Greater Wilmington area.

An open occupancy policy declaration, initiated by the Home Builders Association of Delaware, was announced on March 18 with the endorsement of the Greater Wilmington Board of Realtors and the Greater Wilmington Development Council, the latter representing the financial power structure of the community. The following excerpts are taken from the homebuilders' statement:

"We in the Home Builders Association of Delaware, recognize that we have arrived at a moment in the history of our state and nation when we must clearly take our stand with regard to equal opportunity in housing for all Americans. We prefer voluntary and free initiative in such matters to compulsory legislation which has occurred in other states.

"We therefore declare our policy of equal opportunity in housing and call upon all others in the housing industry in the State of Delaware to join in, so that this becomes the voluntary policy for all rental and sales housing.

"We call upon the home-buying, home-owning and home-renting public to support and make possible such equal opportunity to all Americans — regardless of race, creed, color, or national origin."

The realtors said they would assist the home builders in carrying out the nondiscriminatory policy, would serve as brokers for them, and would respect the wishes of all landlords and owners who desire to rent or sell on an open occupancy basis.

The Development Council called the agreement "desirable for orderly development" of the Wilmington metropolitan community.

Builders who have committed themselves to the open occupancy policy are said to erect about 90 per cent of all new homes in the area, and it was estimated that brokers handling about two-thirds of all real estate transactions in the area are members of the Wilmington board.

The "open" policy is expected to have its most immediate impact on new development housing, since the agreement does not affect the actions of individual owners and brokers who continue accepting restricted listings from those who wish to discriminate.

The voluntary agreement was called a "decision of major significance," and given immediate support by the principal religious bodies, civil rights organizations, the Bi-Racial Committee of the Greater Wilmington Area, and the Delaware Human Relations Commission.

The concept of the anti-bias market area agreement was projected in an article by Edward Rutledge, Housing Director, New York State Commission for Human Rights, and William R. Valentine, Director of Intergroup Relations, New York City Housing Authority, which appeared in the *Journal of Intergroup Relations* (Summer, 1961).

New Legislation

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persons who file or who testify in connection with a complaint. Violators are liable to fines up to $500.

Enforcement will be by the Wichita Human Relations Commission, which had recommended adoption of a comprehensive nondiscrimination housing bill following a mass demonstration last fall, when more than 5,000 citizens called for enactment of a fair housing ordinance.

Detroit Ruling

In Detroit, the "Homeowners' Rights Ordinance" (*Trends,* Nov-Dec., 1963) was declared "unquestionably and palpably unconstitutional" by a Wayne County circuit court judge. Upholding a suit brought by NAACP, Judge Joseph A. Moynihan, Jr., ruled that a proposal which would guarantee property owners freedom to discriminate could not be placed on a referendum ballot next August.

Judge Moynihan's opinion, delivered February 3, charged the drafters of the homeowners' ordinance with attempting "by the use of vague and general terms to appeal to the innate desire of every American citizen for independence and freedom of speech, thought and action when, in fact, the real intention of the proposed ordinance is to advance the cause of racial bigotry in the field of housing. It is the court's duty to put a judicial stop to any movement of any extremist group which seeks to advance its cause at the expense of the constitutional rights and privileges of any other group of citizens . . . Equal housing opportunity is a civil right guaranteed to all of the citizens of this state . . ."

California Battle

The NAACP, supported by other groups, has instituted legal proceedings challenging the constitutionality of the proposed amendment to the California constitution which is scheduled for a referendum at the next election. This proposal would write into the state constitution a provision which would guarantee owners the right to discriminate in the sale or rental of their property. It would knock out the Rumford fair housing law and all other nondiscrimination housing statutes, and bar any future legislation in this area.

NAACP sought a restraining order to keep the proposal off the ballot on the ground that it is unconstitutional on its face (*Trends,* Nov.-Dec., 1963). After a lower court judge refused to grant an injunction, the case was appealed to the State Supreme Court.

California's Governor Edmund G. Brown predicts that, if passed, the amendment will be declared invalid by the state or the U. S. Supreme Court. He has characterized the campaign against fair housing legislation, which is being spearheaded by the California Real Estate Association (CREA) with support from apartment house operators and some local home builders associations, as "one of the most dangerous and inflammatory initiatives I have ever seen."

Industry Split

A number of local real estate boards and many individual realtors are on record against the amendment. Last December, the directors of the San Francisco board urged CREA to stop its drive for signatures on initiative petitions. However, this action was recently overruled at a membership meeting of the San Francisco board by a vote of 866 to 380 in favor of the realtors' amendment (*San Francisco Chronicle,* Feb. 24, 1964).

Some CREA member realtors who oppose the amendment have taken out ads in local newspapers. Under the heading "We Hold These Myths to be Self-Evident" (*Palo Alto Times,* Oct. 3, 1963), realtor Len Cornell attacked "panic peddling" and declared his firm's policy of open occupancy.

"If this constitutional amendment passes," declares Episcopal Bishop James A. Pike, "it will be the first time in any state that a provision legalizing discrimination has been built into a constitution" (*Oakland Tribune,* Feb. 6, 1964).

Religious leadership throughout California, organized labor, civil rights agencies, civic groups, city councils and county boards of supervisors, numerous newspapers (including dailies in San Francisco, Sacramento, Berkeley, Santa Barbara, Whittier, and Fresno) are opposing the amendment.

A recent poll (by Mervin D. Field) indicates that only about half of California's voters are aware of the referendum drive, and that those who know about it are divided 50-50 on the amendment's merits. Other polls have been less optimistic from a fair housing viewpoint.

The opposition says it is just getting organized. At a meeting of the directors of CREA in mid-March, L. H. Wilson, past president of the association and now head of its "Committee for Home Protection," which is charged with leading the fight, asked his colleagues for $100,000 for what the press referred to as "down payment for their battle against California anti-discrimination housing laws" (*Los Angeles Times,* March 22, 1964). The CREA spokesman said he could not estimate what the total cost of the campaign will be.

Illinois Petition

In this state, initiative petitions are being circulated by a group called the "Property Owners' Coordinating Committee" for a referendum to deter the State Legislature from enacting anti-bias housing legislation. About 510,000 voters' signatures are needed by August 31 in order to put the following question on the ballot: "Shall the State Legislature pass or amend statutes so as to force owners of real property or their agents to sell, lease, or rent real property to anyone not of their choosing . . .?"

At present, Illinois has no fair housing law, although the state prohibits restrictive covenants on urban redevelopment land.

Supporting the petition campaign are the Chicago Real Estate Board, the Illinois State Association of Real Estate Boards and various affiliates. The drive began following enactment of a fair housing ordinance in Chicago last September (*Trends,* July-Aug., 1963).

"Deliberately Misleading"

Leaders of the major religious bodies in Chicago have condemned the referendum proposal as "deliberately misleading" and "clearly inflammatory," and have called on members of their churches and synagogues to refrain from signing the petition. The Chicago Conference on Religion and Race, representing the

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An Important New Book

"Man's Struggle for Shelter," is an exciting and important new book by Charles Abrams, author of the housing-civil rights classic, "Forbidden Neighbors." It is the first major work which deals on an international scale with efforts to achieve adequate housing for the people of an urbanizing world.

The author has again combined expert legal and financial knowledge in the housing field with a warm human concern. In this volume, he takes his reader to India, Ghana, Pakistan, Nigeria, Ireland, Venezuela and many other nations for dramatic descriptions of housing conditions, housing programs, and their social and political implications.

Mr. Abrams, who is president of NCDH, is a pioneer in housing reform in the United States. A recognized authority in urban planning, he is a consultant to numerous governments, the United Nations, and the Agency for International Development. He is presently Visiting Professor in City and Regional Planning at M. I. T.

"Man's Struggle for Shelter," was published for The Joint Center for Urban Studies of the Massachusetts Institute of Technology and Harvard University. Orders should be addressed to The M. I. T. Press, Cambridge 42, Mass. 352 pages — $7.95.

New Legislation

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Catholic Archdiocese, the Board of Rabbis, and the Church Federation of Greater Chicago, said in a press statement that a fair housing law would "not force people to sell their homes to anyone not of their own choosing, any more than zoning ordinances force people to build homes not of their choosing" (*Chicago Sun-Times,* March 4, 1964).

Tacoma Repeals

On February 11, voters in Tacoma, Wash., went to the polls and killed a fair housing ordinance which had been adopted by a 7 to 2 vote of the City Council last September (*Trends,* Sept.-Oct., 1963).

After NAACP was unsuccessful in its court action to keep the ordinance from going to a referendum, the local branch called for a boycott of the election on the ground that basic rights are not subject to a popular vote. Balloting by Negroes reportedly was much lighter than in previous elections. The ordinance lost by 3 to 1.

Seattle Rejects

In Seattle, the proposed fair housing bill which was referred to a referendum by the City Council was defeated on March 10 by a vote of 112,000 to 53,000. Spearheading the opposition forces were two small but highly vocal groups—apartment house operators and the real estate board, the latter having assessed its members to raise a war chest for the campaign (*Trends,* Nov.-Dec., 1963).

On-the-scenes observers report that the news media in Seattle failed to take advantage of the opportunity to educate the electorate on the nature of the issues involved in the vote on the fair housing ordinance. This observation seems to have been confirmed by a report in *The New York Times* (March 12, 1964), which attributed the defeat partially to "general uncertainty as to what the ordinance called for." *The Times* article went on to say that many voters resented the possible imposition of $500 fines for violators, and that "opponents hammered at the threat to property rights and freedom of choice."

On-Going Campaigns

In New Jersey, civil rights forces are pressing the State Legislature to enact amendments to broaden the state's present fair housing legislation. And in University City, Mo., and Akron, Ohio, groups are working for adoption of local ordinances. The Akron proposal, which is modeled on New York City's sweeping fair housing law, is being sponsored by a committee of the Council on Civic Unity, an official agency of the city government.

The Federal Obligation

Federal housing agencies have both the authority and the responsibility to go beyond a mere prohibition of discrimination and to actively promote open occupancy in all types of housing built with Federal assistance.

This is the theme of a new study, *The Federal Role in Equal Housing Opportunity,* released by The Potomac Institute during March. The Institute, a private, non-profit research and consulting agency in the field of race relations, calls for action which is directly in line with the demands of the National Committee Against Discrimination in Housing for more liberal interpretation and vigorous enforcement of President Kennedy's executive order on housing (*Trends,* Mar.-Apr.; July-Aug.; Nov.-Dec., 1963).

The Potomac study says that the Federal agencies are empowered under the order, backed up by the Fifth and Fourteenth Amendments, to assure that housing is actually open to Negroes and other minorities wherever Federal funds are involved. It calls for the use of persuasion, regulation and litigation; for a reporting system to assess progress; and for technical assistance to the housing industry to help it benefit from successful desegregation patterns.

It also urges that the order be broadened to reach all federally regulated lending institutions.

(Copies of the Potomac study are available from NCDH, or may be ordered from The Potomac Institute, Inc., 1501 Eighteenth St., N.W., Washington, D. C. 20036. Single copy, 50¢.)

Civil Rights Act No Threat to FHA

Order Not Affected

Fears that an amendment to the civil rights bill passed by the U. S. House of Representatives might "gut" President Kennedy's executive order — at least as it applies to FHA and VA housing — may be laid to rest, in the opinion of Joseph B. Robison, the chairman of the NCDH Legal Committee.

Title VI of the bill which is now before the Senate prohibits discrimination in federally-assisted programs. The amendment passed by the House would make this prohibition inapplicable to Federal aid in the form of "a contract of insurance or guaranty," and it was this clause which gave rise to apprehension in housing-civil rights circles.

"As originally written," Mr. Robison says, "Title VI would have barred discrimination in all federally-assisted housing, even including existing FHA and VA housing not covered by the order. It is, of course, unfortunate that that was changed. However, the executive order was issued under authority of other statutes and the Constitution and would not be affected by the bill, even as amended."

Mr. Robison says this was made clear during the debate in the House. Rep. Celler (D-N.Y.), who sponsored the amendment in question, stated flatly that it "had nothing to do with" the executive order. When one Congressman asked, "The housing order of the Chief Executive of November 1962 is still in effect. That will not be affected by this amendment? Is that correct?," Rep. Celler replied, "Yes. Title VI has no effect over Presidential orders."

"This colloquy," comments Mr. Robison, "makes it clear not only that the order would be unaffected by the amendment to the civil rights bill, but that the President would still have power to issue a broader order covering the FHA housing now excluded."

●

Suburban Maryland Fair Housing reports that during the past year 27 minority-group families have bought homes in the Maryland suburbs of Washington (Montgomery County); nine families have rented housing; and the committee is working with 80 homeseekers. Also, SMFH's recent "Good Neighbor" pledge campaign has resulted in 12,000 signatures thus far! For details, write Suburban Maryland Fair Housing, 9601 Cedar Lane, Bethesda, Md.

National Committee Against Discrimination in Housing
426 West 58 Street, New York 19, New York

☐ I enclose $2.00 for a year's subscription to TRENDS IN HOUSING.
☐ To help support the fight for a free housing market, my contribution of $________ is enclosed.

(Contributors of $10.00 or more receive a year's subscription to *Trends without charge.* CONTRIBUTIONS ARE TAX DEDUCTIBLE.)

*NAME*____________________
*ADDRESS*____________________
____

(Please include postal zone number.)

file OPERATION OPEN CITY

Integrated Housing Plan Is Unveiled

By WOODY KLEIN
Of the World-Telegram Staff

A program to open white neighborhoods to Negro families in New York City was unveiled today by the National Committee Against Discrimination in Housing.

Under the plan, unoccupied apartments in developments not yet integrated would be made available to Negro applicants.

The committee will obtain the listing of unoccupied apartments from the daily and weekend apartment ads in the newspapers and distribute the information.

The private housing group, labeling the drive Operation Open City, said the program was an attempt to implement the city's fair housing policies.

Program Detailed

Mrs. Frances Levenson, director of the State Committee Against Discrimination in Housing, the New York arm of the national committee, said the group is:

DISTRIBUTING LISTS of available apartments in attractive neighborhoods to all Negro business, social and professional groups, unions, churches, colleges and other places.

SETTING UP contacts in predominantly white sections of the five boroughs who will direct Negro apartment-seekers to good housing at moderate rates.

COMPILING DETAILED profiles of neighborhoods with good schools and other public facilities which have not yet been integrated.

ISSUING REGULAR "open city" bulletins which list specific vacancies in middle-income government-aided developments; where and when new buildings are going up and the names and addresses of fair-housing groups.

'Good Housing' Prices

By "good housing," Mrs. Levenson said, her group meant clean apartments at moderate rents, such as a three-room apartment for $100-$110 or a four-room apartment for $110-$130.

To make the program work, Mrs. Levenson said, all applicants would be asked to register with her office, 426 W. 58th St. Her group will also "police" the applications.

"When an applicant goes to apply for an apartment and is turned down," she explained, "we will send in a white checker, in some cases, to determine the validity of the rejection.

"If it turns out that there is a clear case of discrimination," she continued, "we will bring the evidence to the City Commission on Human Rights and they can take appropriate action."

Two Co-Chairmen

Mrs. Levenson is assisted by Mrs. Betty Hoeber and Mrs. Sally Olds, co-chairmen of Operation Open City.

The first areas to be spotlighted in the campaign for integrated housing will be Astoria, Kew Gardens Hills, Glen Oaks-Bellerose, Oakland Gardens, Windsor Park, Bayside in Queens, Mrs. Levenson said.

In addition, the program will concentrate on Bay Ridge, Sheepshead Bay and Bensonhurst in Brooklyn, She said her staff were considering other areas in the Bronx, Staten Island and Manhattan, and still more in Queens and Brooklyn.

NEW YORK WORLD-TELEGRAM AND SUN,

FRIDAY, JANUARY 31, 1964

An Integrated Housing Drive

New York Herald Tribune
Saturday, February 1, 1964

A new drive to help Negro families rent apartments in white neighborhoods in the five boroughs was announced yesterday by the National Committee on Discrimination in Housing.

Operation Open City, as the program is called, will first seek to put Negroes in touch with vacant dwelling units all over the city and, second, report cases of discrimination to the City Commission on Human Rights.

In addition to pressing this integrated housing campaign in the city, the national committee and its New York state unit are working with Fair Housing Committees in most of the suburbs.

Mrs. Frances Levenson, director of the state committee, requested that all Negro families looking for clean apartments in, say, the $100- to $130-a-month category register at the committee office at 426 W. 58th St.

Then, from newspaper ads and other sources, the committee will put the applicants in touch with available housing and also develop contacts in white neighborhoods to facilitate the applications by Negroes. In addition, lists of available space will be circulated through Negro groups.

"When an applicant goes to apply for an apartment and is turned down," Mrs. Levenson explained, "we will send in white checkers in some cases, to determine the validity of the rejection.

"If it turns out that there is a clear case of discrimination, we will bring the evidence to the City Commission on Human Rights and they can take appropriate action."

To begin with, Operation Open City will concentrate in several Queens areas—Astoria, Kew Gardens Hills, Glen Oaks, Bellerose, Oakland Gardens, Windsor Park and Bayside. Next on the list are Bay Ridge, Sheepshead Bay and Bensonhurst in Brooklyn.

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, N. Y.
JUdson 6-3460

HOW TO PROCESS COMPLAINTS VS DISC. IN HSG

FEB 13 1964

THE CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 Lafayette Street - New York, N. Y. 10013 - Tel. 566-2121

STANLEY H. LOWELL
Chairman
MADISON S. JONES
Executive Director

ROBERT F. WAGNER
Mayor

February 11, 1964

Mr. Norman Hill, Program Director
Congress of Racial Equality
38 Park Row
New York, New York

Dear Mr. Hill:

The preparation of the Commission's program, which will enable selected private agencies and organizations to accept complaints of housing discrimination under the New York City Fair Housing Law for referral to the Commission, is nearing completion. All that remains under the general terms of the Commission's agreements with these agencies is the training seminar which must be attended by agency persons who will be engaged in filling out complaints.

In this connection, we want to advise that the City Commission has scheduled a training session to be held in its offices on Friday, February 14th at 2 p.m.. The session will be directed by Mr. Jack Wittner, Chief, Enforcement Division. Other Commission staff persons are expected to take part in the session.

Since we are anxious to get this program under way with a public announcement and appropiate releases during the early part of the coming week, we would appreciate your cooperation. Please instruct the staff person or persons in your agency or cooperating branch offices to attend the Friday afternoon session. Understandably, the Commission will have to limit its announcement of agencies participating in this program to those whose staff people have been trained by the Enforcement Division.

Please call my office if you have any further questions.

Sincerely,

Jack E Wood Jr.

Jack E. Wood Jr.
Housing Director

JEW:ap

(FORMERLY THE COMMISSION ON INTERGROUP RELATIONS)

FROM: CITY COMMISSION ON HUMAN RIGHTS
OF NEW YORK
80 Lafayette Street, New York, New York (10013)
Office of Public Relations & Information
Tel: 566-5050

FOR IMMEDIATE RELEASE

The City Commission on Human Rights announced today that, at the behest of the Civil Rights Housing Advisory Committee, it is permitting 10 Civil Rights organizations to receive complaints for processing by CCHR of discrimination in housing. The immediate result will be the opening of 17 housing complaint offices in the four big boroughs and the expansion of CCHR's reach in this area by 17 times.

Madison S. Jones, CCHR Executive Director, announced at a press conference at Commission offices, 80 Lafayette Street, that starting immediately, complaints may be filed at these 17 offices which will be staffed by 10 private agencies including the American Jewish Committee, the American Jewish Congress, the State Commission Against Discrimination in Housing, the Congress of Puerto Rican Home Towns, the Commonwealth of Puerto Rico, CORE, the NAACP, the Urban League of Greater New York, the Committee for Civl Rights in Greater New York, and the Anti-Defamation League of B'nai B'rith.

"This cooperative agreement entered into by the Commission with these agencies is historic in that it is the first such step by any governmental agency", said Mr. Jones. "We have entered into this agreement with these representatives of the people, at their request, believing it will help us fulfill our mandate to enforce the New York City Fair Housing Law.

"These agencies have offered their offices in cooperation with CCHR to insure that every segment of the population enjoys equal opportunity.

"These agencies have offered their offices in cooperation in housing. Their staff persons have been trained by the Commission and have been made available to provide technical assistance to neighborhood residents where needed," Mr. Jones continued.

The Commission's Advisory Coomittee is made up of the 10 agencies actively participating in the new drive and nine others who presently lack office space to receive complaints.

The Advisory Committee meets monthly with the Commission. Today's action is the first involving the agencies in the day-to-day work of the Commission.

(Editors. See attached for addresses of the 17 offices.)

American Jewish Congress
15 East 84th Street
New York 28, N. Y. - TR 9-4500

American Jewish Congress
105 Court Street
Brooklyn 1, N. Y. - MA 5-2606

American Jewish Congress
59 East 161st Street
Bronx, New York - LU 8-8020

American Jewish Congress
86-03 Queens Boulevard
Elmhurst 73, New York - OL 1-2830

Queens Branch, Urban League
9050 Parsons Boulevard
Jamaica 32, N. Y. - AX 7-7272

Bronx Branch, Urban League
215 East 149th Street
Bronx 51, N. Y. - CY 2-8596

Brooklyn Branch, Urban League
1251 Dean Street
Brooklyn , N. Y. - SL 6-3031

The Urban League of Greater New York
202 West 136th Street
New York, N. Y. - AU 6-8000

Committee for Civil Rights
Metropolitan New York
225 West 57th Street
New York, N. Y. - CI 7-6343

Anti-Defamation League
315 Lexington Avenue
New York 16, N. Y. - MU 9-7400

Commonwealth of Puerto Rico
322 West 45th Street
New York, N. Y. - CI 5-0700

Brooklyn Branch NAACP
1722 Fulton Street
Brooklyn 33, N. Y. - HY 3-1671

Queens Branch NAACP
168-18 Liberty Avenue
Jamaica 33, N. Y. - BA 9-8497

American Jewish Committee
165 East 56th Street
New York, N. Y. - PL 1-4000

Congress Of Racial Equality
38 Park Row
New York, N. Y. - CO 7-6270

Congress of Puerto Rican Home Towns
137 W. 72nd Street, New York, N. Y.

NYS Committee Against Discrimination in Housing
426 West 58th Street
New York, N. Y. - JU 6-3460

City Commission on Human Rights of New York
80 Lafayette Street
New York 13, New York

Memorandum From:
Jack E. Wood, Jr.
Director of Housing
566-5449

2/11/64

FEB 13 1964

Norm

The attached memo explains in detail our concept of the coop agreement we intend to announce early next week. All I need from you is your letter of interest, and the attendance by one of your staff person in the Friday afternoon training session 2/14/64 - 2 PM.

J.

CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS
80 LAFAYETTE STREET, NEW YORK 13, N.Y.

MEMORANDUM

Date: 7/11/64

To: Selected Offices of the NAACP, CCRM NCDH and The Urban League

From: Jack E. Wood Jr. - Housing Director

Subject: Proposals To Enable Private Agencies To Receive Housing Complaints

The Housing Division of the City Commission on Human Rights takes the position that the achievement of meaningful equal opportunity in housing can be advanced most effectively by vigorously promoting integration in housing. The Division's programs, therefore, are oriented in this direction and aside from the day-to-day enforcement of fair housing laws, we are concentrating on opening up new areas of residence for minority families and encouraging such families to avail themselves of new housing opportunities. As these programs proceed, however, and as minority families expand their interest in the City's entire housing supply, the volume and frequency of housing complaints may be expected to increase.

It has been pointed out, however, that this anticipated increase will present the Commission with a new challenge. A way must be found to make it easier and more convenient for families, who may encounter discrimination, to file complaints in the borough or neighborhood in which they live.

In this connection, we have been approached by several private civil rights agencies interested in the possibility that their offices, where regularly staffed and operated, might join with CCHR in a cooperative effort designed to accelerate racial integration in housing. These agencies, particularly the NAACP, CCRM, NCDH and The Urban League, are anxious to work out cooperative agreements with the Commission which would enable them to accept and write up housing discrimination complaints which would then be referred directly to CCHR.

The City Commission recognizes that these agencies are engaged in housing programs which, like those of the Commission, are designed to give meaning to the Open City Concept. Moreover, these agencies, as a logical part of their service to the Community, have sought to promote compliance with the City's Fair Housing Laws and have encouraged the public to use the enforcement facilities of CCHR.

For these and other reasons of importance, the City Commission is giving serious consideration to the requests for cooperative agreements by several private agencies.

Understandably, a number of minor details would have to be worked out. The Housing Division naturally would want to hold a training session with the private agency persons who would be responsible for filling out the complaint forms. In addition, although the forms would have to be mailed to the Commission, we would want to work out procedures for telephone reporting in order to insure prompt investigation.

Fundamental to this entire undertaking, however, would be the expressed interest of the agencies in participating in the program and their willingness to cooperate with the Commission in terms of the brief training session and other minor operational details, which may be required.

In my judgement, there is an opportunity here for your organization not only to add to its history of contribution in the civil rights field, but also to expand its housing services to its membership and the community at large.

This office must be advised in writing if your offices are interested in entering into a cooperative agreement with the Commission. I should like to hear from you at your earliest possible convenience.

MEMORANDUM FROM SCHIFFER & COHEN 40 EAST 49th STREET, NEW YORK, N. Y. 10017 • PLaza 2-8060

file

FEB 21 1964

TO: MR. NORMAN HILL - CORE DATE: 2/19/64

RE: PENDING LEGISLATIVE PROPOSALS REGARDING HOUSING

The following are notes concerning specific bills either introduced or in the point of being introduced in the New York legislature.

1. Bar association Proposal : This bill does not purport so much to remedy existing conditions as to provide a tool for preventing deterioration. The approach of the bill is totally unrealistic, if not misguided. This bill could be enormously harmful and must be opposed.

The essence of the proposal is to insert a section 302-a into the Multiple Dwelling Law which would make it lawful for tenants to withhold rent if serious violations specified by the Building Department remained in existence for six months or more. In effect, the bill would make rent strikes illegal and tactically impossible. The bill has only one beneficial aspect. Under the effective circumstances, a striking tenant would not have to ever pay that rent. He is simply relieved from the obligation of paying rent.

In operation, the bill would require the classification of violations into those which are "rent impairing" and those which are not "rent impairing". This would encourage landlords to ignore all building standards except those which are "rent impairing". The classification could be accomplished. We would then have to cause the city to place rent impairing violations against the buildings. We would then have to wait six months. Then a rent strike could safely be instituted.

The question whether this bill would limit other rights which tenants now have is a complicated one, but I would judge that there is a substantial risk that this bill would be taken as an amendment of inconsistent statute.

2. The City's Rent Strike Bill : The city has proposed a new section 309-a of the Multiple Dwelling Law which would work as follows:

If the Department of Health finds the existence of

TO: MR. NORMAN HILL - CORE DATE: 2/19/64

RE:

lack of heat, lack of water, light, electricity, sewage disposal facilities, janitorial services or rodents, or any combination of the foregoing, the Department of Health may issue a certificate that the violations bringing the act into effect are very limited. Please note that the Department of Health is required to act, as well as other departments to be noted below.

The certificate is served on the landlord and a copy is posted in the building. With a notice of opportunity to be heard, not less than five days later. Needless to say, delays are likely. The notice should be five days and no more, assuming the emergency nature of the conditions found.

If at the hearing the owner appears and furnishes a performance bond or written contract or order for work or services satisfactory to the Commissioner of Health, limited to the removal of the certified conditions, then the certification shall be cancelled. Note that the performance bond or written contract or order would be rather easy to get.

If adequate assurances are not given or the owner fails to appear, then a rent strike may be instituted. The rent strike would have to comply with the following conditions:

A. A majority of tenants in the buildings affected would have to join and would have to agree in writing to deposit rents with the Commissioner of Real Estate.

B. An affidavit would have to be furnished by one tenant that in fact the majority of the tenants had signed the agreement.

If these conditions are met, the existence of the agreement and the actual depositing of funds constitute a complete defense to an action for dispossess for non-payment of rent.

TO: MR. NORMAN HILL - CORE DATE: 2/19/64

RE:

The Commissioner of Real Estate is then to serve a copy of the agreement on the owner. Thereafter, the Commissioner of Real Estate shall, with all reasonable speed, remedy the certified conditions. For this purpose, he may use appropriated funds, appropriated by the city,,and the deposited rents. Contracts for the repair work shall be let on bids except where the amount involved in any individual item is less than $5,000.00. If general contractors are used, this would mean bids with regard to any major repair item. If individual contracts for plumbing, etc., are let, in most cases the amounts would be less than $5,000.00.

When the conditions have been removed, the certification shall be cancelled by the Commissioner of Health. Thereafter, the Commissioner of Real Estate shall enter an accounting of the monies deposited, and, if the amount of rent received is less than the cost incurred, a bill shall be rendered to the owner of the building. If the number of tenants depositing rents falls below the majority, then the Commissioner of Real Estate may either continue to remove the conditions, or he may close the account.

At the time of the accounting, surplus monies go to the owner of the building. Every portion of the bill is objectionable in part. In essence, the bill does not greatly alter the situation now existing. There are conditions in the present law permitting the city to move in rapidly. The problem is that the city does not do it. The underlying problem is that the city will not spend money for these purposes. There are beneficial elements in the bill, particularly simplification of the city's right to secure a deficienty judgement if it spends more to repair a building than it can collect from rent.

The main defect is that tenants do not go on rent strike because of a few limited conditions but to secure general repair and rehabilitation of their buildings. This bill will not accomplish such purposes. More, the conditions to which

TO: MR. NORMAN HILL - CORE DATE: 2/19/64

RE:

the bill is now limited would, as a practical matter, make the bill applicable to only a small percentage of all the buildings in the city. It is unlikely that the city would use the bill where rat infestation alone exists. There are rats in practically every building in the city. There are comparatively few buildings where there is no heat at all for an extended period of time, or where electricity has been turned off for an extended period of time, etc.

Finally, the bill puts the rehabilitation work into the hands of Frank Lazarus, a rather conservative man who likes to sell off valuable city land at low prices.

3. Maximum Income Bill : The city is backing a bill permitting tenants to stay in a publicly financed but privately owned development until they make 50% more than the maximum prescribed for that development. I do not know why CORE should be interested in this bill, except to the extent that someone develops a theory that permitting higher income group to occupy low income apartments will ultimately integrate the units. I do not know if this would have any foundation in experience. It is equally arguable that the law would permit more and more low income units to be occupied by middle income families, God bless them. My own inclination, at this point, is to favor low income housing over any other consideration, especially since federal low income construction funds have temporarily ran out.

4. Municipal Mortgage Reserve Fund : The city favors a law to permit the establishment of a reserve fund to insure against losses from municipal mortgage loans to private, limited profit, middle income housing projects. This bill perpetuates an approach to housing to which, I should think, CORE is fundamentally opposed.

5. Early Acquisition : The city favors a bill to permit the city to acquire by purchase, gift, devise, lease, condemnation or otherwise real property or any interest therein

within a sight designated as appropriate for urban renewal regardless of whether an urban renewal plan for the development of the area has been approved and regardless of the stage of formulation thereof. Subject to the following conditions, a planning commission approval to be given, after a public hearing held on due notice but within six weeks (?) with the further proviso that the planning commission disaproval would not be binding under certain other conditions.

This bill, if implemented properly, would to my mind be immensely valuable. First of all, it would x encourage the city to accept buildings landlords are willing to give them. Secondly, it would encourage to condemn outright, that is to buy certain kinds of bad buildings, in lieu of putting them in receivership. Third, the city could use the specific authority of the act to buy future interests in the buildings. The purchase price of the future interests could be utilized to repair the buildings in the interim. CORE should strongly support this bill.

6. Loan Extension Program : The city favors securing authority to make rehabilitation loans for 30 instead of 20 years for Multiple Dwelling Rehabilitation. This bill could have a tremendous impact on the cost to tenants of the rehabilitated buildings. CORE should strongly favor its adoption with the understanding that if money is not made available it is of no benefit. Further, there ought to be a clearer understanding of the purposes for which the loans will be made.

While it is to be noted that this program is particularly designed for middle income housing, there is no reason why it could not be in actual practice used for low income housing.

7. Bills Affecting New Construction : There is a series of bills relating to new construction of low and middle

TO: MR. NORMAN HILL - CORE DATE: 2/19/64

RE:

income housing. The principles underlying these bills require study and would probably not be approved by CORE.

The package as a Whole : In its entirety, the package is by no means encouraging. Further, there is no indication whatsoever as to the amount of money to be requested for these purposes.

George Schiffer

cc: Mr. Val Coleman
Mr. Richard Haley

April 1, 1964

THE CITY OF NEW YORK
DEPARTMENT OF RELOCATION
2 Lafayette Street
New York 7, New York

EACH ONE FIND ONE: RELOCATING FAMILIES IN NEW YORK CITY

The renewal and rehabilitation of New York City requires the relocation of many thousands of its citizens of various ethnic, racial and religious backgrounds. This is the price of progress: new housing, new parks, new schools cannot be built unless people are moved to new homes. In order to encourage the listing of more apartments with the Department of Relocation, A Finders Fee program has been established.

WHAT IS A FINDERS FEE PROGRAM?

By law, the Department of Relocation is able to pay a finders fee of $150.00 to $300.00 for a standard apartment listed with the Department by landlords, agents or brokers. The fee is payable when the apartment is occupied by one of our tenants. The landlord or agent does not have to accept a family referred to him by the Department, if he has reason to doubt the suitability of the tenant. It goes without saying that the Department of Relocation adheres rigorously to New York State and City laws prohibiting discrimination for reasons of race, creed, color or national origin. However, there may be legitimate reasons such as unstable employment history, which the Department will respect.

WHAT IS A STANDARD APARTMENT?

A standard apartment is one which meets the regulations set down by the Board of Estimate. The apartment must have central heating, hot water, private bathroom, a kitchen or kitchenette, a window in every room and adequate heat, light and ventilation.

WHY DO WE ASK YOU TO HELP?

Although relocation causes disruption and discomfort to many families, new residences and new schools as well as other public improvements are essential for the greater good of the entire community. We need your help in lessening the burden which must be borne by the families who live in the path of new developments. Where necessary the City will delay or postpone relocation of families, until we can find adequate housing for them. The City has a heart. May we ask you to open your heart and join the City in carrying out our community responsibility?

WHERE ARE WE TRYING TO LOCATE THESE FAMILIES?

We are trying to locate these families in standard neighborhoods throughout the City. Our goal is to improve not only the apartments but the neighborhood as well. With your help a supply of decent apartments in decent neighborhoods will become available. Finally, we want to help settle these relocating families in areas where they will be relatively free from the prospect of another unexpected move. How about your neighborhoods?

HOW DO YOU FIND AN APARTMENT?

The Department offers through its Finders Fee program certain financial inducements, which should be brought to the attention of landlords, agents and owners. Perhaps more important, these key people must be helped to see the civic and moral implications of assisting in this relocation process. This may be a matter of private conversations--sermons--announcements to your congregation--notices in your bulletins--special projects for such groups as Sodalities, Sisterhoods, Men's Clubs, even youth groups--posters on a bulletin board--advertisements in community newspapers--special mailings--cooperation in interfaith efforts. You will know best how to reach the hearts and consciences of your people, especially those with apartments or homes to rent.

WHAT DO YOU DO WHEN YOU LOCATE AN APARTMENT?

The simplest thing is to have the landlord, agent or owner call the Department of Relocation (WOrth 4-5656, Ext. 338-9-40 and ask for Mr. Schiffer). The Department can offer the necessary information, arrange for the required inspection of premises and begin the process of tenant referral.

The goal of the "Each One Find One" effort is to find more and better apartments in more neighborhoods for families being relocated in the interest of progress. But it would be a significant religious witness if your landlord (or agent or owner) were to indicate to the Department that he was registering an apartment or home at the behest of his priest, rabbi, minister, parish, congregation or church.

This interfaith effort stems from a recommendation of the Metropolitan New York Conference on Religion and Race. It is sponsored jointly by the Roman Catholic Archdiocese of New York and the Diocese of Brooklyn, the New York Board of Rabbis, the Protestant Council of the City of New York and the Queens Federation of Churches. Won't you join us in this effort?

HERMAN BADILLO
Commissioner
New York City
Department of Relocation

• N. Y. AMSTERDAM NEWS, Sat., May 9, 1964

"Operation Open City" Helps Nonwhite Families Find Housing

More than 100 nonwhite families are currently seeking housing in the general market i conjunction with a new projec called "Operation Open City."

The program to open all New York neighborhoods to all homeseekers was launched about three months ago by the National Committee Against Discrimination in Housing and is now in full swing.

"Operation Open City" is a two - part program reaching into both white and Negro communities. It spotlights attractive neighborhoods in the five boroughs of New York where housing is available at moderate rent and where schools, community facilities and transportation are good.

These communities have practically no minority - group residents. Rentals average $100-110 for a 3-room apartment and about $110-130 for 4 rooms.

Middle Income

Middle - income apartments built with city or state aid, both rental units and co-ops, are also spotlighted. "Open City" selects those buildings which offer good housing values in desirable locations, and which few minority families are applying for.

Local residents in each of these communities welcome minority homeseekers on visits, work with them in locating suitable apartments or houses, and give friendly assistance when the families move in.

The other phase of "Operation Open City" is its program to reach the minority population of New York. Volunteers, including local residents of the predominantly white Spotlight Neighborhoods, go out regularly to speak at meetings of minority - group civil service, social, alumni, fraternal, union, church, and professional organizations.

Open City speakers not only explain and answer questions on the entire program, but also describe their own communities and what their neighborhood communities will do to assist minority homeseekers.

By special arrangement with the New York City Commission for Human Rights, compalints of housing discrimination may be registered at the National Committee's office: Room 211, 426 W. 58th St., one block west of Columbus Circle. The right of all persons to live in any available apartment or house within their means is guaranteed by the laws of both New York City and New York State.

"Operation Open City" also offers services to families interested in living in the metropolitan suburbs. It maintains a close working relationship with the network of about 150 local fair housing committees in nearby suburban communities of New York, New Jersey and Connecticut. Assistance is also provided to local groups in setting up fair housing committees.

Housing materials and speakers for meetings are available free of charge from the National Committee, a federation of 37 major religious, labor, civic, minority and civil rights organizations.

Interested homeseekers are invited to register with "Operation Open City" by calling Betty Hoeber or Sally Olds, co-chairmen of the program, at JUdson 6-3460.

Distributed by:

National Committee Against Discrimination in Housing

426 WEST 58 STREET, NEW YORK 19, N.Y. • JUdson 6-3460

JOIN RENT OFFICE PICKETLINES WED. MAY 20

TENANTS HAVE BEEN GETTING A RAW DEAL TOO LONG!!

THE RENT LAW IS SUPPOSED TO PROTECT TENANTS.

INSTEAD, IT IS PROTECTING AND REWARDING SLUMLORDS!!

WE DEMAND:

- CUT rents to $1 immediately in rent strike buildings -- and keep the rent down until all services are restored!
- STOP stalling! Hand down decisions in emergency cases in 2 or 3 days -- on other building-wide complaints in 30 days.
- NO increases for new boilers or oil burners! Stop rewarding landlords for repairs which they should make anyway.
- STOP pushing through cases without hearings! Give the tenants a chance to speak up. Hold hearings when the tenants request them -- especially on building-wide complaints.
- STOP the discourteous treatment at local Rent Offices! There is no excuse for rude treatment and refusal to give correct information.

Join picketlines at these Rent Offices:

541 West 145th St., Manh. 260 East 161st St., Bronx 81 Willoughby St., Bklyn.	9-11 a.m.
2 Lafayette St., Manh.	12-1 p.m.
280 Broadway, Manh.	1-2 p.m.

WED. MAY 20

Picket before you go to work or while the children are in school -- or on your lunch hour. Bring your neighbors.

METROPOLITAN COUNCIL ON HOUSING

(city-wide federation of tenant organizations)
215 West 23rd Street, New York 10011
SP. 7-8900

labor donated

METROPOLITAN COUNCIL ON HOUSING
215 West 23 St. New York 11, N.Y.

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Norman Hill
Program Director
CORE
38 Park Row
NYC 38

HOUSING CLINIC INTAKE FORM

(To be filled out everyone)

NAME ________________________________ PHONE ____________
(last) (first)

ADDRESS ________________________ APT. ______ SUPER ____________

LANDLORD ________________________________ SUPER'S PHONE ____________

ADDRESS ____

COMPLAINT

Overcharge ______
Violations ______
Rent Increase ______
Emergency ______
(leak,no heat,et
Soc.Referral ______
Other ______

To whom do you pay your rent? ____________________

When wae complaint made to landlord? ____________________

How long occupied? __________ How many rooms? ________ Occupants ______ Lease ___

Furnished? Yes ____ No ____ Rent ____________ per ________. Welfare? ____________

Did Welfare get you the epertment? _____ Employed? Yes ____ No ____

If employed, where? ______________________________________

HAVE YOU RECEIVED ANY PAPERS FROM THE RENT COMMISSION? Yes ________ No ________

LIST PAPRES RECEIVED: ______________________________________

VIOLATIONS (in apt.)	BATH	LIVING ROOM	KITCHEN	BEDROOM	HALLS	Write description below, if necessary.)
No heat						
No hot water						
Plaster cracks						
Powdered plaster						
Ceiling holes						
Wall holes						
Floor holes-						
Fixture leaks						
Wall/ceiling leaks						
Windows						
Doors						
Locks						
Wiring						

How often does the landlord paint? _____ Last Painting? _____ Stove Defective? ________
Icebox ___ Roaches _____ Rats ___ Mice _____ Dumbwaiter ___ Furnishings ______ Other ______

PUBLIC AREA VIOLATIONS: Front door lock ___ Halls and stairways dirty ___ Elevator ___
Garbage disposal ___ Janitor ____ Fire Hazards ___ Lights in halls & stairways ________
Broken stairs or floors _____ Broken windows _____ Switchboard removed ___ Other ______

DISPOSITION:	INTERVIEWER'S NAME
Date	
Date	
Date	
Date	

(Note: Try to get above information on everybody, whateever the problem. Then write special remarks, e.g., overcharge information, on reverse side. Be sure to fill out DISPOSITION each time person comes in, stating forms sent in , etc. Clip carbons of forms to this sheet.)

HOUSING COMMITTEE

PRINT CLEARLY Date____________

NAME____ Apt.__________

ADDRESS____________________________________ PHONE____________

No. of Rooms________ Date Occupied__________ No.of Occupants__ Day pay rent____

Rent________ Landlord____________ ADDRESS__________ Phone____________

Welfare Center__________ Investigator______ Ext.________ Unit____________

Employed______________ Phone____________ Speak Spanish______ English__ Other__

Children at School________ School________________________________

Has Tenant Received Papers from RRA_____ List them & Docket #1

GENERAL VIOLATIONS

Building Specific

Lights in Hall Dirty Hall Staircase in Insufficient Falling Plaster

---- Desrepair Garbage Call & Cracked Holes

Apt. Specific Hot Water & Rats & Roaches Purchased own Graft for. Apt.

Water pressure Appliances

DETAILS SPECIFIC LOCATION AND VIOLATIONS

Kitchen:1.
2.
3.
4.

Bathrm: 1.
2.
3.
4.

Room #1:1.
2.
3.
4.

Room #2.1.
2.
3.
4.

Room #3.1.
2.
3.
4.

Miscellaneous:

I request an immediate inspection of my apartment, as well as a cellar to roof inspection of the public areas of the building.

Organizer______________________________ Tenant_____________________________

TO... JO Adler
From WH Website

NT CLEARLY

~~DOWNTOWN CORE~~
~~64-66 Delancey St.~~
New York, New York
GR 7-0790

Date ________

Large

ame----- ________ Address ________ Phone ________ Apt# ________

o. of Rooms ____ Date Occupied ________ No. of Occupants ____ Day pay rent ____

ent ______ Landlord ________ Address ________ Phone ________

elfare Center ________ Investigator ________ Ext. ________ Unit ________

mployed ________ Phone ______ Speak Spanish ______ English ____ Other ______

hildren at School ________ School ________

as Tenant Received Papers from RRA ____ List them & Docket #1

PRINT CLEARLY GENERAL VIOLATIONS

uilding Specific ights in hall.	Dirty halls.	Staircase in. Desrepair	Insufficient. Garbage Call	Falling Plaster & Cracked Holes
pt. Specific eat	Hot Water & Water pressure	Rats & Roaches	Purchased own Appliances	Graft for. Apt.

PRINT CLEARLY
VIOLATIONS

DETAILS SPECIFIC
LOCATION

PRINT CLEARLY

itchen 1.
2.
3.
4.
5.

Bathrm.1.
2.
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oom#1 1.
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oom#2 1.
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5.

Over

oom#3 1.
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oom#4 .

iscellaneous:

I request an immediate inspection of my apartment, as well as a cellar to roof inspection of the public areas of the building.

Organizer____________ Tenant____________

Housing NYC
statistics starred

NOV 1 3 1963

STATEMENT OF WILLIAM REID, CHAIRMAN OF THE NEW YORK CITY HOUSING AUTHORITY, AT THE HEARING OF THE TEMPORARY STATE COMMISSION ON LOW-INCOME HOUSING, HELD AT THE ASSOCIATION OF THE BAR, CITY OF NEW YORK, OCTOBER 29, 1963

When Mr. Ira S. Robbins, Vice-Chairman of the Authority, appeared before this Commission at its first hearing in New York City last June, he closed his testimony with a statement that it represented only the first chapter of this Authority's discussion of the low-rent program. In the months that have elapsed since that hearing, your Commission has held a number of hearings in other sections of the State and has heard the tenants of public housing developments in New York City express their points of view at hearings which you held on the grounds of several projects.

I have no doubt you have by now been inundated with supplementary information, some submitted at the request of your staff and some volunteered for your edification or confusion. At any rate, the members of this Commission have by now been made well aware of the complexities of the problem which it has undertaken to study.

In our testimony in June we called attention to the opportunity which this distringuished Commission has to develop constructive recommendations both for the Legislature and for the people of this State. We suggested that recommendations deal with the need for an enlarged low-rent program; with changes in the law, as well as with administrative policy, with a view to improving the program; with methods to provide services to meet the needs of many families who live in low-rent housing; and with methods to facilitate racial integration in public housing.

We also expressed the hope that your Commission would take advantage of the opportunity to give the Legislature, the press and the public a true picture of the public housing program so as to wipe out, if possible, the distorted and false image existing in the minds of the misinformed and the uninformed, most of whom have never been anywhere near a public housing facility.

Chapter I of our testimony was limited because of the pressure of time to a presentation of the highlights of our most important recommendations for improvement of the low-rent program. At today's hearing at which you have so many officials awaiting their turn to testify, I can hope to do no more than present Chapter II of this Authority's story. I shall not reiterate the recommendations previously discussed, except to call attention to certain recent developments which you should know. These previous recommendations are of vital importance to the success of the State's low-rent program and we urge your continued serious consideration of each.

The major portion of my time will be devoted to the presentation of additional recommendations.

NEED FOR ADDITIONAL FUNDS

A considerable amount of confusion has been generated, since your June hearings, on the question of the need for additional funds to continue the State low-rent housing program.

At the request of the Counsel to your Commission, I recently sent a letter to Judge Delany to clarify this matter.

Certain facts are beyond question. There now remains a balance of only about $65 million which can be loaned to local authorities throughout the State to finance the construction of about 3,500 new low-rent public housing apartments. There also remain about $6 1/4 million of annual subsidy funds which the State Commissioner can contract to pay to local authorities for the purpose of achieving low rents in these new projects.

Under present financing methods, both loan and subsidy funds are utilized jointly in connection with each project which is approved. The exhaustion of either one of these funds will bring the program to an immediate halt.

The rate of use of public housing funds is controlled by law. The State Commissioner is permitted, in any one year, to enter into contracts for $2 1/2 million of subsidy funds. At current interest rates, $2 1/2 million of subsidy is sufficient to support development or loan funds of $55 million.

Since only about $65 million of loan funds remain, it is obvious that these loan funds now available are adequate for only slightly more than one year. To be more concrete, a balance of about $70 million of loan funds was available at the beginning of the current fiscal year. $55 million of these funds can be committed by the State Commissioner by March 31, 1964. For the fiscal year beginning April 1, 1964, housing authorities in this State would have only about $15 million in loan funds available for future use.

Confusion on the subject of availability of funds apparently stems from the examination of the rate at which these funds have been doled out by the State Commissioner during recent years. This examination shows that the balance of available loan funds has decreased only $25 million over the past 3 1/2 years. At that rate, it appears that the current balance might be sufficient for years to come.

Unfortunately the reduced rate of release of State funds for public housing in recent years has borne no relationship to the need for such funds. In our previous testimony we showed that in New York City alone there is a need for at least 200,000 additional public housing units for the rehousing of low-income families now living in our worst housing. Yet we in New York City have succeeded in having the Commissioner approve contracts for the construction of a total of only 427 apartments of State-aided low-rent housing in the past three fiscal years, and for only 96 apartments in the current fiscal year.

Had the State Commissioner approved contracts at the rate permitted by law, the loan funds would have been used up some time ago. We have had plenty of sites for the development of new public housing. One proposed project after another has been deferred or disapproved by the State Commissioner when we have submitted it to him for approval. That we have had suitable sites for development for public housing is demonstrated by the fact that during the very period of time that the State Commissioner approved only 427 units, the Federal Public Housing Administration approved more than 7,500 new Federally-aided units.

To sum up, more funds are desperately needed and the State Commissioner should approve use of the funds at the rate permitted by the Legislature.

FINANCING PUBLIC HOUSING

In June we presented a plan for a new and improved method of financing State-aided low-rent housing. We explained the complexity of the current method of financing which requires periodic approval by the Legislature and by the people, in a general election, both of additional loan and of additional subsidy funds. We asked your Commission to study a proposal for legislation to enable local authorities to issue their own bonds, secured by the commitment of the State to furnish the annual subsidy funds.

Since presenting the plan to the Commission, we have consulted Mr. John Mitchell, a well known legal authority on government financing. After careful study of the proposal, he has advised us that the plan meets all constitutional requirements and is feasible. Mr. Mitchell is convinced that the bonds of the local authorities issued pursuant to our plan will be marketable. Furthermore, he is of the opinion that local authorities will be able to market their own temporary notes as bond anticipation notes during the construction period of new developments. Mr. Mitchell believes that the notes and bonds issued by authorities pursuant to this plan will command substantially the same low interest rates currently obtainable.

ECONOMIC INTEGRATION

During the past few years, economic segregation in public housing developments has been a subject of wide concern. You have heard it expressed in the testimony presented to you by community and civic organizations and you have heard it voiced by tenants at the hearings which you held at some of our projects.

Increased economic integration in public housing also would help improve racial integration in our developments.

This is one of the first matters which the Members of this Authority looked into immediately after assuming office in 1958. We found the existing income limits were indeed too low to serve a reasonable cross-section of low-income families. We promptly took steps, with the approval of the lending agencies, to raise the income limits for admission to public housing. We also undertook to liberalize the limits permitted for continued occupancy.

Our efforts were only partially successful. The Authority is not free to establish income limits at whatever levels it feels proper to serve those families who cannot afford to obtain decent housing in New York City. In the first instance, we are restricted by State law which is archaic and sadly in need of revision. More important is the fact that we cannot adopt new income limits without the prior approval of the State or Federal agency, as the case may be. These agencies have consistently stopped us from raising income limits to the levels permitted by law. Since February 7, 1962, we have been corresponding with the State Commissioner in an attempt to win approval for higher income limits for continued occupancy in recently opened State-aided projects.

We believe that a two-fold approach must be used to deal with the problem of economic segregation in public housing. First is the modernization of the Public Housing Law which we recommended to this Commission last June. Attached to this statement is a copy of legislation we have drafted to effect the changes we believe are necessary. The proposed bill would eliminate the current formula which arbitrarily determines the income limits for admission to a particular project on the basis of the rents achieved at that project. In other words, under that formula efforts to achieve economic integration are defeated because the lower the rents the lower the income limits. It also would eliminate the rigid formula which compels a family to move when its income rises a certain amount, notwithstanding the fact that the family's income may still be insufficient to enable it to obtain decent housing elsewhere.

The proposed bill would permit greater flexibility in establishing standards for admission and continued residence in public housing. It would require the local authority to make a survey and determine the rents being charged in its community for available standard accommodations. It would also require the Authority to determine income levels at which families in its community can afford to pay these rents. Only those families unable to pay these rents would qualify for residence in public housing. As a further control over income limits, the bill provides that the approval of the lending agency must be obtained before income limits may be adopted by the local authority.

The second basic modification necessary to effect economic integration requires a change in administrative policy on the part of the State Commissioner. Current policies restrict admission to those families whose incomes are so low that they require maximum subsidy to live in public low rent housing. This policy naturally results in economic segregation and, in addition, denies any hope of benefit from the program to thousands of ill-housed families whose incomes exceed the present public housing limits but who are unable to pay the rents for any other type of adequate accommodations.

There is a very wide gap between the rents in public housing and those in limited profit Mitchell-Lama housing. The latter also operates with government assistance. Rents, including utilities, for public housing projects currently being undertaken range from $14 to $16 per room in developments subsidized by the Federal government, and range from $16 to $18 per room in those subsidized by the State. The rents for the Mitchell-Lama developments currently being undertaken amount to about $30 per room, including utilities.

Families in this gap have been and still are forgotten people. They need public housing desperately. The raising of income limits would make them eligible for public housing and, at the same time, would give a boost to our efforts to achieve better economic and racial integration. We believe that the State-aided low rent developments in New York City should admit families whose incomes range from those on public assistance to those who can afford to pay rents ranging to $25 per room.

There is nothing in the law to prevent the State Commissioner from approving income limits which would qualify these higher income families for admission to low rent developments. The fact that they are low income families is established beyond question by the rents and income limits prevailing in Mitchell-Lama projects which are restricted to the housing of low income families in precisely the same manner as is public housing.

I therefore urge that this Commission recommend a change in administrative policy on the part of the State Commissioner. The change should permit establishment by local authorities of income limits designed to admit to public housing those families who require partial subsidy as well as those who require maximum subsidy. Under such a revised policy this Authority is convinced that it can achieve greater economic and greater racial integration in its developments.

In proposing to accommodate a broad cross section of families who require cash subsidy, I visualize a new type of program particularly in the new projects which we would build if we had the funds. These families with varying incomes and receiving anywhere between full subsidy and only a minimal amount of subsidy will live in the same building and on the same floor.

The different rents which these families will pay will be related to different amenities built into the apartments. Apartments to be occupied by families paying higher rents will have larger rooms, better exposures and may also have balconies.

Our experience in our no-cash subsidy developments shows that families with varying incomes will, without question, live together and will pay different rents, if the rents are directly related to visible differences in the desirability of the accommodations. Only by having families of different incomes residing in the same building can economic and social integration be achieved. Housing of different economic groups in separate structures, even though they may be in proximity of each other, does not yield the same economic integration or adequate social interplay.

This plan would continue to limit public housing to families who require subsidized rents. It would, thus, leave intact the market for Mitchell-Lama and for other housing programs.

SELECTION OF TENANTS

The Authority frequently receives appeals from social service agencies and from special interest groups stressing the critical needs for housing of their clients or their members. We are asked to give special consideration to elderly single persons, to large families with children, to veterans, to the physically handicapped, to the families supported by public assistance, to the Hungarian and now to Cuban refugees, and to families which provide foster homes for children.

Each of these groups includes many families living under deplorable conditions who are eligible for and who want public housing. The demand for the low rent apartments is large; it has increased regularly over the past 10 years and this year will amount to more than 90,000 applications. Our problem is to utilize, in an equitable manner, the limited number of apartments which become available. In addition, we aim to administer the program so that each development will constitute a stable community with a desirable environment.

To accomplish this, we use a completely objective system of tenant selection which has as its basis the comparative degree of need for housing of the applicant families.

Applications are numbered consecutively as received, and are reviewed for eligibility and housing need. An I.B.M. card is prepared for each application, identifying the family only by the serial number assigned at the time of receipt. Neither the application nor the I.B.M. card carries any information pertaining to race or ethnic background.

When we need to process applications for apartments to become available within the next few months, we instruct the I.B.M. section to furnish a specified number of applicants having the most severe need for housing. The criteria for evaluating housing need have been established by resolutions adopted by the Authority. They are as follows, in descending order of priority:

1. Former residents of the site upon which the project was built;

2. Families residing within one mile of the development;

3. Other site residents about to be displaced from sites of public housing projects;

4. Families about to be displaced by other public or private action;
5. Families who are in emergency need of housing;
6. Families whose members are forced to live apart because of lack of space;
7. Families that are both doubled-up and overcrowded;
8. Families containing one or more persons, who are suffering from a serios physical disability, residing under housing conditions constituting a hardship due to such disability;
9. Doubled-up families;
10. Families with children living in transient hotels, rooming houses or furnished rooms, provided, however, that in unusually severe hardship cases such families may be granted preference in admission over split families and subsequent categories of families enumerated herein;
11. Families living in other unsafe, insanitary or overcrowded dwellings.

The applicants selected by the I.B.M. machine form the pool of eligible families who are invited to the Tenant Selection office to furnish verification of their eligibility and to discuss selection of an appropriate project. Housing need and eligibility are the sole criteria in the selection of tenants. An applicant's opportunity to obtain an apartment is not influenced by the race, welfare status, the presence of foster children or any other factor which does not affect his housing priority.

With families selected solely on the basis of housing need, the public housing program in New York City now includes more than 25,000 elderly persons, more than 10,000 families of 7 or more persons, and more than 14,000 families supported in whole or in part by public assistance. An average of 800 to 900 public assistance families has been admitted annually during the past four years to our developments.

There is one remaining aspect of the tenant selection process to be discussed. This is the policy which the Authority introduced with respect to applicants who present current or potential social problems. The policy with respect to the admission of these families was developed toward the close of 1961 with the help of an Advisory Committee consisting of representatives of the major social agencies, religious institutions and intergroup organizations of this City. It recognizes the fact that although only 2 1/2% of the tenants in occupancy have presented problems to their neighbors and to the Authority, their presence is of serious concern since adequate social services and treatment are not available for these families. Under the circumstances, the Advisory Committee and the Authority agreed that problem families are not to be admitted until study and evaluation of such families has been made by qualified personnel.

A list of criteria was developed with the Advisory Committee to guide our tenant selection staff in indentifying potential problems which were to be referred for evaluation. No family may, without evaluation, be deemed ineligible for admission because its history reveals a problem.

CONSTRUCTION COSTS OF PUBLIC HOUSING

This Commission's invitation to this hearing lists among the items for discussion the "high costs of public housing construction". This reflects a false impression which appears to be widespread although there is not a shred of evidence to support it. The fact is that the construction costs of the New York City Housing Authority developments are lower then those of privately built large scale housing.

The assertion that our costs of building public housing were high first came to my attention about a year ago in a letter received from a sub-committee of the Real Estate Board of New York. It presented figures purporting to compare development costs of public housing with those of State Mitchell-Lama projects. Subsequently we received letters from other sources comparing the development costs per apartment in public housing with other types of housing, including housing built after a write-down of land costs on Title I sites.

If we are to be able to come to grips with this question, we must use a unit of measurement which has validity. We cannot compare pears with apples. The unit of measurement cannot overlook differences between land costs, between the average size of apartments built, between the facilities provided, or between the methods of counting rooms.

In our reply to the Real Estate Board sub-committee, we called attention to the lack of validity of the cost figures cited in its letter. Their use of development cost figures overlooked the basic fact that public housing projects generally involved slum clearance with the cost of acquiring expensive land and buildings, the cost of demolishing existing buildings and the cost of relocating site tenants. Mitchell-Lama projects, on the other hand, are built on vacant or substantially vacant land. The use of development costs for public housing conceals an average cost of $800 to $900 per room attributable to slum clearance and tenant relocation.

The only realistic approach is to compare the construction cost per room in each of the programs. This eliminates some major dissimilarities between the programs. It fails to provide complete comparability, because per room construction costs in public housing include extensive community facilities, far in excess of those provided in Mitchell-Lama projects. Furthermore, the difference in the method of counting rooms in the two programs results in an increase of 10% in the room count of Mitchell-Lama projects as contrasted with public housing projects.

Let me give you one example of the effect of different methods of counting rooms. Franklin D. Roosevelt Houses was originally developed by the Authority as a public housing project. It is now being converted to a Mitchell-Lama cooperative. During the period that it was a public housing project, the room count was 5,082. Under the regulations governing Mitchell-Lama projects, the same rooms are now counted as 5,569 because balconies and second baths are included in the room count.

This 10% difference in the count results in the false impression that building costs in public housing are 10%

higher than they actually are. Keeping these differences in mind, we have taken official published figures and computed the per room construction costs for all State Mitchell-Lama projects in the construction stage on June 30, 1962. We compared these costs with our public housing projects in the same construction stage on that date. Published figures for the City Mitchell-Lama projects do not lend themselves to a similar analysis.

These were the results in terms of average construction cost per rental room of the developments on June 30,1962:

Public housing projects	- - - $2,609
State Mitchell-Lama projects	- - - $3,062

We recently made the same type of analysis for projects put into construction after June 1962 and before July 1963. It is again necessary to bear in mind that in making this comparison, the different method of counting rooms overstates public housing costs by 10%. We found that the average per room construction costs were as follows:

Public housing projects	- - - $2,851
State Mitchell-Lama projects	- - - $3,405

It is obvious that even with the 10% additional room count taken by the State Mitchell-Lama projects, their construction costs per room are higher than those for public housing. If rooms were counted in the same manner, the difference in favor of public housing would be still greater.

Let's look at the question in another way. Let's take public housing and Mitchell-Lama projects of approximately the same size, built at about the same time in the same neighborhoods. On this basis we can match Murphy Houses, a public housing project, with Bronx Park East, a State Mitchell-Lama project. We can also match Audubon Houses with York Hill, a City Mitchell-Lama project, both located in Manhattan. Let's review the architectural plans for each of the projects and develop cost figures which include all the elements of construction on a uniform basis.

The analysis of the matched projects presents the following picture:

	Murphy Houses (Public Housing)	Bronx Park East (State Mitchell-Lama)
Date construction started	September 1961	May 1961
Number of apartments	281	323
Number of stories	20	20
Construction cost per construction room	$3336	$3830
Construction cost per rental room*	$2974	$3288

	Audubon Houses (Public Housing)	York Hill (City Mitchell-Lama)
Date construction started	April 1960	August 1961
Number of apartments	168	296
Number of stories	20	20
Construction cost per construction room	$2791	$3952
Construction cost per rental room*	$2510	$3433

* Adjusted to equate room counts in the developments compared.

It is unnecessary for me to summarize the foregoing figures. They speak for themselves.

REDUCING CONSTRUCTON COSTS

Although I have shown that our construction costs are lower than those of private developers of Mitchell-Lama projects, we in the Authority want to reduce costs further.

In our testimony before this Commission last June, we called attention to a legal requirement which unnecessarily increases our costs. This is the so-called Wicks Law which requires that four separate contracts be let for construction work. We recommended that this law be amended to permit local authorities to let a single contract.

This amendment is particularly important now that an increasing proportion of public housing is being undertaken in the form of vest pocket projects and through rehabilitation of existing buildings. The requirement for separate contracts with the different trades is a greater impediment than ever before to the efficient production of these new types of public housing.

Since your last hearing in New York City, the State University Construction Fund has issued a report. It appointed an advisory committee which held hearings on the subject of single contracts versus multiple contracts for construction work. The report confirms the fact that a single construction contract definitely would be more advantageous than the multiple contract system.

We again urge that you recommend to the Governor and the Legislature that the Wicks Law be amended.

CAN PRIVATE ENTERPRISE, IF GIVEN GOVERNMENT AID, PROVIDE LOW RENT HOUSING?

Finally I want to discuss briefly the question of the ability of private enterprise to provide decent housing at low rents if offered appropriate aids. This Authority would favor any such program which could really do the job.

Attempts to induce private enterprise to produce low rent housing with government aids long antedate the establishment of the public housing program. In this State, the efforts date back to the early 1920's. Numerous aids were offered and still are available for the purpose of encouraging private construction of low rent housing. The government aids which have been offered to private enterprise have taken the following forms:

1. Tax exemption both partial and total.
2. Insurance of mortgage loans.
3. Direct long term loans at low interest rates.
4. Acquisition of property by eminent domain.
5. Yield insurance designed to guarantee a minimum return.
6. Write-down of acquisition costs so as to provide land at a low cost to developers.

These aids have been used singly and in combinations in a number of different programs under the sponsorship of the Federal and State governments. The resulting number of programs has been so large that the lay person is utterly confused by them and even professionals often have difficulty with them. These programs have included limited dividend housing; redevelopment company housing, F.H.A. housing, V.A. housing, Title I developments, State Mitchell-Lama housing, City Mitchell-Lama housing, F.H.A. 608 projects, F.H.A. 213 projects, Section 220 and Section 221 D-3 housing.

Since 1939 the Public Housing Law of this State has authorized direct loans to owners for 100% of the cost of rehabilitation of multiple dwellings. Full tax exemption is permitted on the value added through rehabilitation. Although this provision has been on the books since 1939, the rehabilitation of only one building has been undertaken pursuant to it.

There is no escape from the conclusion that private enterprise, even if it took full advantage of the aids, cannot produce housing at prices required by low-income families. The hard reality is that these aids cannot bring about rentals as low as those in public housing.

CONCLUSION

In conclusion, I call your attention to the fact that the 1960 Census showed that more than one-half million housing units in this State were definitely substandard. Most of the families living in this substandard housing have low incomes.

This problem is not unique to our State. It exists throughout the nation, in each state and in each city. The vast quantity of decayed housing which we, the richest nation in the world, continue to tolerate for our less fortunate citizens is shameful. Not only does this housing endanger the health and safety of those unfortunates who live in it, but its evil influence extends throughout the community and affects the well being of all our citizens.

The problem is so vast and so widespread that no state and no city can hope to cope with it by itself. Congress in 1937 recognized that Federal funds must be provided.

Now, about 25 years after initiation of the public housing program, we find ourselves without any Federal funds and with very little State funds. This Authority will make every effort to convince Congress to authorize additional Federal funds to continue the low rent program. In the name of thousands of families who live in substandard housing, we ask this Commission wholeheartedly to endorse enlarged and improved program of State aid for public housing. This is not the time for the State of New York to get out of the business of assisting localities to provide public housing for their low-income families.

file

Norman

call

[illegible] TYRONE 2-7147
[illegible]:- KI- 7-5000.

H. C. FELTER and Associates

CONTRUCTION • NEGOTIATOR • CONSULTANTS
EXPORT - IMPORT • BUILDING SUPPLIES

2130 EAST TREMONT AVENUE
BRONX 62, NEW YORK

To make some kind of card category for this

November 30th, 1963.

CORE;
National Headquarters,
38 Park Row,
New York City,
New York.

Subject; Urban Renewal Areas thru
out the U.S.National Program.

Mr. James Farmer, Director.

Gentlemen:

We are not soliciting funds, but merely asking assistance from your organization,which is in a position to help, if it will.

No doubt many of your members and citizens in your area are in need of middle income housing, which they have not been able to obtain in this high rental market. THIS IS TRULY POSSIBLE, as our Federal Government has made it possible under Section 221-D-3 Non-Profit Sponsored Housing Act. Your assistance is needed to act as the sponsor on this type of housing, as we will act solely as the General Contractor. When project is completed, the sponsor will own the buildings, subject to the first deed of trust on record. The low rental is accomplished by the low interest rate extended by the Government for a forty year period.

WON'T YOUR ORGANIZATION PLEASE HELP US HELP THE FOLKS NOW!

Your attention in this matter is appreciated, awaiting your reply,

Very truly yours,

Harry C. Felter

Harry C. Felter

As we intend to carry this program
in many U.S. Areas,Please pass this
newsonto other Core Area Directors.

NOTE

As this program is National. I would like to discuss it with you if it is appealing. Sponsors will own the project after Mortgage is Paid off in full. a very nice Trust. Endowment for later years for your organization.

Harry C Felter

Westside
Urban Renewal "
under " NYC Housing

DAVID BROMBERG
COUNSELOR AT LAW
400 MADISON AVENUE
NEW YORK 17. N. Y.
HA 1-2730

December 23, 1963

Mr. Jo Adler
Congress of Racial Equality
Park Row
New York 38, New York

Dear Mr. Adler:

Pursuant to your request, I enclose copy of Report of Ad Hoc Committee on West Side Urban Renewal Plan.

Some parts of the Report are already dated. Special reference in this regard should be made to the Mayor's recently announced policy change to the effect that the City would manage, relocate, demolish and clear middle-income sites; and that the City, State and Federal governments would meet all costs of that process with the exception of direct relocation bonuses and allowances.

If I can be of any further help to you, please do not hesitate to contact me at this office.

Very truly yours,

David Bromberg

DAVID BROMBERG

DB:aa

Enc.

File

Hill

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

JAN 10 1964

December
16th
1963

The Council
City Hall
New York 7, New York

Gentlemen:

Pursuant to Section Y51-16.0 of the City Rent and Rehabilitation Law I am transmitting herewith a report of the results of a survey which I have caused to be made of the supply of housing accommodations within the City, the condition of such accommodations and the need for continuing the regulation and control of residential rents and evictions within the City. I am also enclosing a copy of a letter to me from Mrs. Hortense W. Gabel, City Rent and Rehabilitation Administrator, forwarding the survey results.

Very truly yours,

ROBERT F. WAGNER
Mayor

THE CITY OF NEW YORK
CITY RENT AND REHABILITATION ADMINISTRATION
280 BROADWAY
NEW YORK 7, NEW YORK

HORTENSE W. GABEL
ADMINISTRATOR

December 13, 1963

Hon. Robert F. Wagner
Mayor
City Hall
New York 7, N. Y.

Dear Mayor Wagner:

Transmitted herewith are the results of the survey made at your direction into the need for continuing rent control in New York City.

This survey was undertaken pursuant to a requirement of the State Enabling Act which transferred jurisdiction over rent control to the City, effective May 1, 1962. This law requires the City Council, following a survey by the City of the supply of accommodations and the need for rent control, to determine by February 1, 1964 whether the public emergency requiring rent controls continues to exist.

Analysis of survey data provided by the United States Bureau of the Census clearly demonstrates the need for continuing rent control in New York City. It shows that:

> The public emergency that requires rent control still continues.
>
> The critical housing shortage still exists.
>
> Without continued rent controls the existence of this housing shortage would permit the exploitation of tenants.

Unjust, unreasonable and oppressive rents have been prevented for those who live in rent controlled houses.

Reasonable rent increases have been permitted under rent control while incomes have kept pace.

The quantity of housing has increased and its quality improved in post-war years.

Only at the rent level of $250 per month or more is there evidence sufficient to justify any relaxation of rent control.

Upon the basis of the foregoing, I believe that,

a. The public emergency requiring the continuation of rent controls still exist.

b. The availability of adequate rental housing accommodations and other factors are such as to make rent control unnecessary for individual housing accommodations renting for $250 per month or more as of September 1, 1963, provided that suitable safeguards are enacted to insure the orderly transition from regulation to a normal market of free bargaining between landlord and tenant, with particular attention given to protecting families with children.

c. While the Census data indicate that the median contract rent increase between 1950 and 1960 for controlled structures of nine units or less was 65%, it is nevertheless true that more than half of these structures are occupied by their owners. This indicates that to some extent these landlords are not professional property owners. At your direction, I shall shortly establish procedures to render further assistance in hardship situations to this group. I also propose to issue very shortly Schedules of Rental Values which will provide landlords with incentives for modernization of heating plants.

My report to you which summarizes the principal Census data is enclosed.

Sincerely yours,

Hortense W. Gabel

Hortense W. Gabel
Administrator

CITY RENT AND REHABILITATION ADMINISTRATION
280 Broadway
New York 7, New York

Hortense W. Gabel
Administrator

REPORT TO MAYOR ROBERT F. WAGNER ON THE CONTROL OF RESIDENTIAL RENTS IN NEW YORK CITY

On May 1, 1962 New York City took over residential rent control after 12 years of administration by the State. Legislative mandate requires assessment of the need for the continuation of rent control. We welcome this opportunity.

Both State and City residential rent control laws declare that a public "emergency necessitated the intervention of federal, state and local government in order to prevent speculative, unwarranted and abnormal increases in rents; that there continues to exist an acute shortage of dwellings; that . . . action is necessary in order to prevent exactions of unjust, unreasonable and oppressive rents . . . and to forestall profiteering, speculation and other disruptive practices tending to produce threats to the public health; . . ."

The 1962 State laws transferring the administration of rent control to the City required that the City Council determine by February 1, 1964 whether a public emergency continued to exist. The laws specified that this determination should be made "following a survey which the City shall cause to be made of the supply of such housing accommodations and the need for continuing the regulation and control of residential rents and evictions within such city."

The City's local rent law requires the Mayor to present to the Council a report of the results of such survey and the need for the continuation of controls within the City.

To fulfill this requirement the City entered into two contracts with the United States Bureau of the Census.

The first was for a survey of housing vacancies in the Fall of 1962. The second was for special tabulations of 1960 Census data on housing conditions, rents, incomes and other tenant characteristics.

Analysis of these surveys clearly demonstrate the need for continued rent control in New York City. It shows that:

> The public emergency that requires rent control still continues.
>
> The critical housing shortage still exists.
>
> Without continued rent controls the existence of this housing shortage would permit the exploitation of tenants.
>
> Unjust, unreasonable and oppressive rents have been prevented for those who live in rent controlled houses.
>
> Reasonable rent increases have been permitted under rent control while incomes have kept pace.
>
> The quantity of housing has increased and its quality improved in post-war years.
>
> Only at the rent level of $250 per month or more is there evidence sufficient to justify any relaxation of rent control.

In 1960, 77% of the City's 2,078,000 rental units were subject to rent control; almost 18% were not controlled and an additional 5% were in public housing. Of the City's five and one half million people living in private renter units almost foure and one half million were protected by rent control.

In December 1962 the adjusted available vacancy ratio for all rental housing was 1.87%, which was the equivalent of the 1960 vacancy ratio.

Three-fourths of the 37,500 available rental vacancies were in small apartments or rooms. Only a few more than 9,000 vacant units had two bedrooms or more. Apartments covered by rent control were, of course, at a premium.

Arguments that rent control has inhibited new construction and caused the deterioration of existing buildings are refuted by Census data.

During the decade of the 1950's there was an almost unprecedented net increase of more than 250,000 homes in New York City -- almost half of them rental apartments.

The quality of New York City's rental housing in 1960 was better than that of most large cities in the United States. Of the 30 cities in the country with a population of 400,000 persons or more, only three -- Los Angles, San Diego and Baltimore -- had a lower proportion of substandard rental units, as classified by Census Bureau definitions, than New York.

In contrast to the 11% of New York City's rental housing that was substandard, 18% of Chicago's rental housing where controls lapsed a decade ago was substandard, and 29% of Cincinnati's rental housing was substandard.

During the 1950's many of New York City's rental housing units were rehabilitated. Between 40-60,000 of the apartments defined as substandard in the 1950 Census were classified as standard by 1960. The number of substandard rental units decreased during the decade by 100,000 units, from 322,000 or 16% of the total supply to 222,000 or 11%. Thus, approximately half of the improvement in the City's rental housing resulted from the upgrading of the existing stock of housing.

Considering that the great bulk of New York City's controlled apartments are more than 35 years old, it is remarkable that 95% of the controlled apartments are classified as standard. A large proportion of substandard housing was in rooming houses where, because of shared plumbing facilities or dilapidation, 97% of the rooms were substandard. These substandard rooms constitute 58% of all substandard rental units in the City.

There was also a marked decline during the decade in what the Census calls "severely crowded" units -- those dwellings with more than 1-1/2 persons per room. In 1950 there were 139,000 severely overcrowded apartments. In 1960 this figure had been reduced by more than 25% to 99,000 severely overcrowded dwellings.

It seems clear, from the census data on rents, incomes and rent-income ratios, that controls have protected most tenants against unwarranted, speculative and oppressive rents.

During the decade 1950-1960, rents in New York City went up approximately 49%. For controlled units, median gross rents increased by 43%, from $49 to $73. This was in sharp contrast with rents of decontrolled apartments and never-controlled apartments. In 1960 the median rent on never-controlled apartments was $127 and for decontrolled apartments it was $89.

Incomes of tenants have gone up approximately 52% during the 1950's. In 1949 the median income for renters was $3,300. In 1959 the median income was $5,000.

As might be expected, incomes of families in controlled housing were smaller than incomes in non-controlled housing. Thus, in 1960, 53% of the families in controlled housing had less than $6,000 income, while only 39% in non-controlled housing had incomes of less than $6,000. The median income for families protected by rent control was $5,800; that for families in non-controlled housing was $7,100.

For families with very low incomes -- under $4,000 -- rent control offered a real measure of protection. These tenants paid a median rent of $65 per month in controlled buildings, while similarly poor families in non-controlled housing paid a median rent of $95.

As incomes went up during the decade of the 1950's, rents almost kept pace. For all rental housing, the rent-income ratio declined slightly from 18.9% to 18.4%. In the controlled sector, the median rent-income ratio was 17.7%, as against a median non-controlled rent-income ratio of 20.4%. This is a true measure of the extent to which rent control has been effective in New York City.

As always, race and ethnic origin, compounded by poverty, cast an ugly shadow on the availability of housing. Because of their considerably lower incomes, rent-income ratios were higher for all minority tenants. The rent-income ratio for white renters was 18%, for non-whites it was 23% and for Puerto Ricans it was 21%. But controls helped minority tenants, the great bulk of whom live in such housing.

The median rent-income ratios of minorities in the controlled sector was 21%; for those in the non-controlled sector rent-income ratios were more than 35%. The median rent for Puerto Rican households in controlled housing was $63; in uncontrolled housing it was $83. The median rent for non-whites in controlled housing was $67; in non-controlled housing it was $94.

Rent control has become an essential protection for many older persons in New York City and the future status of rent control is closely associated with the welfare of the elderly. Households headed by persons 55 years or older represent 42% of controlled households compared to 28% of not-controlled households. This is reflected in the higher median age of household heads in the controlled sector than in the not-controlled sector -- 51 years as against 43 years.

In the highest rent sector there has been considerable easing of the market within recent years. The majority of the 8,700 housholds (as of 1960) occupying controlled apartments renting at $250 or more are in good position to bargain for shelter. Their incomes are high -- the median income is $18,500 and their households are small. It is in this highest group that we find a large number of small households occupying apartments of five rooms or more. However, this group also includes between 1,500 and 2,000 households of four persons or more, where need for larger apartments is clear.

As of December 1962, there were 2,700 vacant apartments renting at $200 or more, of which more than 60% were located in Manhattan where the bulk of controlled tenants with rents of $250 or more live.

These high income tenants, as a group, are able to compete for housing in a free market. Nevertheless, their movement into a free market must be properly safeguarded in order to enable them to arrange for new housing or negotiate continued residence in their present homes. This is particularly true of families with children.

In the last analysis, the total impact of any decontrol action in terms of family displacement and rent changes will be determined by the decisions of many people: the moderation of landlords in setting the rents of decontrolled units, the willingness and ability of decontrolled tenants to pay higher rents, the intensity of demand for larger Manhattan apartments by other households, and the capacity of the real estate industry to add to the housing supply.

Upon the basis of the foregoing it is recommended that

a. the Council find that the public emergency requiring the continuation of rent control still exists, and

b. the City Rent and Rehabilitation Law be amended to decontrol individual housing accommodations renting for $250 per month or more as of September 1, 1963, provided that suitable safeguards are enacted to insure the orderly transition from regulation to a normal market of free bargaining between landlord and tenant.

Respectfully submitted,

Hortense W. Gabel

Hortense W. Gabel
Rent and Rehabilitation Administrator

December 13, 1963.

TOWARD DEMOCRACY IN HOUSING

The NCDH Story

"Please tell us about the National Committee Against Discrimination in Housing. How did it start? What is its program? How does it operate? Who is involved?" Almost every mail brings these and similar inquiries from individuals and groups across the country.

The history of NCDH is in reality an account of the fight for equal opportunity in housing in America. It is a striking example of what can happen when varied organizations band together to focus their combined strength on one specific problem.

This is a review of some of the exciting past and a look at the challenging future of this cooperative effort to bring democracy to the nation's housing market.

A single decade has seen the issue of freedom of residence move center-stage in the civil rights battle in the United States. Ten years ago the moral, social, and economic consequences of religious and racial discrimination in housing were emphasized by a relatively small group of leaders. Today this problem is widely recognized as the major civil rights challenge of our day.

But more has happened than recognition of the problem. Solid progress has been made in combatting it. Progress which stems, in large measure, from the coordinated, cooperative, nation-wide program of education, information, and action carried on by 32 organizations associated in the National Committee Against Discrimination in Housing.

Organized in 1950, NCDH has played a central role in the movement toward equal opportunity in housing. Its constituents include the principal religious, civic, labor, and civil rights groups which are dedicated to the proposition that equal opportunity to bargain in an open, competitive market for shelter is a basic constitutional and moral right of every American, without regard to race, religion, or national origin.

Background

In 1943, public spirited groups and individuals in New York City were alarmed by the Metropolitan Life Insurance Company's plans to build a $100 million development, Stuyvesant Town, for whites only. This was the first of the mammoth postwar communities to be built under urban redevelopment laws, and might well set a national precedent.

The Stuyvesant Town "barony," which was to house 25,000 people, became the symbol of a feudalistic, one-class, one-race community — built by private enterprise with the benefit of vast government aid, including tax concessions amounting to around $55 million.

A five-year battle ensued, during which a law suit was brought by three Negro veterans. The civil rights forces lost in the courts, but gained support for a different approach. In its decision, the court said in effect that the issue of discrimination in housing was a matter for legislative action rather than judicial decision. (Stuyvesant Town was integrated following enactment of New York City's Brown-Isaacs Law of 1951, which barred discrimination in publicly-aided housing.)

New York State Committee

The New York State Committee on Discrimination in Housing was a direct outgrowth of the Stuyvesant Town fight. As representatives of various groups delved deeper into the complexities of the restricted housing market, they became convinced that a single-purpose agency was needed to operate in this highly technical field. In 1948, sixteen of the groups formally organized the NYCDH.

A volunteer, part-time director was found. Headquarters were set up in a tiny office (10′ x 15′) donated by one of the member organizations. A couple of ancient desks, a couple of chairs, and a typewriter on loan were rounded up. NYCDH was in business.

NCDH — How It Functions

The policy-making body of the National Committee is its Board, which is composed of two official representatives designated by each member organization and members-at-large who are elected by the Board.

Officers are: Robert C. Weaver, President; Algernon D. Black, Chairman of the Board; and Loren Miller, Vice President. Staff are: Frances Levenson, Director; and Margaret Fisher, Asst. Director and Editor, *Trends in Housing*.

How Are the Bills Paid?

The fact that the bills always have been paid is nothing short of a miracle. NCDH has always operated on a starvation budget: $26,000 a year to cover both the national and state programs. The work is totally dependent on voluntary contributions, approximately $10,000 of which comes from the annual sale of movie tickets made available through the generosity of Board Member Harry Brandt.

The work and effectiveness of the National Committee cannot be measured in terms of its minuscule budget and its own tiny staff. Being a federation of agencies, its strength is the combined strength of 32 member organizations. NCDH draws heavily upon the staff talents and wide experience of the member groups; they, in turn, have available the expertise developed through the specialized nature of NCDH. Thus the total fight for democracy in housing is given added weight by this reciprocal relationship.

Those who have worked closely with the National Committee have called it a unique example of successful cooperative action: varied organizations with varied programs, often with quite varied points of view in other areas, uniting their efforts in dedicated copartnership to end discrimination in housing.

From its inception, NYCDH (which now numbers 40 constituent agencies) has concentrated on a step-by-step legislative program: drafting bills, having them introduced, and directing campaigns for their enactment.

The record of accomplishment is spectacular: eight laws in the City and State of New York, each with broader coverage, have been enacted under the sponsorship of NYCDH. Included among these are the history-making New York State Metcalf-Baker Laws and New York City's Sharkey-Brown-Isaacs Laws. These statutes were the first in the nation to bar discrimination in government-insured and in private housing.

"Threat or Promise"

When Congress passed the Housing Act of 1949, it handed the nation's cities a powerful new tool. Title I, the urban redevelopment section, could either be used to build shiny new ghettos, extending and reinforcing discrimination and segregation in every facet of American life for generations to come, or it could be used to extend and reinforce the fundamental American principles of freedom and equality of opportunity for all.

Recognizing the import of this far-reaching and pioneering Government program, NYCDH scheduled a national conference on "Urban Redevelopment: Threat or Promise to Democratic Living." This meeting, held late in 1949, was the first major public discussion of the role of the Federal Government in spreading housing discrimination and its relationship to the rebuilding of our cities.

The NYCDH conference hit the front pages of the nation's press when the Solicitor General of the United States declared in his address that the Federal Housing Administration was revising its rules and would deny assistance to builders who engaged in discriminatory practices. (FHA's regulations were revised two months later, but the revision fell far short of the promise.)

Almost immediately the New York State Committee found itself operating nation-wide. From across the country requests for information and guidance poured in. Pressure mounted daily for a national organization to spearhead the fight for fair housing practices.

In June 1950, the National Association of Intergroup Relations Officials (NAIRO) and NYCDH sponsored a "Conference

Reprinted from

TRENDS ***IN HOUSING***
Published bimonthly by the
National Committee Against Discrimination in Housing
426 West 58 Street • New York 19 • JUdson 6-3460

Founded in 1950, the National Committee is composed of 33 religious, civic, labor, and minority group organizations which seek to remove religious and racial restrictions from the nation's housing market. A subscription to *Trends in Housing* is $2 a year.

CHARLES ABRAMS, *President*
ALGERNON D. BLACK, *Chairman of the Board*
FRANCES LEVENSON, *Director* MARGARET FISHER, *Editor*
Second Class mail privileges authorized at New York, N. Y.

on Democratic Housing," held in New York City. At that time, 20 national groups banded together to form the National Committee Against Discrimination in Housing.

The 10' x 15' office of NYCDH forthwith became the office of NCDH, as did the staff. So it has remained for ten years. (The staff serving the two agencies is composed of two professionals and one secretary, plus all the volunteer help that can be recruited.)

The National Committee

The National Committee's role is aptly described by the words "advocate, goad, and watchdog." There is seldom a day that NCDH is not prodding the Federal housing agencies. Indeed, it was at NCDH conferences that Federal housing officials were first pressed into the position of having to make public statements on their agencies' racial policies.

Concentrating on public information and education, NCDH uses every available media in its effort to interpret the effects of segregated housing patterns on our social structure, and to expose the support of segregation by the Federal Government and the housing industry.

It is the national clearing house for information and counsel on all manner of activities relating to housing and civil rights. Its resource files are used by researchers, writers, lawyers, students, private citizens, and organizations.

Trends in Housing, its bimonthly periodical, is widely used as the authoritative "newspaper" in the housing-civil rights field.

Massive distribution of reprints and other informational materials, programs on radio and TV, news stories, magazine articles, public meetings, speeches — all activities are beamed toward developing public understanding of the problem and creating strong, sustained citizens' pressure to strike down the barriers.

A Record of Progress

Here are a few of the gains in the national housing picture:

- For the first time, both the Democratic and Republican Parties used a substantial part of NCDH's proposed plank in their 1960 platforms, pledging action to eliminate discriminatory practices from the Federal Government's own housing programs.
- The Federal Government has finally moved to bar discrimination in three programs of its vast housing operations. It has become sensitized to the problem and sensitive to organizational reaction. The views of NCDH and its affiliates are not only sought, but are now given consideration.
- Four states (Colorado, Massachusetts, Connecticut, and Oregon) and two cities (Pittsburgh and New York) now prohibit discrimination in privately-financed housing. An additional ten states and 32 cities have laws or policies affecting discrimination in government-aided housing. Surveys show these laws are working well.
- Hundreds of state and local committees against discrimination in housing have organized and are now hard at work in many sections of the country.

Advisory Council

In 1960, shortly before his untimely death, Oscar Hammerstein chaired and organized NCDH's Advisory Council.

Members are: Charles Abrams, Viola W. Bernard, Edward L. Bernays, Leonard Bernstein, Horace Mann Bond, Rep. Chester Bowles, Harry Brandt, Ralph J. Bunche, Arthur F. Burns, James B. Carey, Rep. Emanuel Celler, Grenville Clark, Everett R. Clinchy, Sen. John Sherman Cooper, Dr. David de Sola Pool, Rep. Charles C. Diggs, Jr., Sen. Thomas J. Dodd, Melvyn Douglas, Duke Ellington, Ralph Ellison, the Rev. Harry Emerson Fosdick, Hortense W. Gabel, Elinor Gimbel, Sen. Philip A. Hart, Gov. Mark O. Hatfield, Frank S. Horne, Sen. Hubert H. Humphrey, Robert M. Hutchins, Stanley M. Isaacs, Sen. Henry M. Jackson, Sen. Jacob K. Javits, Mordecai Johnson, Elia Kazan, the Rev. Martin Luther King, Jr., Philip M. Klutznick, the Rev. John LaFarge, S. J., Oliver LaFarge, Gov. David L. Lawrence, the Rt. Rev. W. Appleton Lawrence, Herbert H. Lehman, Stanley H. Lowell, Robert M. MacIver, Albert Mayer, David J. McDonald, George Meany, Rep. William H. Meyer, Gov. Robert B. Meyner, James A. Michener, Gov. Gaylord Nelson, the Rt. Rev. James A. Pike, Rep. Charles O. Porter, Gov. William F. Quinn, Whitelaw Reid, Walter P. Reuther, Ira S. Robbins, Jackie Robinson, Eleanor Roosevelt, Carl Sandburg, Spyros Skouras, Rex Stout, James Thurber, Marietta Tree, Dr. Henry P. Van Dusen, Bruno Walter, Robert Penn Warren, J. Waties Waring, Gov. G. Mennen Williams, Catherine B. Wurster, Charles S. Zimmerman.

The Road Ahead

The ultimate objective is, of course, a housing market freed of all artificial barriers of race, creed, or national origin.

Here are some of the immediate aims toward that end:

- An Executive Order to eliminate discrimination from all Federal housing activities, and the establishment of a Presidential committee to implement the Order.
- More state and local fair housing practices laws, and strengthening of those already on the books.
- An expanded program of service to local groups and individuals.
- Intensification of all educational activities to make every citizen aware of the price all of us pay for discrimination in housing, and how this evil can be eliminated from American life.

The Challenge

Equal opportunity in housing is still an unrealized American goal. But it is no longer just the battle of the so-called "radical do-gooders." Only recently two major reports from the most eminent sources attacked the discriminatory housing market: the Federal Government itself, through its Commission on Civil Rights; and the Ford Foundation-financed Commission on Race and Housing, composed of distinguished business and professional leaders who, in the words of the Commission's chairman, "are generally regarded as conservative."

In addition, we have seen the nation's largest development builder, William Levitt, do a complete about-face from being the symbol of the restricted private housing market to the role of architect of successful integration — when unable to strike down an anti-bias law in the courts.

But the surface has only been scratched. The Federal Government continues to support residential segregation, existing legislation affects only a small part of the housing market, the private housing industry is almost exclusively "for whites only," the majority of the nation's leaders are silent, and the grassroots is only beginning to stir.

Democracy in housing is essential to the future of our nation. How soon will America reach the goal? The answer rests with all of us.

MEMBER ORGANIZATIONS: **Amalgamated Clothing Workers of America, AFL-CIO; American Baptist Convention, Council on Christian Social Progress; American Civil Liberties Union; American Council on Human Rights; American Ethical Union; American Friends Service Committee; American Jewish Committee; American Jewish Congress; American Newspaper Guild, AFL-CIO; American Veterans Committee; Americans for Democratic Action; Anti-Defamation League of B'nai B'rith; Commonwealth of Puerto Rico, Department of Labor, Migration Division; Congregational Christian Churches, Council for Social Action and Race Relations Department, Board of Home Missions; Cooperative League of the USA; Friendship House; Industrial Union Department, AFL-CIO; International Ladies' Garment Workers' Union, AFL-CIO; International Union of Electrical, Radio and Machine Workers, AFL-CIO; Jewish Labor Committee; League for Industrial Democracy; The Methodist Church, Woman's Division of Christian Service; National Association for the Advancement of Colored People; National Association of Negro Business and Professional Women's Clubs; National Council of Churches of Christ, Race Relations Department; National Council of Negro Women; National Urban League; Presbyterian Church, USA, Department of Social Education and Action; Protestant Episcopal Church, Department of Christian Social Relations; Unitarian Fellowship for Social Justice; United Auto Workers of America, AFL-CIO; United Steelworkers of America, AFL-CIO.**

National Committee Against Discrimination in Housing
426 West 58 Street, New York 19, New York

☐ I enclose $2.00 for a year's subscription to TRENDS IN HOUSING.
☐ To help support the fight for a free housing market, my contribution of $______ is enclosed.

(Contributors of $10.00 or more receive a year's subscription to *Trends* without charge.)

*NAME*______________________________

*ADDRESS*______________________________

____

(*Please include postal zone number.*)

JULY-AUGUST 1960

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York, N. Y. 10019
JUdson 6-3460

JUN 29 1964

June 26, 1964

IMPORTANT NEWS!

TO: Members of the NCDH Board and Advisory Council

FROM: Charles Abrams, President, and Algernon D. Black, Chairman of the Board

SUBJECT: New Staff, Budget, and Reorganization of NCDH

We are indeed pleased to report the following action taken by the NCDH Board of Directors at its meeting in New York City on June 19, 1964:

1. The adoption of a $116,000 estimated basic budget, projected for a three-year period, to support an expanded operation.
2. The appointment of the following professional staff to develop and carry forward an enlarged program on a truly national basis:

   Edward Rutledge, Director
   Jack E. Wood, Jr., Associate Director
   Margaret Fisher, Director of Publications and Information

3. The Board committed itself to make every possible effort to raise the budget.

Many of you know Ed Rutledge and Jack Wood as two of the most active members of the NCDH Board, and are aware of the outstanding knowledge and skills and the dedication they will bring to NCDH. Both are leaving important government posts to assume the executive direction of the National Committee. Mr. Rutledge will sever a long connection as Housing Director for the New York State Commission for Human Rights, and Mr. Wood leaves the position of Housing Director for the New York City Commission on Human Rights. Both men have extensive nationwide contacts. Mr. Rutledge is the immediate past president of the National Association of Intergroup Relations Officials (NAIRO), and Mr. Wood was formerly the National Housing Secretary for NAACP.

Margaret Fisher is in her 7th year with NCDH, serving as the editor of our publication, Trends in Housing, and as associate director with Frances Levenson, who resigned as director in February to take an important post in New York City government. For the last four months, Miss Fisher has carried a heavy load as the sole executive on the NCDH staff.

As we reported to you some time ago, last January NCDH was granted a tax exempt status by the Internal Revenue Service. Thus, for the first time in our 15-year history we are in a position to seek the kind of financial backing required to do a broad-scale program to open the housing market and to attack problems which are plaguing our cities across the country. Approaches have been made to a number of foundations, and grants have already been approved by the New York, Taconic and Field Foundations. In addition, grants for special projects have been conditionally approved by the Phelps-Stokes Fund and the Edgar Stern Family Fund.

However, we must still raise at least $50,000 for this year's expanded operation. We count on your help to meet the challenging opportunity which is at hand, and to give the team of Rutledge, Wood and Fisher your wholehearted support.

With the intense crisis in race relations, it is more evident than ever that a basic task for the next decade is a bold attack on housing patterns across the nation.

: : :

Organization

NATIONAL COMMITTEE AGAINST
DISCRIMINATION IN HOUSING
426 West 58th Street
New York, N.Y. 10019
JUdson 6-3460

JUL 31 1964

TO: Members of the NCDH Board

FROM: Charles Abrams, President, and Algernon D. Black, Chairman of the Board

SUBJECT: Board Meetings Scheduled for September 15 and October 6, 1964

I wish to advise you at this early date that the National Committee Against Discrimination in Housing (NCDH) is planning to call two very important Board Meetings during the months of September and October in order that you set aside these days in your very busy schedules.

The first meeting will be held on September 15, 1964 beginning at 11:00 a.m. At this meeting, we will act upon constitutional amendments, the nomination of new officers, a draft of the proposed program of NCDH and, at its conclusion the announcement at a news conference and through other media of the appointments of Mr. Rutledge and Mr. Wood.

The second meeting, in accordance with our Constitution, (a copy of which is enclosed) will consider the ratification of the amendments to the Constitution, the ratification and election of new officers and Board Members and the adoption of the NCDH program--all of which will be announced at the conclusion of our meeting at a news conference. This meeting will be held at 3:00 p.m. on October 6, 1964, the day before the NAIRO Annual Conference in New York City (October 7-10).

We shall, of course, in due time inform you of the exact location of these two Board Meetings and the agenda will be included. We want your full participation and therefore hope that this early announcement will help you keep your schedule free to attend and participate in the reorganization of the NCDH.

CONSTITUTION OF THE NATIONAL COMMITTEE AGAINST DISCRIMINATION IN HOUSING

ARTICLE I - NAME

The name of this organization shall be the National Committee Against Discrimination in Housing.

ARTICLE II - PURPOSES

The objects, purposes, and powers of this Committee shall be as follows:

(1) The objects and purposes of the Committee shall be exclusively charitable, scientific and educational within the meaning of section 501(c)(3) of the United States Internal Revenue Code of 1954, as the same may be amended, and shall be limited exclusively to the following objects and purposes: To eliminate prejudice and discrimination, to lessen neighborhood tensions, to defend human and civil rights secured by law, and in furtherance of these purposes:

(a) To conduct factual investigations and research on the nature, causes, extent and effects of racial and religious discrimination in housing; the means of eliminating prejudice and discrimination in housing; and the effects on the community of differing occupancy patterns in housing.

(b) To publish and distribute to the public the results of such investigations and research for the purpose of creating positive and constructive concepts of religious and racial equality and harmony with respect to housing in the United States.

(c) To devise and make available to the general public educational programs based upon the results of such investigation and research.

(2) In furtherance of its exclusively charitable, scientific and educational objectives and purposes set out in paragraph (1) of this Article, but not for any other object or purpose, the Committee may exercise the following powers:

(a) To solicit, accept, receive, hold and administer funds exclusively for the aforesaid objects and purposes and to that end, to take and receive, by bequest, devise, gift or benefit of trust (but not as trustee of any trust), and to purchase or lease any property, real or personal, tangible or intangible, wheresoever located and without limitation as to amount or value, and to borrow money;

(b) To hold, sell, convey and dispose of any properties so received, purchased or otherwise acquired, and invest and reinvest the principal therefrom, add such income to principal, and deal with, use, expend, convey, donate, assign or otherwise transfer the property of the Committee, whether principal or income, for the objects and purposes set out in paragraph (1) of this Article;

(c) To do everything and anything reasonably and lawfully necessary, proper, suitable or convenient to achieve any or all of the objects and purposes set out in paragraph (1) of this Article; provided, however, that the Committee may not exercise any power either expressed or implied in such manner as to disqualify the Committee as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1954 as the same may be amended from time to time.

(3) It is the intention of this Committee to qualify and remain qualified as an exempt organization under section 501(c)(3) of the United States Internal Revenue Code of 1954 as the same may be amended from time to time. Accordingly:

(a) The Committee shall not be conducted or operated for profit and no part of the net earnings of the Committee shall inure to the benefit of any member or individual;

(b) No part of the net earnings, property or assets of the Committee shall be used other than for the objects and purposes set out in paragraph (1) of this Article;

(c) No substantial part of the activities of the Committee shall consist of carrying on propaganda, or otherwise attempting, to influence legislation; nor shall the Committee participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

ARTICLE III - MEMBERSHIP

(1) Membership in the Committee shall be open to any bona fide national or regional organization which will support the purposes stated in Article II.

(2) Applications for membership shall be acted upon by the Board of Directors.

(3) If a majority of the Board of Directors approve the application, the applicant shall be admitted to membership.

ARTICLE IV - BOARD OF DIRECTORS

(1) The Committee shall act through its Board of Directors and meetings of the Board shall be meetings of the Committee.

(2) (a) Each member shall designate two representatives who shall be Directors.

(b) Neither any Director designated by a member nor the Board of Directors shall have power to bind, obligate or commit any member organization.

(3) Each member may also designate alternates to serve at meetings of the Board of Directors in the absence of the representatives designated as Directors.

(4) The Board of Directors, by a majority vote, may elect Directors-at-large who shall serve until the next annual meeting of the Committee.

(5) Each Director shall be entitled to one vote.

(6) All Directors and alternates designated by a member shall retain office at the pleasure of the member designating them, which member shall have the exclusive power to designate new Directors and alternates to fill vacancies.

ARTICLE V - OFFICERS

(1) The officers of the Committee shall be:

President
Chairman of the Board
Vice President
Secretary
Treasurer
Executive Director

(2) All the officers except the Executive Director shall: (a) be Directors ex officio; (b) serve without compensation; (c) be elected at the annual meeting of the Committee; and (d) serve until the next annual meeting, or until their successors have been elected.

(3) (a) The Executive Director shall be designated by majority vote of the Directors, upon the recommendation of the President.

(b) The Executive Director shall receive such compensation as the Board of Directors shall fix, shall hold office at the pleasure of the Board of Directors and shall perform such duties as may be assigned by the Board of Directors or the President.

(c) The Executive Director shall be entitled to one vote at meetings of the Directors.

(4) (a) Any vacancy in an office shall be filled by a vote of the Directors at their next meeting after the vacancy has occurred.

(b) Pending the election to fill a vacancy other than President, the President may designate a person to act in such vacant office.

ARTICLE VI - MEETINGS

(1) (a) Regular meetings of the Board of Directors shall be held on the first Tuesday in the months of January, March, June and October.

(b) Written notice of regular meetings shall be sent to each Director at least twelve days prior to such meetings.

(c) Any business within the purposes of the Committee may be transacted at a regular meeting.

(2) (a) Special meetings may be called at any time by the President and shall be called by the President upon the written request of ten Directors or by a vote of the Board of Directors at any meeting.

(b) Written notice of a special meeting, specifying the time, place and purpose of such meeting, shall be sent to each Director to give as much advance notice as possible.

(3) The annual meeting of the Committee shall be the regular October meeting of the Board of Directors.

(4) Except as otherwise provided herein, all actions of the Board of Directors shall be by majority vote of the Directors voting.

(5) Ten Directors shall constitute a quorum, but a lesser number may adjourn a meeting.

ARTICLE VII - DUES

(1) Annual membership dues shall be seventy-five ($75.00) dollars.

(2) The Board of Directors, upon the recommendation of the Executive Committee, may suspend any member delinquent in the payment of dues for two consecutive years.

ARTICLE VIII - COMMITTEES

(1) The officers of the Committee, the chairmen of all standing committees, and seven additional Directors whom the President may designate, shall constitute the Executive Committee, which shall function for the Committee between meetings of the Board of Directors and shall exercise those powers voted to it by the Board of Directors.

(2) The following standing committees shall be appointed by the President, subject to the approval of the Board of Directors:

(a) Budget and Finance
(b) Education and Program
(c) Membership
(d) Publications
(e) Public Information
(f) Research and Study

(3) Special committees shall be:

(a) A Nominating Committee appointed by the President to recommend candidates prior to each annual meeting. The report of the Nominating Committee shall be transmitted with the notice of the annual meeting.

(b) Such other special committees as the President in his discretion may appoint or the Board of Directors may create.

ARTICLE IX - DISTRIBUTION OF ASSETS ON TERMINATION

Upon the winding up and termination of the activities of this Committee, all assets then held by the Committee after payment of liabilities shall be distributed to or among such organizations which are tax exempt under section 501(c)(3) of the Internal Revenue Code of 1954, as the same may be amended, as the Board of Directors may determine.

ARTICLE X - AMENDMENTS

This Constitution may be amended only in the following manner:

(a) A resolution embodying the proposed amendment, moved by one or more Directors, must be adopted by a vote of the Board of Directors at any meeting.

(b) Thereafter, at the next regular meeting or at a special meeting called for that purpose, of which at least ten days' written notice, accompanied by a copy of the text of the proposed amendment, shall be given to all Directors and to all members of this Committee, such proposed amendment must be approved by a two-thirds vote of the Directors present.

ARTICLE XI - RATIFICATION

This Constitution shall become effective when approved by a two-thirds vote at a meeting of the present Board of Directors, provided a copy of the proposed Constitution, together with a notice of its presentation, shall have been sent to all of the present members of the Committee and to the members of the present Board of Directors at least five days prior to such meeting.

Adopted unanimously by the Board of Directors at a special meeting duly called and held for that purpose on September 23, 1963, in New York City.

Housing NYC

STRYCKERS BAY NEIGHBORHOOD COUNCIL
549 Columbus Ave.
Tr 4-7272

May 14, 1962

At the special meetings of the Council's Relocation and Housing committee's, held on the evening of May 9th. the following resolutions were approved, to be submitted for adoption by the general membership at tonight's meeting. We also include previous resolutions on the problems of displaced businesses, confirmed pursuant to a special meeting with local businessmen.

RELOCATION We urge the city to directly operate the relocation of site tenants within our neighborhood and not contract with private relocation companies hired by private site developers.

HOUSING We request the city to equalize the amount of low-rental housing units to be constructed within the Urban Renewal Area with the proposed amount of full-tax paying apartments to be built. Thus, no more new luxury rental apts. would be added than low-rental apts. Original figures of 1000-4200-2800 units would be amended to 1900 low rental, 4200 middle income, 1900 full tax paying apts.

We urge that in seeking to create the "balance" in new construction, at least two full tax-paying sites in stage I be withdrawn, all other necessary changes being made in stages II and III.

We urge that all 630 apts. for low income families proposed for middle income housing not exceed $18 per room per month, including repayment of loans. Thus it would be necessary, in certain instances of middle-income cooperatives, that the carrying charge differentials be lowered to $14-15 per month.

We again urge that at least half of the proposed housing be constructed within the total WSURA not exceed $25 per room, whether cooperative or straight rental.

BUSINESSMEN- (following special meeting of businessmen)

We reiterate our concern that iron-clad priorities be established for small businesses at rentals commensurate with neighborhood conditions. Enactment of legislation to compensate for loss of investments and implementation by the City of the new federal moving allowances.

THE NEW YORK STATE COMMITTEE
ON DISCRIMINATION IN HOUSING
426 West 58th Street
New York 19, New York
JUdson 6-3460

Housing

October 3, 1962

FAIR HOUSING FACT SHEET
- NEW YORK STATE NEEDS A BROAD FAIR HOUSING LAW NOW

Inadequacies of Present Law

New York State's fair housing law, passed in 1961, was a compromise measure which merely took the first step toward barring discrimination in private housing. It covers 15 per cent of the housing supply of New York State outside of New York City.

It covers only rentals in apartment houses (excluding owner-occupied three-family houses) and the initial sale of new homes in developments of 10 or more. It bars all discrimination in mortgage lending, but only bars discrimination by real estate brokers with respect to covered housing. It only bars discriminatory advertising with respect to covered housing.

What We Need

A realistic and comprehensive fair housing law patterned after New York City's Sharkey-Brown-Isaacs statute. It should:

1) Bar discrimination in the sale or rental of all housing except rentals in a two-family house where one accommodation is occupied by the owner, and except the rental of a room in one's residence.

2) Bar all practices of discrimination by real estate brokers and salesmen.

3) Bar all discriminatory real estate advertising.

4) Prohibit urban renewal plans and relocation plans which create residential segregation.

5) Permit the State Commission for Human Rights in proper cases to seek a court injunction to maintain the status quo and prevent the rental or sale of the accommodation under question until proceedings have been concluded.

6) Be enforced by the State Commission for Human Rights.

The Effect of a Realistic Fair Housing Law

It would bar discrimination in the major portion of the housing supply, existing as well as new. It would put all buyers and suppliers on the same competitive basis. It would permit minority families to buy or rent homes in every section of the community, according to their means and without undue pressure on any one neighborhood.

It would enable the State Commission for Human Rights to play an effective role in preventing the use of urban renewal to create and extend patterns of residential segregation. Its injunction procedure to hold the accommodation at issue available during the pendency of a complaint would increase the effectiveness of the law considerably.

1960 Census Data Dramatically Demonstrates the Need for a Comprehensive Fair Housing Practices Law in New York State.

1) Segregated housing patterns in New York State have intensified over the past 10 years. In Buffalo, for example, in 1950, only one census tract was over 50 per cent nonwhite; in 1960, there were seven such census tracts. In Rochester, in 1950, there were no census tracts with 50 per cent nonwhite occupancy; in 1960, there were six.

2) Racial segregation in our cities is reaching alarming proportions. In Rochester, 75 per cent of the nonwhite population lives in six of 89 census tracts. In Buffalo, 91 per cent lives in 11 of 72 tracts. In Syracuse, 92.7 per cent lives in 15 out of 61 tracts.

3) The suburbs are increasingly the "white noose" surrounding deteriorating minority-concentrated central cities. Every major city in the State of New York has declined in white population and increased in nonwhite population.

4) Urban renewal will continue to falter unless an open housing market can be achieved. Racial tensions are being intensified and explosive situations created in many of our communities by attempts to renew areas of minority concentration within the context of a racially-restricted housing market.

Coverage in Other States

Comprehensive fair housing laws such as those in New York City, Colorado, and Pennsylvania have proved workable in preventing violation of civil rights, as well as a potent educational force for modifying biased attitudes and changing social habits. They have led to a gradual opening up of the housing market, permitting minority group families to enter the mainstream of community life.

They have operated with fairness and equity and have not in any way adversely affected the real estate industry in these communities.

There are now 14 laws (New York City, Pittsburgh, Colorado, Massachusetts, Connecticut, Oregon, California, Pennsylvania, New York State, Minnesota, New Hampshire, New Jersey, Toledo, and Alaska) barring discrimination in some aspect of the private housing market.

New York State has fallen far behind and ranks close to the bottom of the list in terms of the strength of its present statute.

: : :

HISTORY

Housing discrimination is the number one human relations problem in most of the United States. It does more than deny a person's right to the home he desires and can afford. It results in a divided society: segregated neighborhoods, segregated schools, employment, places of worship.

In recent years, a number of cities and states — including New York City, Connecticut, New Jersey and New York State — have adopted laws prohibiting racial and religious barriers to housing. At the same time, citizens in many parts of the nation have formed fair-housing committees to encourage integration in their own communities. At least 50 such groups are now working in Greater New York: the city's five boroughs, Long Island, Westchester and Rockland Counties, northern New Jersey, and lower Connecticut.

During 1961, representatives of some of these voluntary groups met to explore areas of cooperation. From a series of meetings there developed the Association of Fair Housing Committees (see member groups on back).

PURPOSE AND ORGANIZATION

The purpose of the Association is to act as a clearing house and service agency for local committees in metropolitan New York which are working to:

1. *Open housing opportunities to minority-group families in areas previously closed to them.*
2. *Stabilize neighborhoods undergoing rapid racial change.*

The Association pro
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PROGRAM

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Fair Housing Committees.

ties. The Association will co-
other agencies in efforts to
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of city and state fair-housing laws, and in encouraging open occupancy. Periodic workshops, conferences and training sessions will be held. Assistance will be offered those who wish to organize fair-housing committees in localities where none presently exists.

WHAT INDIVIDUALS CAN DO

IF you want to move to a non-segregated area, call the Association or a local fair-housing committee.

IF you have a house or apartment to sell or rent on an open occupancy basis, call the nearest fair-housing group or the Association.

IF you want housing bias erased in your community, join your local fair-housing group. If there is none, ask the Association to help you form one.

IF your organization would like a speaker on housing discrimination, ask the Association for suggestions.

IF you belong to a fair-housing group, ask it to join the Association.

IF you believe in equal opportunity in housing, support the Association with your talents and your dollars.

There are thousands of real estate transactions in metropolitan New York every day. Most of these perpetuate and extend segregation. Discriminatory practices will change only when individuals join together to change them. Your own initiative is vital — whether you are an owner or buyer, a landlord or renter, a member of the so-called minority or the so-called majority in American life.

EXECUTIVE COMMITTEE

HOMER A. JACK, SCARSDALE
Chairman

GLADYS HARRINGTON, CORONA
Vice-Chairman

SYLVIA BLOOM, NEW ROCHELLE
Recording Secretary

NAT O. HARRIS, RIVERDALE
Corresponding Secretary

DEAN CHAMBERLIN, PLEASANTVILLE
Treasurer

ROSE BROOKS, RIVERDALE
MARGARET FISHER, MANHATTAN
RABBI DAVID W. PEARLMAN, CONNECTICUT
ALFRED SCHACTER, ROSLYN
LAWRENCE SMITH, MERRICK
ODILE SWEENEY, MANHATTAN

ADVISORY BOARD
(*In Formation*)

CHARLES ABRAMS
ALGERNON D. BLACK
THE REV. EUSTACE L. BLAKE
DENNIS CLARK
DAN W. DODSON
JAMES FARMER
JACK GREENBERG
ARNOLD HARRIS
THE REV. EDLER G. HAWKINS
DOROTHY HEIGHT
SOPHIA YARNALL JACOBS
REGINALD A. JOHNSON
IRVINE L. H. KERRISON
THE REV. CLAUDE C. KILGORE
MARVIN KRATTER
HAROLD A. LETT
FRANCES LEVENSON
DAVID LIVINGSTON
WILL MASLOW
DUNBAR MCLAURIN
EDNA MERSON
JOSEPH MONSERRAT
ANNE MONTERO
DON NEWCOMBE
HOWARD B. RADEST
JACKIE ROBINSON
JAMES H. SCHEUER
EARL B. SCHWULST
THE REV. ALEX. H. SHAW
THE REV. CHARLES TURCK
THE REV. M. MORAN WESTON
JACK E. WOOD, JR.

10/62

MEMBER

New York City

BAYSIDE BROTHER
COMMITTEE ON CIV METROPOLITAN
COMMUNITY CHUR SOCIAL ACTION
GRACE CONGREGAT (MANHATTAN)
NEW YORK CONGR
NORTHEAST QUEEN
RIVERDALE COMMI
UPPER MANHATTA
VILLAGE-CHELSEA

Long Island

COMMUNITY RELA
GREAT NECK COM
HUNTINGTON TOW RELATIONS
LONG ISLAND COU
LONG ISLAND CON (CORE)
MASSAPEQUA COM
NEIGHBORS UNLIM
ROSLYN COMMITTE

Rockland County

ROCKLAND COUNTY

Westchester Count

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MEMBER COMMITTEES

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Island Council for Integrated Housing
Island Congress of Racial Equality
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land County

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cil for Unity of New Rochelle
Housing Committee of Yonkers
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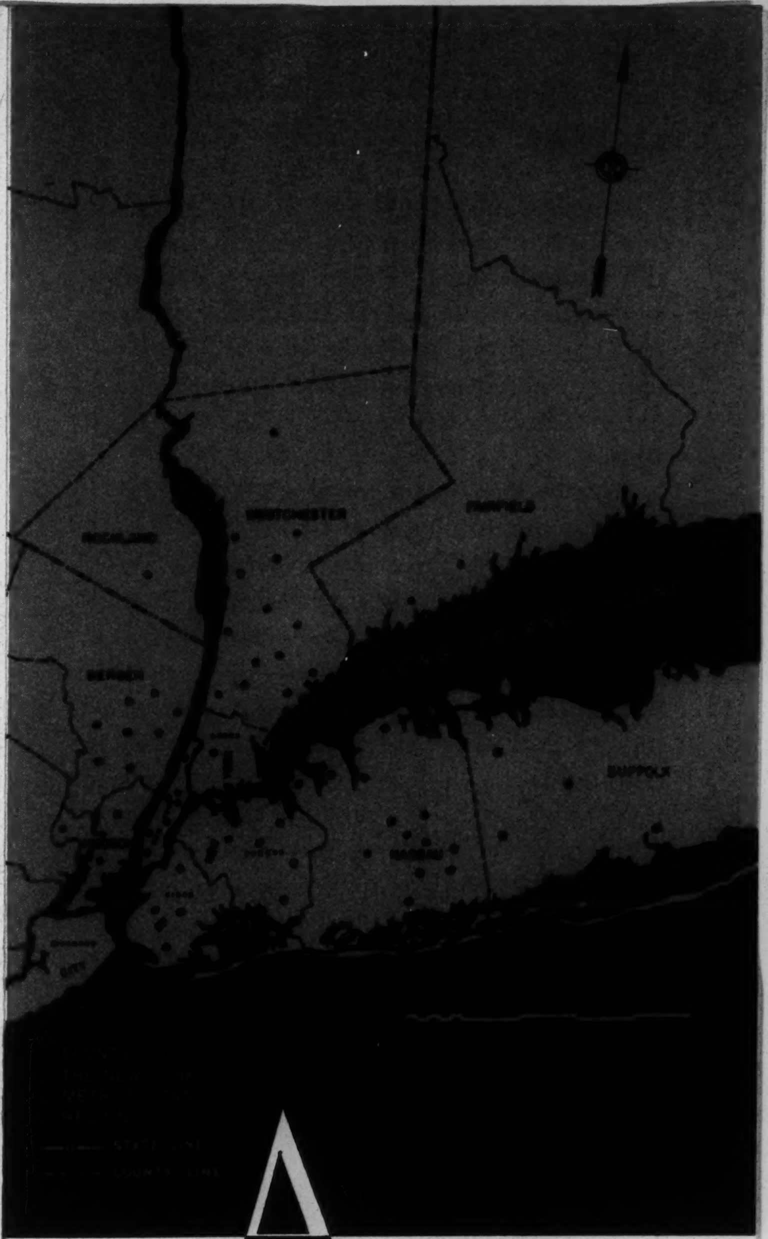

ASSOCIATION OF FAIR HOUSING COMMITTEES

A CLEARING HOUSE FOR
METROPOLITAN NEW YORK

120 WEST 57 STREET, NEW YORK 19, NEW YORK
JUdson 6-4000

CHPC

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Citizens' Housing and Planning Council

CHPC: 1962-63

In the long, cold war against the slums — and the factors that breed them—the Citizens' Housing and Planning Council of New York enlisted 26 years ago. It has been fighting ever since — not merely for a city which can be, for its slum-dwelling millions, less intolerably bad; but also for a city which can be, for all its people, more abundantly, excitingly good. It has won some major battles — a few so far-reaching that today New Yorkers take the fruits of the victories for granted. It has lost others. But it has never lost its conviction that the war can be — and must be — won.

In the beginning and now, CHPC's strength has been the informed minds, the varied skills and unified vision of men and women who care greatly and stubbornly for the city in which they live and work. They make up CHPC's 70-member Board: a working task force drawn from architecture, city planning, construction, banking, real estate, economics, law, education, social welfare — from all the ranks of the city's ordinary (and extraordinary) citizens. They man the dozens of CHPC committees which review, interpret, recommend or reject every major proposal, publicly or privately initiated, that affects New York — the face of the city, the shape of its future, the scope it gives its children to grow up in decency and dignity. Their ammunition are questions, and the facts their questions elicit. Their strength is what the facts can bring to bear, in public hearings or private meetings, on those in whom decisions ultimately rest.

CHPC is also a liaison between city and citizens — advisor to both and interpreter, when necessary, of each to the other; and to the news media, and to the whole vast, and often vastly confused, public at large. Its Board and professional staff have worked with more than 47 civic, governmental and social welfare organizations this year alone. Its two-year-old Community Relations program has served a total of 45 citizens groups in 31 New York City neighborhoods, lending its specialized skills and knowledge on a long or short term basis, so these groups might better understand their local housing and planning problems.

At the same time, it has learned from them. It has learned, as it could have in no other way, what their problems are: how varied, how complex — and how deviously, indissolubly interrelated the problem of physical deterioration of neighborhoods is with problems which are economic and social.

Reinforced by this first-hand knowledge, CHPC mobilized itself and its allies this year to wage again a battle it had thought long since won.

Faced with an imminent end to government support for publicly subsidized, publicly owned housing for low income families, CHPC remembers — if some have forgotten — that such housing was not a first exploratory step toward eliminating slums, but the last alternative when all others failed. However, CHPC has found, in marshaling other civic agencies in support of public housing, that it is not entirely alone in remembering. With the help of United Neighborhood Houses, the Citizens Committee for Children, and the Women's City Club, among others, CHPC is relying, as always, on the facts. At hearings of the recently appointed State Commission on Low Rent Housing, in the press, on radio and television, in person-to-person intercession, CHPC is fighting not only to assure the survival of the only means yet found to provide decent housing for families at the bottom of the economic ladder, but to make possible, once and for all, its fully adequate support — support which can, in fact, enable public housing to do what it has too often been prevented from doing: its job. The effort will continue.

On other fronts, there has been other action. This year, CHPC also:

- Continued to press for the acceleration of low rent and middle income housing developments, and to insist on speedy accomplishment of urban renewal activities.
- Collaborated with the Citizens Union in establishing a committee on Community District Planning Boards. The work of the committee is intended to clarify provisions in the new City Charter governing the activities of these prospective Boards.
- Endorsed plans for a new Manhattan Civic Center, with recommendations for certain design changes, along with a thorough and continuing study of traffic in the area.
- Attacked the proposal to build a very large private housing development on the West Side of Manhattan above 59th Street, on the grounds that it had been designed without adequate consideration of nearby planning problems.
- Urged the city to approve the construction of a new major arena on the site of the present Pennsylvania Station.

PUBLICATIONS

ANNUAL REPORT, 1961-62 (October, 1962)
Analysis of housing and planning progress in New York City during the year, and summary of CHPC's role in it.

HOUSING AND PLANNING NEWS (October, 1962-Summer, 1963)
Regular reports and comment on current programs and developments affecting housing and planning in New York City.

CHPC PROGRESS (September, 1962-June, 1963)
Information bulletins for members on work of CHPC Board, Committees and professional staff.

LEGISLATIVE INFORMATION BULLETIN (February-June, 1963)
Digests of housing bills pending in the New York State Legislative Session, with evaluations representing the consensus of members of CHPC's Legislative Committee.

- Pressed for immediate city action on development of the Paerdegat Basin area for low and middle income housing, and warned against the waste, through too timid planning, of a too rare opportunity: one of the city's last vacant and accessible land sites.
- Launched a pilot study to assess effectiveness of the city's policy of auctioning municipally owned land which is currently unused. The study, under direction of Dr. Edwin Spengler, has the full cooperation of the New York City Department of Real Estate.
- Endorsed vigorously, after inspection, the Planning Commission's proposal to designate the Annadale-Huguenot area for urban renewal, on the grounds that this presented the only way to provide for the orderly development of a largely vacant area for the benefit of nearby residents and the city as a whole.
- Defined the conditions under which blighted industrial areas might suitably be considered for redevelopment planning, but stressed that planning must weigh carefully — and go slowly before endangering — such areas' contributions to the city's economy.
- Took steps to alert the city to the need for coherent overall planning of its open spaces, and made specific suggestions concerning proposed park facilities not only at Breezy Point, but also in other parts of the city.
- Demanded a new housing program for New York State which would realistically approach the housing problems of the ineligible families of low income who have been found undesirable for admission to public housing under Authority regulations.
- Undertook site inspections and evaluations of more than 30 proposed public or publicly assisted housing developments in all five boroughs of the city.
- Analyzed and evaluated all major pieces of housing and planning legislation introduced on city, state or federal levels.
- Joined with other civic agencies to aid in the city's search for a successor to James Felt as Chairman of the City Planning Commission; and was signally honored by the city's ultimate choice — CHPC's own president, William F. R. Ballard.

PROGRAMS

ANNUAL MEETING: RELOCATION AND SMALL BUSINESS

October 18, 1962

Discussion of problems raised by the special impact of relocation on the small businessman. Participants were Roger Starr, Executive Director, CHPC (Chairman); Herman Badillo, Commissioner, New York City Department of Relocation; L. Thomas Appleby, Development Administrator, City of New Haven; and Martin Singer, member, 87th-97th Street Business and Professional Group.

ANNUAL LUNCHEON

May 14, 1963

Address by the Hon. James William Gaynor, New York State Commissioner of Housing and Community Renewal. Presentation of CHPC's Annual Public Service Award to the New York City Housing Authority, represented by Francis V. Madigan.

CITIZENS'
HOUSING AND PLANNING COUNCIL
OF NEW YORK
Public Service Award
to
The New York City
Housing Authority

In tribute to 29 years of achievement "in which all New Yorkers may take pride," the New York City Housing Authority received CHPC's 1963 Public Service Award. On behalf of the Authority, its Vice-Chairman, Francis V. Madigan, accepted the award.

Now, looking ahead, CHPC is considering new action. Indeed, it is exploring what could be a wholly new form of action: new to CHPC — new to the city, in terms of the scope of its attack on forces of urban decay at the community level.

Apparent in all CHPC's work with communities throughout the city has been not only the presence of physical, economic and social factors interacting to create blight, but the absence in most areas of a comparable range of programs capable of interacting to combat it. The skills exist, but are compartmentalized among specialized agencies, public and private; and because their resources are scattered and their responsibilities splintered among a city of eight million, no one community — however deep in trouble — can receive the concentrated help it needs.

After studying intensively one such community, one of the most critically depressed areas in the city, CHPC has put together an outline for total redevelopment planning — economic and social, as well as physical. It would involve 17 major inter-agency aid programs. It would call on all that has ever been learned about human needs and how to meet them. It would apply that knowledge — for the first time — in one place, at one time, in the undiluted strength required. CHPC is now meeting with the community representatives, the government officials, the public and private agencies, the universities and foundations whose support, cooperation or active involvement would be needed.

This sort of total warfare is complex and costly, as well as unprecedented; but in the war against slums, it is possible the price of victory may still be less than the price of defeat.

In the year ahead as in those behind, CHPC will continue to fight — on battlefields old, new and yet unexplored — to bring victory within the reach of all New Yorkers.

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THE CITY: 1962-63

The struggle in which CHPC has been engaged for its generation-long lifetime is not a new or private war, but one which has been waged by many mettlesome men and women for many generations. It may suffer from the very length of its history.

Money is running out and enthusiasm running down, and it is not surprising, given the circumstances, that simple solutions are so dangerously seductive. But the simple fact is that there is nothing simple about the facts underlying the city's problems. Let us look at some of them.

According to figures of the Federal Bureau of the Census, there are approximately 2,800,000 dwelling units in the city. Twenty per cent, or 560,000, of these do not meet minimum living standards, as defined by the Bureau — a definition based on neither sentiment nor aesthetics, but on the absence of such basic elements as private plumbing facilities, heat and hot water, and on the presence of visible deterioration or downright dilapidation.

If we conclude — as social self-interest, if not common humanity, would seem to compel us — that it is undesirable for half a million families to live under these conditions, we have two alternatives. One is to tear down the substandard buildings and put up new ones; the other is to so reconstruct the old buildings that they are no longer substandard.

In exploring the first course over a period of years, the city has found it a way thickly hedged with political, financial, sociological and administrative difficulties of such dimensions that it is little wonder that almost any other course has come to seem preferable. But whether the only other course available is, in fact, preferable — or practicable on the mass scale required and currently envisaged — this, on the evidence, may be open to doubt.

Before vesting in the rehabilitation process a hope beyond its power to fulfill, we are obliged to ask, first, if rehabilitation of tenement housing is physically possible; and second, if it is (or can be made) financially possible.

The experience of a pilot renovation project undertaken by the private Conservation, Rehabilitation and Renewal Foundation this year suggests that in the case of Old Law tenements, the answer to both questions is

HAVE WE THE WILL?

An Analysis by Roger Starr,
Executive Director,
Citizens' Housing and Planning Council

a yes so qualified as to amount to a no. In the case of New Law tenements, it suggests that although physical rehabilitation is feasible, the economics are problematic. It also poses other questions. What are the incentives to be offered a non-resident slum owner to join a rehabilitation crusade? What supervision can be given him to ensure that the job is done adequately? And pending answers to these questions, rehabilitation must fall short of being a panacea.

We are left with the necessity for a program of new construction; and if we are realistic, with the realization that it may require more — and more ingenious — subsidization rather than less. Increasingly, the rentals in so-called middle income housing, privately built and publicly aided, are climbing beyond the reach of the median-income $6,000 family; and the minimum wage-earner with a wife and children cannot begin to afford adequate living space even in what is now fully subsidized housing, publicly built. If we are far-sighted as well as realistic, we may also attach some special urgency to the public sector of such a program. We would be wise to do so, in the interests not only of those who will live in it, but of those who will build it — and by extension, the entire economy of the city, which cannot well afford the impact on the construction industry of the coming drop-off in private building. And it can hardly help but come, as the result of a diminishing demand for high-rent housing, and the inherent unlikelihood of inducing the mass of private builders to invest on anything like the same scale in limited-profit middle income housing.

But whether we decide to build or to rehabilitate for our lowest income families, there will still be a gap between even the bare operating cost of decent housing and the rents these families can pay. Unless we are prepared to take the consequences of ignoring the problem altogether, the difference must be made up with money — and we must accordingly choose whether the money is to be given to the families themselves, in the form of some new kind of welfare aid; or given to private owners of such housing, with the difficulty of guaranteeing its proper use; or given to a responsible public agency owning the housing. This is making up the difference on a short term basis. Thought must also be given to making it up on a long term basis — to the possibility, perhaps, of more closely coordinating physical renewal planning with programs in the economic and social areas which are equally involved with the problem of slums.

City planning, now and in time to come, may need to have, in fact, a more comprehensive, more intricate, more flexible and yet more powerful function than we have ever had the temerity to ask of it in the past: that of seeking to balance all the shifting forces of change in a city, and of giving each the weight — and room — it deserves. This already means that a decision on the use of a given site may have to involve consideration not only of its relevance to the housing needs of the city, but of its effect on city-wide employment opportunities — may have to set its potential contribution to the healthy mingling of classes and groups against the deeply, if obscurely, felt status needs of its neighbors. It may have to choose between an urgently needed addition to the available housing supply, and an equally urgent subtraction from it to provide a public park. In doing so, it requires a certain tactical freedom; but it also requires a clear overall strategy.

In the planning process, residents of the communities affected have, naturally, a lively interest and, objectively, an indispensable contribution to make. Because of the essentially conservative nature of small constituencies, the contribution is most often a cry of "Ouch" — but this does not make it less of a contribution; indeed the ultimate Magna Carta of the private citizen is "Ouch." When a great many citizens say it all at once, it is wise to listen, and to evaluate with great care the degree of pain it reflects; because this cry — along with the other controls of public hearings, popular elections and a free press — is what can prevent municipal administrations from too rashly sacrificing the desires of present citizens to the calculated needs of the future.

But planning, however heavy its responsibilities are and may become, must in the end be the planners' job; and in doing it, they must work increasingly toward more effective accommodation between the contrasting social classes in the city; they must work with its communities in the interest of greater mobility between classes; they must work for these things even when and where they are least popular. If they do so, it is the job of those of us who, outside government, are dedicated to the improvement of the city to give them all the support within our power. And if they do not, then it is our job to demand they meet the challenge.

It has taken New Yorkers many painful and arduous years to acquire some understanding, however partial, of the nature of the enemy — the city's internal forces of self-destruction. But over those same years, we have also amassed an arsenal of sophisticated skills wide-ranging enough at last to give us some valid hope of victory. We need only the courage to accept the cost, the maturity to face the difficulty, the determination to see the fight through.

We have the weapons.

Have we the will?

STATEMENT OF INCOME AND EXPENSE, 1962

RECEIPTS	
Funds and Foundations	$ 17,683
Corporate Contributions — $100 and over	3,450
Memberships — $100 and over	9,561
Memberships — under $100	8,780
Publications	370
Theatre Party Benefit (net)	10,321
Annual Luncheon (net)	6,714
Interest Income	728
TOTAL RECEIPTS	$ 57,607
DISBURSEMENTS	
Salaries and Fees:	
Administrative	$ 23,920
Professional Consultants	5,466
Clerical	14,216
Social Security Expense	880
Contribution to Willkie Building (Rent)	2,250
Postage	1,254
Telephone and Telegraph	1,600
Messenger Service	118
Office Supplies and Services	2,511
Miscellaneous Expenses	1,860
Office Cleaning	743
New Office Equipment	491
Dues and Subscriptions	340
Publications Expense	3,440
Electricity	434
Health and Disability Insurance	172
TOTAL DISBURSEMENTS	$ 59,695
EXCESS OF EXPENSE OVER INCOME	$ 2,088

TO: Citizens' Housing and Planning Council
Willkie Memorial Building
20 West 40th Street
New York, N. Y. 10018

Gentlemen:

I wish to become a member of the Citizens' Housing and Planning Council, and enclose my contribution of $____________________.

NAME____________________________

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MEMBERSHIP IN CHPC

Sustaining — $50 or more
Contributing — $25
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•

Organization — $10 or more
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Contributions to CHPC are tax-deductible.

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Law

File

NEW HOUSING LAW

PROTECTS OUR RIGHT TO LIVE WHERE WE PLEASE

DISCRIMINATION IN HOUSING IS NOW ILLEGAL IN PENNSYLVANIA

The new Human Relations Act protects the right of all persons, regardless of race, color, religious creed, ancestry or national origin to buy, rent, or lease ALL HOUSING ACCOMMODATIONS EXCEPT OWNER-OCCUPIED SINGLE OR DUPLEX BUILDINGS.

This means new homes, better neighborhoods, and newer schools are available to you, often at old house prices.

Several Philadelphia areas have practiced fair housing even before the law was passed. Action taken in these communities was the result of individual and group efforts. If they could integrate without the benefit of the law, certainly you can WITH it.

THE EFFECTIVENESS OF THIS LAW

DEPENDS ON YOU.

USE IT!

CORE (The Congress of Racial Equality) urges every Pennsylvanian to seek housing of his choice, regardless of neighborhood. START LOOKING TODAY.

If you encounter the old runaround -- "Just rented", "We'll call you back", "The neighbors would object", "We think you'll be happier .....", please contact any of the following CORE members:

Mrs. Augusta Lemon	Mrs. Betty Cantor	Mr. Stanley Diamond
VI 8-5405	CH 8-3280	SH 8-4790

CORE will tell you how to use the new law and WILL TAKE STEPS ITSELF TO SEE THAT YOU GET THE HOUSE OR APARTMENT YOU WANT TO LIVE IN.

NEW ADDRESS

Philadelphia Chapter
Congress of Racial Equality
(CORE)
3423 N. 15th St.
BA 8-3468

CONGRESS OF RACIAL EQUALITY
PHILADELPHIA
CORE
3649 LANCASTER AVE.
PHILADELPHIA 4, PENNA.

Phila
Housing

CHARTER OF THE UPPER GERMANTOWN NEIGHBORS ASSOCIATION

ARTICLE I - Name

The name of this organization shall be the Upper Germantown Neighbors Association.

ARTICLE II - Purposes

The purposes of this Association shall be:

a. To promote a spirit of neighborliness, mutual respect and good-will among all the residents of the neighborhood.

b. To maintain and improve the physical and cultural standards and facilities of our neighborhood.

c. To counter panic selling and general anxiety stemming from unwarranted fears and unfair real estate pressures.

ARTICLE III - Membership, Neighborhood Boundaries

For purposes of definition, our neighborhood shall be considered to be all of the area bounded by Johnson Street on the north, Chew Street on the east, High Street on the south, and Germantown Avenue on the west.

All residents within these boundaries are eligible for membership. Those outside these boundaries shall be eligible upon the approval of the Block Leaders' Council.

ARTICLE IV - Organization, Officers, Powers, Duties

Second A - Block Committees

The organizational structure of the Upper Germantown Neighbors Association shall be a federation of block committees. All individuals (except members-at-large) shall be eligible for membership only in and through membership in a block committee. All block committees which agree with the purposes of the Association shall be eligible for participation in it. Block committees shall be free to select their own form of organization and their activities need not be limited to those of the Association.

Section B- Block Leaders' Council

The principal body of the Germantown Neighbors Association shall be the Block Leaders' Council. It shall be made up of two delegates from each of the participating block committees and of members-at-large. The Council shall serve as a clearing-house for the various problems, ideas, programs and proposals of the member block committees and as a coordinator of action where joint efforts are undertaken.

(more)

ARTICLE IV (cont'd)

The Council shall elect the officers of the Association; approve or appoint committees and make all policy decisions except those which it deems of such peculiarity or importance to require that they be referred directly to the whole membership for vote in the member block committees.

In the deliberations of the Council, only block committee representatives shall have voting powers. Members-at-large may participate fully in all the activities of the Association but in the actual decision of the Block Leaders' Council, they shall serve only in an advisory capacity.

Section C - Block Committee Delegates
One of the two delegates which each block committee shall send to the Block Leaders' Council shall be the chairman of the respective block committee. The other delegate may be chosen as the block committees see fit. Each delegate shall have a single vote in the Decisions of the Block Leaders' Council, thus giving each block committee 2 votes. Delegates who are unable to attend a meeting of the Council may be represented by another member of their block committee as an alternate. Alternates shall have full voting powers.

Section D - Members-at-Large
The members-at-large of the Block Leaders' Council shall, in general, be the leaders or the representatives of the various religious, social, fraternal or patriotic institutions of the neighborhood. Individuals such as local doctors, lawyers, business executives, store owners or others may also be included. Members-at-large need not reside within the neighborhood boundaries. They will be looked to for advice, guidance and cooperation and may participate in all activities except actual voting. The block committee delegates shall compile a list of persons or institutions who shall be invited to join the Block Leaders' Council as members-at-large. No fixed term of office shall be set and such persons or institutions shall participate at the pleasure of the block committee delegates.

Section E - Officers
The officers of the Association shall be elected by the Block Leaders' Council from among the membership of the Council. The officers shall be:

1 Chairman
1 Co-Chairman
1 Secretary

The term of office for all officers shall be one year. It shall correspond with the calendar year.

(more)

Subsection (1) Duties of the Chairman

It shall be the duty of the chairman to give general leadership; to conduct all of the meetings of the Block Leaders' Council; to act as spokesman for the Association to appoint sub-committees with the approval of the council to take all steps which are necessary and proper to execute the policies of the Council and to make regular reports to the Council.

Subsection (2) Duties of the Co-Chairman

It shall be the duty of the co-chairman to conduct meetings of the Block Leaders' Council in the absence of the chairman and to assume all of the duties of the chairman in case of the incapacitation, or resignation of the chairman pending the election of a new chairman.

Subsection (3) Duties of the Secretary and of the Treasurer

It shall be the duty of the secretary to keep an accurate record of all the proceedings of the Block Leaders' Council; to inform members of the forthcoming meetings and to perform all duties which the Council may assign from time to time.

It shall be the duty of the treasurer to keep all of the funds of the Association; to keep accurate accounts; to make regular reports on the financial status of the Association and to perform all other duties which the Block Leaders' Council may assign from time to time.

Section F - Action Subcommittees

From time to time, as the Block Leaders' Council sees fit, sub-committees may be established to work on specific problems or projects such as publicity, neighborhood standards, real estate practices, recreation, school problems, etc. These sub-committees and their officers shall be appointed by the chairman with the approval of the Council. They shall report regularly to the Council on their activities and may make recommendations for changes in Council policy. They shall serve at the pleasure of the Council. Members of these sub-committees need not be members of the Block Leaders; Council. The chairmen of these sub-committees, however, if not already members shall automatically become voting members of the Block Leaders' Council.

(more)

Section G - Steering Committee

The Steering Committee shall consist of the officers of the Council, the chairmen of the Action Sub-committee and any others appointed by the chairman and approved by the Council. The Steering Committee shall serve in an advisory capacity to the chairman; assist him in preparing the agendas of Council meetings, and in executing Council policies.

ARTICLE V - Amendments

Amendments to the charter may be proposed at any regular meetings by any member of the Block Leaders' Council. To be adopted proposed amendments must be approved by a majority vote of the voting members of the Council.

City of New York
Commission on Intergroup Relations
80 Lafayette Street
New York 13, N. Y.

PUBLICATIONS CURRENTLY AVAILABLE

Hon. Stanley H. Lowell
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Executive Director

Publications *

GENERAL

Annual Report for 1958, 1959 and 1960 (multilith)

Directory of Intergroup Relations Agencies--Public and Private--In New York City--Lists over 50 city, state, federal and private agencies, their addresses, telephone numbers, key individuals, services and programs.

Program Plan for 1961--The objectives and priority program areas of the Commission on Intergroup Relations. (multilith)

Local Laws #55 and #80--The laws which set up the Commission on Intergroup Relations and Fair Housing Practices program.

Executive Order #41--Text of law prohibiting discrimination in employment by city departments or agencies.

Psychology of Racial Prejudice--Delineation of certain psychological methods in the fight against prejudice.

* All publications are printed except where otherwise indicated.

COMMUNITY AND INTERGROUP RELATIONS

Neighborhood Clinic--Describes service to community to help diagnose and remedy problems which contribute to racial and religious discord.

Tension Control--How the Commission's Tension Control Center combats and helps to prevent intergroup conflict.

How to Form an Intergroup Relations Committee in Your Neighborhood--A guide for community groups.

Blueprint for an Open City--Describing the "Open City" concept and COIR's role in bringing it about. (English and Spanish)

Immorality of the Ghetto--Text of speech by Dr. Frank S. Horne calling for a truly "Open City" free of racial and religious barriers.

EDUCATION

Tale of Two Boroughs--Story of the historic bus transfer of Negro children from schools in Bedford-Stuyvesant section (Brooklyn) to Glendale Ridgewood schools (Queens).

Can New York City Integrate its Public Schools?--Discussion of school integration developments in New York City and the role of COIR, by Stanley H. Lowell.

(order) ✓ School Integration--Outlines the concept of open enrollment, what it means and its advantages.

HOUSING

Fair Play in Housing for Everyone--A guide to understanding the Fair Housing Practices Law and how it is administered and enforced. (English and Spanish)

The Fair Housing Practices Story in New York City--Text of speech by former Commissioner Marietta Tree outlining COIR's experience with the Fair Housing Practices Law.

A Statement on Housing Policy--Text of speech by Mayor Robert F. Wagner making the policy of the "Open City" official.

Planning for Public Housing--Text of address by Dr. Frank S. Horne urging that New York City act to stem the tide of segregation in public housing.

Race and Housing: The Basic American Dilemma--Text of an address by Earl B. Schwulst, Chairman of the Commission on Race and Housing, describing the nature of America's housing problem.

Rules Governing Procedure and Practice in Relation to Complaints Alleging Discrimination in Housing.

The Key to Your Problem?--Step-by-step guide on how the Fair Housing Practices Law protects those who have been discriminated against. (English and Spanish)

State Supreme Court Decision--Text of decision by New York State Supreme Court Justice Aron Steuer upholding the Fair Housing Practices Law, April 1960--Martin vs. City of New York. (multilith)

Newspaper and Magazine Reprints

New York Times (Nov. 10, 1958)--Recommendations by the Commission on Race and Housing for ending discrimination in federal housing and urban renewal projects.

New York Post (Nov. 21, 1958)--Springfield Gardens (Queens) residents refuse to panic and move out of changing neighborhood.

New York Times (Nov. 22, 1958)--Detailed account of the stand in the Springfield Gardens community.

House & Home (December 1958)--Story of the study conducted by the Commission on Race and Housing.

New York Times (April 5, 1959)--Review of the administration of the Fair Housing Practices Law during the first year of its operation.

New York Times (July 18, 1959)--Account of the investigation into charges of discrimination at the West Side Tennis Club, Forest Hills, N. Y.

Ave Maria (1960)--Role of Catholic groups and others in the successful and orderly transfer of Negro students to an all-white school.

School and Society (May 7, 1960)--"The Impact of Segregated Housing on Public Schools," by Alfred McClung Lee.

New York World-Telegram & Sun (July 2, 1960)--Article on the success of the Fair Housing Practices Law, and how it works.

8/10/61

PUBLIC HOUSING: TENANTS AND TROUBLES

by Mike Miller and Carl Werthman

(Reprinted by permission
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By June 30, 1960, the New York City Housing Authority had become the country's largest landlord, housing some 567,000 lower-class tenants in 109 projects. Anyone who has visited some of these projects, however, knows that the problem of slums in New York City has not yet been overcome. Even though the new apartment units are freshly painted and spacious, often with enviable views of the city, the curses of children are still etched into the sidewalks surrounding each building, a leitmotif which continues up the asphalt walkways, into elevators, on corridor walls, ending in front of each apartment door. One middle-aged Jewish tenant put the paradox, "Urination in elevators, light bulbs taken out, dirty remarks on the stairs. But let me ask you? Compared to the Puerto Ricans and Negroes, did we ever get such good places to live when we first came to New York?"

I.

As it becomes increasingly clear that public housing has failed to make its tenants middle class, a host of critics have appeared who seem almost to defend the slum. The problem, they claim is the dislocation of tenants from the social structures and cultures in which they felt at home, cultures which did more to enrich city life than to destroy it.

The human map of the slum has traditionally been a patchwork of ethnic territorial claims, each informal island held together by bonds of family, friendship and culture. These territories even produce their own "militias," the ethnic gangs, whose function it is to fight for or defend a share of New York real estate. By eating away the traditional battlefield, public housing plots partially destroy this hundred-year-old pattern. Instead of living in island villages transplanted on city blocks, Puerto Rican families find themselves randomly shuffled among Negroes, Italians, and Jews, all of whom share a dislike for Puerto Ricans. Having left an ethnic community with its churches, storekeepers, men's clubs teenage cliques, and well-established networks of female gossip, the ethnic tenant finds himself in what is defined by the gang world as "neutral territory," an integrated housing project. Without the social support that the ethnic neighborhood and its institutions provide, it is increasingly difficult for the individual tenant to face the work-a-day world.

This critique of public housing, however, misses essential aspects of the problem. First, public housing projects are not devoid of ethnic social structures. Anyone who is skeptical about this need only spend some time sitting on the benches in front of project buildings. On one side of the asphalt play area is the Puerto Rican bench where women gossip in Spanish about the Negroes, the Whites, and the Management. Facing them is the white bench and on a third side sit the Negroes. The careful observer will notice that the ethnic lines are rarely crossed in this small world of bench culture. Each of the ethnic groups has a social structure and a life of its own, just as each of them has a different conception of the management. Responses to managerial rule are conditioned by shared cultural experience.

In Puerto Rico, the transition from Spanish colonial rule to American welfare statism was accomplished with no revolt against traditional forms of political authority. The generation of Puerto Ricans that has found its way to this country is accustomed to regarding the state as the source of aid and sustenance. It is not unusual for the Governor of Puerto Rico to receive hundreds of personally addressed letters each week from villagers all over the island asking for anything from pencils and shoes to new jobs. The current government has responded, with the help of federal money and the return of the excise tax on rum, by launching an enormous program of welfare reconstruction called "Operation Bootstrap." High on the list of priorities is public housing which, as any visitor to San Juan can see, is fast becoming typical for the urban Puerto Rican. Many of the islanders who now live in New York are no strangers to housing projects.

Yet public housing in Puerto Rico is different from its New York equivalent, particularly in the way it is managed. A worker in the commonwealth of Puerto Rico's Urban Renewal and Housing Administration in Rio Piedras put the difference this way: "Our public housing manager is far less prone to be assertive, nosy, paternalistic. In part this is because the management corps is just a small notch educationally and economically above the tenants; and in part it is because there is a tradition here of letting people and families alone personally--no going into apartments, individual fines, or treating the tenants like dirt." In short, project managers in Puerto Rico are less "professionalized" than their continental counterparts and depend, in large measure, on help from the tenants in keeping the projects neat and clean. There are no large staffs to keep up the projects, and everyone, including the children, is expected to help maintain the cooperatives.

THERE IS A FURTHER and perhaps more important difference in the conception of the state and its public housing. Puerto Rico has no tradition of protestant capitalism with its corresponding ambivalence about the morality and dignity of accepting public aid. The Puerto Rican has grown up with the philosophy of social welfare; this results in an initial and instinctive trust of public management wherever it may be found. A Puerto Rican who moves into a housing project in New York expects the manager to be his friend. If he is not a native urbanite but has come to this country straight from a village, the public housing manager becomes in expectation a substitute for the local mayor--a man who can help out with a job and whose good word can forestall an eviction.

Instead of being taken care of by a friendly manager, however, the Puerto Rican immigrant seeking, for example, a rental postponement is referred first to one specialized staff person and then perhaps to another. This referral may well be the beginning of a journey through the labyrinth of welfare agencies in New York--a journey which more often than not gets him nowhere. Then the Puerto Rican wakes one morning to find a "three-day notice" pinned to his door. In the coldest of legal jargon he is informed that he will be served a "Dispossess Notice" if he does not pay his rent in three days. "Why couldn't the manager come to my door and ask me what the problem was," said a shy Puerto Rican wife in the project. "I am not going to cheat him the money." This is the beginning of fear. Afterwards talk is often about the omniscient and naked power holders in the management office.

The New York Negro knows his way around. When he cannot pay his rent, the last place to which he goes is the management office. He just lets the Dispossess Notices pile up on the kitchen table while going about the task of finding or borrowing the money. He knows that "all this legal stuff is so much jazz" and that evictions are rare. He knows how to fight: with angry letters to the central housing office, the Mayor, and his State Assemblyman, or a visit to the local Democratic Club. The Negro's style is thus a pattern of evasion and judicious attack. He knows how to put the manager off on the rent and disguise the fact that his sister has come to live with him for a month or two. He rarely complains about the manager; he mentions him only with contempt, a contempt he demonstrates as often as he can by evading the project rules successfully.

For the Jewish and Italian tenants, older veterans of ethnic warfare, the manager is an ally in the fight for middle-class respectability. As many commentators on Jewish culture have pointed out, even in the worst days of the Jewish Lower East Side, the Jews were never really lower class. To the current Jewish tenant of public housing, the management is defined as the last legal outpost against filth and noise, the Puerto Rican and the Negro. "The manager has to be tough," said an elderly bearded Jew, "or else they'll run the place over. I'm not prejudiced, but these people just don't know how to keep a place clean." The remaining Orthodox Jews and resident Italians do not like the invasion into their old neighborhood, the Lower East Side. They realize they are powerless to stop it but would like certain of its excesses curtailed. They are aware that many of the rules fall equally hard on them but appear willing to pay the price. "It's not the way we'd like to live," said a father of three, "but if there weren't the rules there'd be a jungle."

II.

The initial difference between the old slums and the new is the pressure of the Housing Authority, with offices on the project premises. The Housing Authority codifies the body of middle-class norms and values by making the project rules. Regardless of how idealistic a particular housing manager may be, the tone of a tenant's life is set by his reaction to these rules--rules which tenants obey upon threat of fine or eviction and which managers necessarily enforce.

A tenant must report any increase in salary so that the Housing Authority may raise his rent correspondingly or, at a certain maximum point, evict him. He may not paint his apartment; he may not have guests stay for any longer than three months; he may not walk on the project grass or ride bicycles on the project walks. He may not have pets, install air conditioners, or shake a mop out the window. (This last is to protect the "beauty" of the buildings.) While some of these rules are listed in the TENANTS' HANDBOOK, others are the property, as it were, of the landlord, unavailable in printed form to the tenant. These public and private rules contain a final insult: the manager and his personnel may enter apartments at will. The Housing Inspector, "to catch a guest," may suddenly appear in the apartment. Sometimes the irate tenants tell "the authority" to get out, but they do so in fear.

The important thing about these regulations is that they make explicit what is ordinarily implicit in routine middle-class life. There is presumably no need to tell a middle-class housewife not to shake her mop out the window or to "keep radios or television sets turned low after 10 P.M. on Saturdays and Sundays." Middle-class behavior is not something you can teach a Puerto Rican by imposing fines; fear of eviction does not take the place of socialization. Moreover, many of the American Negroes, ambitious and sensitive, deeply resent being dealt with as lower-class stereotypes. And those tenants who do not notice the middle-class assumptions of the rules, also do not understand them.

III.

Members of different ethnic groups have their own reactions to the project and tend to stick together. There is, however, another style of life which is perhaps the unique product of public housing. We will call this new style "community activism." It is defined by two characteristics: first a definition of the Housing Authority and its managers as "public servants," bureaucrats whose job it is to attend to the needs of the "public," that is, the tenants; secondly, a deliberately interracial organization.

The definition of a manager as public servant is a reaction to the manager's own view of "his" tenants as people in need of public assistance. The activists are extremely sensitive to the usual definition of a project as a place for the poor. Many of them are upwardly mobile and have had the benefits of education but find themselves trapped by economic circumstance. The prestige of being an official in an organization and the chance to associate with others holding similar values and aspirations bring them together into the Tenant Association.

Once organized, these tenants challenge "the prerogatives of management" by forming a Grievance Committee apparatus, presenting the claims of tenants who feel they have been treated arbitrarily. Members of the new organization soon learn to go over the manager's head to the commissioners of the Housing Authority in order to get what they want in the local project. The successful Tenant Association thus creates a significant shift in power. This is not to say that a genuine "pluralistic" setting develops, one in which real power is shared. Since the manager is not responsible in any way to the tenants, such pluralism is impossible. What is accomplished is a new sense of dignity for those in the project who undertake the struggle.

Out of common experience with the management and common efforts to change certain aspects of project life, a new interracial unity grows. As the tenants become involved in the struggle to play a role in project administration, they self-consciously turn their back on the styles of ethnic parochialism they see around them. They recognize its divisive consequences and begin to recruit members into the Association. "We've got to be together if we are going to get any place," commented the president of a Tenant Association. Although interracial unity developes primarily through conflicts over family grievances and repair problems, self-help activities such as blood banks, day nurseries, and safety committees which work to improve lighting, street signs, and paving also play a part. When tenants who stay close to their own ethnic groups begin to see the results of meaningful integration, they first support and then join the movement. Gradually, a genuine interracial community begins to take the place of a racial organization based on prejudice.

IV.

The tenant revolt and the formation of an association lead to counterattack on the part of the Authority. Managers hostile to tenant associations refuse them the right to post material on building walls, interfere with meetings and, in some cases, help set up rival groups. Tenant-oriented managers are often willing to work with the new associations, but even the best of them cannot officially share power and authority with the tenants. And informal consultation often makes the Tenant Association an "arm" of management instead of giving the people who live in the project a voice in the control and organization of their daily lives. How a manager enforces rules will determine whether he is thought of as a despot or a benevolent king. In either case he is the sole ruler; he must carry out certain rules which go against the grain of what activists want in their project. Good and bad managers alike must enforce the regulations on occupancy, painting, and rent.

An examination of the arguments used on both sides of the battle suggests the idealogical confusion that exists among the administrators of the welfare state. At the same time that the New York Public Housing Authority fights to obtain community centers, extra police protection, new services, a social work staff, and store space in the projects, it has refused to let tenants fight independently for similar facilities.

In a "Bulletin to Managers," the New York Housing Authority Commissioners state that:

> encouragement and cooperation will be given organizations composed of residents of our projects, provided such organizations are formed for the purpose of promoting the welfare of the tenant body and the maximum enjoyment of the project by the residents.

This same document, however, contains a revealing clause:

> The Authority does reserve the right to withhold recognition from any organization which, in its judgment, is of a partisan or controversial (emphasis ours) nature or which engages in discriminatory practices.

A Tenant Association newspaper in one of the projects on New York's Lower East Side aptly stated the Authority's dilemma. The article looked like this:

U. S. CONSTITUTION VS. N. Y. CITY HOUSING AUTHORITY

First Amendment, U. S. Constitution:	
"Congress shall make no law abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition to Government for a redress of grievances."	Mr. R--(the project manager) said you exist by the wish of the Housing Authority; you are not completely independent. The Authority allows your Association to exist and can end tenant organizations whenever it wishes. The Authority ended tenant organizations a few years ago, and it can do so now if it wishes.

WE ARE PUZZLED--WHICH SHOULD WE GO BY?

The manager at whom this comment was directed was not puzzled. In a meeting with top-level Housing Authority personnel he claimed that:

> The Tenants' Association is now in a power struggle with management. The Chairman of this Association told me that the Tenants' Association was independent of management. I told them we could terminate their organization if the Housing Authority desired to do so.

Higher personnel in the Housing Authority, disturbed by the conflict existing in the project, told the manager to act so as to "facilitate communication between management and tenants." Among management groups in both industry and welfare, this has been the most common solution to problems posed by conflict. It has even been given scientific status by certain sociologists engaged in the study of organizations. Legitimate conflicts of interest simply do not exist. Upon close inspection, the only things that are ever found are problems of "communication" which hinder "mutual understanding."

THE CONFUSION of the Public Housing Authority over the extent of tenant's rights--some of which are constitutionally guaranteed--as well as its systematic refusal to admit that genuine conflicts of interest exist, reflects the general ideological dilemma facing American administrative liberalism today. In the course of the national struggle between welfare statism and free enterprise, the officials of the welfare state have been forced to make major concessions. In the pure form of the welfare state, individuals who, through no fault of their own, find themselves unable to reap the rewards of a productive economy are allowed to live under semi-socialistic principles. "To each according to his need, from each according to his work" is precisely the principle on which low-income public housing is based. Tenants who earn less than some fixed figure pay rent which is proportional to their income.

In deference to the view that the best men are those who can afford to pay their own way, however, the Public Housing Authority has slipped in the half-hidden assumption that tenants should be penalized for receiving state support. This view is reflected in the income ceiling imposed on occupants, a built-in assurance that projects will remain lower-class and that mobile leadership will disappear. The battle over the Tenant Association indicates that a further penalty may be the forfeiture of certain constitutional rights. The project thus becomes a sort of purgatory for the temporary casualties of the economic struggle, and the idea of the welfare state takes a clear second place to the American conception of freedom as successful competition.

# # #

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12/63

REAL ESTATE CONFIDENTIAL

by Daniel M. Friedenberg

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I.

The most striking fact about New York in the last decade is the realty boom. Wherever one goes--in the heart of old Manhattan or the farther outskirts of the Bronx and Staten Island--construction is seen. Craters yawn in what were pleasant meadows, metallic booms and tiers of steel loom against the sky, overhead bridges span entire sidewalks with scaffolding and the pressure hammer constantly gnaws at the vitals of the pavement. It would seem that nothing is spared in this massive demolition and rebuilding. Old trees and young buildings enter the same insatiable maw; for neither leafy elms nor elegant Park Avenue structures can withstand the path of progress as conceived by builders.

It must bewilder the senses of the spectator, this awesome chopping down and regurgitation of concrete and steel. Why are stately edifices barely thirty years old uprooted for squat ribbon-windowed office structures? Why are new massive apartment houses crowded jowl to jowl, blocking out air and light, when even the atrophied organs of the city dweller still feel joy at a shaft of sunshine? And, most of all, where do the tenants come from to fill the wave on wave of new apartments and office buildings? With rents frozen at approximately $20-30 in the older houses, while the new apartments charge an average closer to $60 per room for lower ceilings and cheap partitions; with older commercial space renting at an average of about $3 per square foot while the newer office buildings demand almost double--what is behind this boom?

The author of this article has participated in the postwar building frenzy from its inception. He has watched its legitimate start, when the city woke from a depression lethargy and war immobility, to erect new housing for the generation of war brides and new offices equipped with air-conditioning, acoustical ceilings and fluorescent lighting. He has seen the maturity of the boom, as shifts in racial population have altered the residential character of whole boroughs and the needs of expanding business have integrated many out-of-town companies into the financial web of the metropolis. And he has now begun to observe a repetition of the overbuilding of the 1920s in which, like fabled Midas whose touch turned everything to gold, the city will throttle itself.

To understand why the builders have had such a field day in New York City and continue to build without reference to actual space needs, skyrocketing land values and ever higher construction costs, the economic background must be examined. Building is a favored industry, comparable in some respects to oil drilling from the point of view of accelerated depreciation, and stock market speculation in so far as capital gains are concerned. The tax structure is deliberately keyed to subsidize the rich and acquisitive, who then find themselves compelled by the very logic of this favoritism to expand and expand again without reference to the market needs; and let the devil take the hindmost!

The factors that stand behind this favoritism can be simply enumerated: land appreciation, the leasehold device, tax-free accelerated depreciation, new complex methods of financing, the development of the syndicate, juggling of space measurement, "escalation" clauses and maintenance charges, and the use of capital gains. This study will concern itself primarily with private enterprise and not public housing nor the very genuine efforts of organizations like the United Housing Corporation, the non-profit group run by Abraham Kazan, whose efforts have accomplished more in building decent apartments for the middle class in New York City than all the speculative builders put together.

II.

LAND--It is undoubtedly true that many of the old American fortunes originated in land speculation. The Astors, Goelets, Rhinelanders and Schermerhorns profited by the tremendous expansion of New York City in the early part of the nineteenth century. A possibly apocryphal story illustrates the technique. John Jacob Astor offered to sell a Wall Street lot for $8,000 in 1810. A buyer, surprised at the low price, promptly appeared.

"Yes, you are astonished," Astor was reported to have said. "But see what I intend to do with the eight thousand dollars. That Wall Street lot, it is true, will be worth twelve thousand dollars in a few years. But I shall take the eight thousand dollars and buy eighty lots above Canal Street and by the time your one lot is worth twelve thousand dollars, my eighty lots will be worth eighty thousand dollars."

In our time, however, the big money in real estate rarely enters land speculation. The leisurely approach, waiting five to ten years for land appreciation, does not fit the tempo of modern life. Only the very rich, mindful neither of temporary losses nor income taxes, can afford this outlook. The government has taken the position that since buildings age, a certain part of their cost may be allowed as a tax-free deduction each year. This is known as depreciation. But the tax authorities refuse to allow depreciation on land itself, following the sound theory that land cannot wear out. As a result, investment in land for the sake of future appreciation is limited either to very small endeavors or to the extremely powerful who think in terms of generations rather than of their annual tax return.

Certain old estates still follow this approach: the Astors and Goelets are still with us. The Astor Estate, for example, anticipated the development of Park Avenue as a financial community and purchased several large plots between 46th and 59th Streets in the 1940s. The Aramco Building, constructed by the Uris Brothers as the first large postwar building, was erected on Astor land. The Goelet Estate acquired the blockfront on the south side of 42nd Street between Lexington and 3rd Avenues, on which the Galbreath interests erected the Socony Mobil Building. And, in a continuing process, the Astors are now investing in land to the East of Park Avenue in the 50s, while the Goelet heirs have acquired a large plot directly facing the Lincoln Square project.

No special genius is required to foresee such developments. The future of Park Avenue above Grand Central was clearly understood by most old-time investors, as is the future value of land in areas directly abutting the present midtown nexus. It is still possible to buy land located in proximity to Lincoln Square for about $35 a foot, which should certainly triple in value within the decade. But only the very rich can afford to make such investments, for they require enormous outlays of cash, rarely can be mortgaged to a significant extent and usually show a carrying loss.

Sometimes, of course, land speculation does produce fabulous profits. From the small truck farmer whose lot on Staten Island happens to sit adjacent to the bridge now being built over the Narrows to Brooklyn, to the Bronx junk dealer whose yard abuts the junction of the Hutchinson River Parkway with the Cross Bronx Expressway, we are all familiar with such luck. But there are other examples in which more than blind chance is involved. In one case (the specific location and exact details shall remain nameless for obvious reasons), a speculator netted a cool million dollars in cash for six months of control. A large plot in a key part of Manhattan remained covered with rundown buildings for many years. A speculator bought one part of the plot for $600,000. He held on for almost a decade and then, in disgust, sold at a loss of $200,000 to another speculator who suddenly appeared. One month later a tremendous development was announced for the entire area, which required the acquisition of the part of the plot in question. The man who had stepped in for $400,000 insisted on and received a price of $1,400,000! Even the most charitable spirit has doubts as to the background of this transaction.

LEASING-- While the old estates specialize in buying land and leasing it after an appreciation in value, it is the "new money" which concentrates on the acquisition of these leases. Men like the Uris Bros., Erwin Wolfson and the Tishmans have skyrocketed into multimillionaires within short years by realizing the unique advantages of leased land or what is called a leasehold.

While no depreciation is allowed on land, both the leasehold rent for the land and the depreciation on the building itself are tax deductible when a building is constructed on a leasehold. The overwhelming advantage of the leasehold (until 1958*) was that the person leasing could depreciate or write off the entire building cost during the first term of the lease, usually 21 years. The government further allowed accelerated depreciation, meaning that the largest part of the cost could be written off in the early years. Under the 200% declining balance method, for example, the depreciation allowance can be doubled (hence 200%). If a leasehold runs for 21 years, the annual depreciation allowance is thus almost 5%--that is to say, the period of years of the leasehold divided into one hundred per cent--which when doubled, means that the builder receives close to 10% of his money tax-free each year in the early years!

Nor is this all. Depreciation is allowed against the entire building cost whereas the builder invests at the maximum about one-third of the total cost, the rest being covered by a mortgage or mortgages. In effect, the builder thus receives an annual tax-free return of up to 30%; since 10% is tax-free and the equity or actual cash investment of the builder is only one-third, the total tax-free amount is enlarged three times. And this is before figuring his actual profit from renting!

It can readily be understood why New York City is rebuilding at such a frantic rate. The builder makes a profit "coming and going": from the government as accelerated tax-free depreciation; and into his pocket as normal profit from rent collection.

The leasehold is fantastically profitable, but there is still another method to increase the return over and above both depreciation allowance and rent income. This is known as the collapsible corporation, a device only recently authorized. In essence, the government allows a builder to liquidate his corporation after holding a piece of property for three years and a day, and then taxes him only 25% on his capital gains. He thus escapes double taxation, first on the normal profit and then on dividends.

A certain Mr. X., to take an actual example, built an apartment house in the East 50s several years ago. He set up a new corporation for a $60 fee. He borrowed what seemed 65% of the money for the job from an insurance company, but in reality the mortgage represented over 80% of the cost; his architect and engineer supported the inflated estimate for otherwise they would not get his next job. Then, with only a 20% investment of his money, he sought and received double depreciation on the completed structure, in this particular case running even higher since he broke the building down by what is called the "components" method and depreciated the elevators, roof, air conditioning, etc., at a still faster rate. Just recently he sold the apartment at a high profit to a syndicate, liquidating his corporation in order to pay a single capital gains tax. The result is that he received an annual tax-free return of over 30%, his investment, in effect, being returned in three years through the depreciation alone, above and beside the profit from rent, and then sold at another high additional profit subject only to a tax of 25%!

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* The law has been changed on this point, but the problem can be solved, in the majority of cases, by other methods too complicated to describe here.

If the speculator can manage to build in his individual name or that of a partnership, the profits are again enhanced, since he can apply the depreciation against his own total income, which is usually taxed higher than the corporate level. Erwin Wolfson, for example, leased land from Columbia University on a short term lease and constructed 100 Church Street. Assuming a 5% accelerated depreciation factor (very conservative under the circumstances) on a $10 million construction job, Mr. Wolfson had a legitimate tax-free deduction averaging somewhat less than one-half million dollars annually to apply against his personal income tax for the next few years. As the principal owner of Diesel Construction Company, the largest construction company in New York City, and the sponsor of Grand Central City, which will be the largest office structure in the world (now renamed Pan Am Building for its principal tenant), Erwin Wolfson presumably found this deduction of use.

FEE BUILDING-- The classical method of construction is to buy the land outright, called the fee simple, and then build. Its disadvantage is that the builder has money invested in the land as well, a non-depreciable item. This is to a degree compensated for by the fact that mortgages tend to give more money to fee builders than leasehold builders, feeling their investment to be more secure with the former. The variations by which speculators have achieved success with this method are as infinite as the cunning of the human mind. Sam Rudin, an old-time builder whose development of Washington Square North sparked the postwar boom in Greenwich Village, decided to erect a mammoth office building. He bought a plot, now called 80 Pine Street, and projected a structure of almost 900,000 square feet. But he was unable to get financing, because the area was somewhat east of the financial district and the mortgagees had doubts as to its success. The Chase Manhattan Bank, which had sold him the plot, was concerned. They did not want to get back the land. Furthermore, since the First National City Bank and the Hanover Bank had announced plans to move a major part of their operations to the midtown area, the Rockefellers wanted 80 Pine Street to reinforce their tremendous investment in the Chase Manhattan Plaza, only two blocks away. The upshot was that Chase Manhattan rented enough space in 80 Pine Street to enable Mr. Rudin to acquire financing.

Very often the builders end up working for the mortgagees. The Tishmans at 666 Fifth Avenue and the Minskoffs at 575 Lexington Avenue--second generation builders both, whose families have been identified with midtown construction for 50 years --were staggering under the load of the tremendous equities involved. The Prudential Insurance Company, which had indicated an interest in providing mortgage money, obligingly bought the two buildings before they were completed and leased them back to the builders. The result is that the Tishmans and Minskoffs make large sums operating the buildings which belong, however, to the Prudential Insurance Company.

There is as much skullduggery behind many of these deals as in the most sinister novels; and far more is at stake. One reads that gunmen can be hired to murder individuals for a few thousand dollars; those on the inside of realty laugh at such petty antes. Several years ago, for example, a large financial institution was approached by a speculative builder who thought the institution might be interested in letting him develop a property which it owned. The builder asked his structural engineer to draw preliminary plans for a new building. The engineer, rich in his own right, was a partner in one of the largest realty syndicates. The next week a very important man, of the same social background as the president of the financial institution, arranged a meeting through which the realty syndicate got the job. The speculator with the original idea was left out in the cold, and it was not until several years later, when his structural engineer fired a draftsman, that the truth came out.

Another case of the ruthlessness pervading this struggle for money is one involving a principal corner in downtown Manhattan. An investment builder was going to build on an inside plot when it struck him that a large insurance company, occupying the adjacent corner building, was in need of additional space. He reasoned that by combining his plot with the other, he would create a better structure and satisfy the growing needs of the insurance company as well. But the insurance company refused to sell, offering to lease instead. The deal was arranged but problems arose because of the difficulty of mortgaging a combined fee simple and leasehold. The insurance company refused to sign the lease, though it kept on assuring the investment builder it would honor its commitment. The latter, getting deeper and deeper, without money and unable to arrange temporary relief because of the unsigned leasehold, was eventually forced to sell out at a loss to the insurance company, which then used the same plans and proceeded to erect the structure. This building, when fully rented, will net close to $400,000 per year in profit!

Perhaps the most startling case of banditry in the history of New York City real estate occurred very recently. A tremendous apartment project, occupying a magnificent location in the center of Manhattan's East Side, has just been completed. Its history is unusual. Several years ago one of the City's most prominent builders decided to go ahead with this project. He spent a large sum for the land. By the time he sought financing the money market, in one of its perennial swings, had become very tight. No matter what the builder did, he was unable to raise money.

Finally this builder turned in despair to that private market of vultures that always wheel in the financial air, looking for dying victims. These are the very rich men who for a price save propositions by investing a certain sum of money, taking back a large interest. He found one such gentleman who was willing to give aid. The terms were that the new party would lend $3 million for a short period of time, until a package deal of financing could be arranged, and in return receive 50% interest in the mammoth job.

The new participant thereupon approached his banks and borrowed $3 million at 6% interest. This new equity money enabled the job to proceed. The money market soon loosened up and financing was arranged. The terms of this new financing were so liberal that $2 million of the $3 million was returned to the gentleman who had stepped in. To sum up, the new partner thus obtained a 50% interest in one of the largest apartment building projects in the history of New York for what amounted to 6% interest on $3 million for several months and 6% interest on $1 million for three years (his real equity money). The total interest will amount to some $200,000 and for this money he has obtained a permanent position in a magnificent project which should return his $1 million equity in short years and then show one-third of a million dollars annual return thereafter!

INTRICATE FINANCING--The above deals are comparatively simple. A piece of property is bought or leased and a building is constructed subject to a normal mortgage. The only widely known exception to this rule was the bond issuances that took place during the construction frenzy of the late 1920s. At that time it was common practice to issue bonds instead of mortgages, because more money could be obtained through this method. With the arrival of the depression, most of these bond issues collapsed in value. Certain very smart individuals thereupon proceeded to buy up the defunct bonds at a few cents on the dollar, until they obtained control of the properties against which the bonds had been issued. Some of the "older money" in real estate came about through this technique which, of course, was thoroughly legitimate according to the laws. The Salmon Building, 500 Fifth Avenue, at the northwest corner of 42nd Street, was acquired, for example, by means of this technique.

It took, however, that amazing manipulator of modern times, William Zeckendorf, to improve to its highest degree the procedure of squeezing money from buildings. This wizard decided in the early 1950s that the typical financial operations of real estate men were amateurish. They divided property into equity, the cash they put in, and that money contributed by the mortgagee. Mr. Zeckendorf reasoned that realty could be regarded much like other forms of modern corporate ownership, that is, merchandised in separate units comparable to common stock, preferred stock and debentures. Thus, he reasoned, an improved property is a unit consisting of many parts: it is land on which a building has been erected; the building itself; the operating value due from rent income; and the additional mortgage value of the rents isolated from the building. He was the first person properly to understand that the land could be sold to one party, the building to another, the operating lease to a third, and that even another mortgage position could be hewed from the rent income separate from the operating lease.

The first building to which he applied this technique was 2 Park Avenue. The structure had a value, according to traditional standards, of something less than $10 million. The primary step was to sell an operating lease on the entire property for $5 million, composed of $1.5 million cash and $3.5 million lease mortgage. This was reasonable because the building tossed off about $1 million which, even with the very heavy carrying charges of $600,000 on the new lease mortgage, meant that the investors received about $400,000 annually or an 8% return. Then Zeckendorf went to a mortgage company and borrowed $6,750,000 at 4½%. In a short time the rents went up, serving as additional security against the property, and Zeckendorf borrowed in the form of a second mortgage an additional $2,250,000. He thus received a total of $14 million for a property that was estimated as worth less than $10 million--and still held the fee, on which he turned down an additional offer of another million dollars!

In effect, what Zeckendorf did was to wring fifty per cent more money out of the building by dividing it into parts--fee, operating lease and separate fee mortgages. He perfected and even elaborated this technique in the subsequent purchases of the Graybar and Chrysler Buildings, as well as the Equitable Building at 120 Broadway. A peculiar refinement of the Chrysler-Graybar purchase was that the owning corporation he was going to acquire had several million dollars in its bank account. This money he needed for the purchase. Operating through a new corporation he borrowed money from other sources to close the transaction and then immediately withdrew the money from the bank account he had now acquired to pay off his borrowing; in a sense he thus bought the building with the building's own money.

The labyrinthine mind of Mr. Zeckendorf is at present engaged in a project which will make even this earlier financing seem childish. Anxious to enlarge the facilities of his Drake Hotel, he is now closing the following proposition. As the first step, he will sell the Drake to a syndicate that will give him $4½ million cash over a present $4½ million mortgage. He will simultaneously lease back the hotel for a long term and also agree to use the money received to build the addition. The syndicate likewise will agree to lend him another $1 million so that he can proceed with construction, as well as permit him to increase the mortgage by an additional $2 million in order to assure him all the money required for the job. The return to the syndicate (it is reported in the trade) will be guaranteed at approximately 12%, with the rent being reduced in proportion to the reduction of the mortgage. At the end of ten years Mr. Zeckendorf will have a six months' option to buy back the entire enlarged property for $8½ million over any mortgages then outstanding.

The terms of this type of financing stagger the imagination and are even difficult for experienced realty people to follow. The basis is a continuing market, one which will get better and better. But conservative men with many years of background shudder to think what will happen to buildings laden with top-heavy mortgages and demanding leases if ever there is a downward dip in our booming economy.

SYNDICATES--What has made this rickety structure of building and expansion possible is the syndicate.* The syndicate is merely a group of people who get together and form a partnership, participating in the profits according to their proportionate interest in the total deal. The attraction of the syndicate is its tax position. The corporation is subject to double taxation, first on normal income and then on dividends. But an individual or a partnership is subject only to one tax, the return received directly by the participant. Furthermore, the depreciation on the property, which is a tax-free item, goes to the corporation and not the stockholders when a property is held in corporate form, while it goes tax-free directly into the pockets of the individuals in a syndicate.

This simple equation has transformed New York real estate. Since properties are judged according to their return to the investors, the effect has been quite simply to double values. A building valued at $5 million to a corporation is now worth $10 million to a syndicate. Furthermore, since at each sale a new depreciation allowance is set up based on the new selling price, by raising prices the syndicates in practice add tax-free dollars to the income of their investors. A building formerly worth $5 million might be close to the end of its depreciation deduction. When bought for $10 million, the entire difference (minus land value, which is non-depreciable) is credited as additional depreciation. The syndicates then take this depreciation in one of the accelerated forms: presuming, in the above example, that $4 million is additional new depreciation at 4%, or $160,000 tax-free money, they take the 150% declining balance method (or 1½ times) and pull out $240,000 instead, all of which goes tax-free into the pockets of the participants.

Building after building, hotel after hotel, apartment after apartment, has fallen to the scythe of the syndicates. As buildings get older their depreciation runs out and the owners are forced to sell. When the syndicator offers almost double money for what the owner thought the property was worth, the urge to liquidate becomes irresistible. And the process feeds on itself. The syndicates have been offering between 10-12% annual profit, part of this tax-free, and the better they do the more money pours into their portfolios. The consequence is that values of New York real estate have soared so high, the market has been picked as clean of purchases as the dead carcass of a cow by ants. This is part of a vicious cycle, because builders feel compelled to erect new structures, knowing that even if they rent only with some degree of success, they can immediately sell at a profit. The whole swollen apparatus of leasehold building, accelerated depreciation, capital gains tax and syndicate operation forces a wild spiral of building and speculation which must load weight on weight until the realty market may collapse in a horrible shambles.

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* The new Real Estate Investment Trust Act extends the syndicate method on an even vaster scope.

III.

Real estate is subject to other tricks beside tax juggling. It is the perfect medium for the huckster mentality because the cheaper the product the higher the return. Cost of construction has risen to the point that a speculative formula has evolved to substitute tinsel for quality. The result has standardized building to the point that one can identify speculative structures merely at a glance.

It is so obvious that builders cover every inch of land with construction that when rare exceptions occur, like the Lever Building between 53rd and 54th Streets on Park Avenue, and the Seagram Building a block to the south, the news hits the front pages of the newspapers. The fact that crowding massive structures over narrow streets ruins the esthetic effect of architecture is of no importance, because the builders are concerned not with esthetics but with the rent received per square foot. This itself is legitimate in our economy, but when the ultimate desire is only the profit as divorced from architectural value and the municipal interest, we have gone a step in monetary perversion beyond all known previous civilizations. The so-called Babylonian or ziggurat effect is merely an extension of this maximum land use on the vertical level, whereby the builder conforms to the city code by the use of setbacks every three stories. A recent adaptation, the block base and tower, has become popular not because the builders underwent some weird conversion to artistic values, but rather because of the rising costs of roofing material and plumbing for the numerous setbacks.

A corollary of the 100% land usage and maximum setbacks is the application of glamor to the public parts of the structure. The typical speculator builds a fancy lobby, usually including an abstract mobile or ceramic design as a sop to "modern architecture"--Noguchi is the favorite for this today. The curtain wall facade is made of precast stainless steel cubes or hexagonals, cream plastic plates or aluminum members anodized in silver or gold. These skin treatments are "modern" too: and also cost less than the traditional brick and limestone. The fact that the thinly veneered facades leak like a sieve is irrelevant since the tenants will have already moved in on long-term leases by the time this is apparent. The elevators are the newest gimmick, playing soft semi-classical music with their operatorless controls that save the builder up to $.25 per square foot in labor cost.

The lobby, facade and elevators are the center of glamor application. Where the speculator recoups is in the mechanical equipment and, in particular, air conditioning. The difference between a good and bad air-conditioning installation runs as much as $3 per square foot in a modern office building and, since the average structure today is over 300,000 square feet, this item along can save the builder almost $1 million. An adequate air-conditioning system should have zone controls for each face of the building and separate zone controls for the upper and lower parts. It should have air diffusers sufficient to handle each specific area, yet capable of throttling or "balancing." The system must have return ducts for the stale air, extended not only into the different zones but also into the areas subdivided by masonry or ceiling-high metal partitions. And, what is extremely important in the spring and autumn seasons, where there are wide oscillations of temperature in the same day, the installation should be equipped with what is called "100%

fresh air," or oversized entry ducts, that permit the air to be completely replaced by new fresh air in a short period of time.

A defective air-conditioning system is eminently suited to the purposes of present-day builders because it is something the prospective tenant will not see. One cannot tell the difference between good and bad air flow merely by looking at plans. When more sophisticated tenants call in engineers to review the design of the air conditioning, the builder usually adapts or improves the system for the executive area, still ending up with a large saving on the unimproved clerical areas.

It might be added that the speculators themselves are not solely at fault, since many aspects of the elevator and air-conditioning industries are virtual monopolies. Cost have been pushed so high the builder reacts in natural fashion because of the competition. For a speculator to construct office space according to good standards, he would be forced to rent at a figure much higher than his competition. But again, the question of "fair return" is relevant since most builders feel that a job is losing money if they do not "get their money out" in six or seven years, which means a 14% or 17% profit before taking advantage of the accelerated depreciation deduction.

ALLIED with the continued cheapening of mechanical equipment is the new popular theory of large office areas. By a sort of hypnosis unrelated to reality, many tenants have been convinced that tremendous floors are more amenable to modern office layout. This hallucination is fostered by the Madison Avenue publicists who have been hired by almost all the top-notch speculative builders. Objective studies indicate that between 12,000 and 20,000 square feet is the ideal layout space for big firms. It is to the builder's interest, however, to convince tenants that huge floor areas are ideal because the larger the cube construction, the cheaper it is to build. The land acquisition is only a minor part of the total cost picture, yet due to the peculiarities of the city code, one can build proportionately more space the bigger the plot. Two stairways as fire exits and one fire tower air shaft are needed in a small building as well as a large. The bigger the floors, the less toilets per square foot are installed and the less sun load is confronted by air-conditioning. Also, it is just as easy to build a large building as a small building, since the same number of trades are involved. The success of the campaign on the part of builders to convince tenants of the necessity to rent tremendous floors is one of the most striking phenomena of real estate today.

The speculator not only saves on tax techniques and cheap construction, but on renting and maintenance methods. The Real Estate Board of New York, a non-governmental association dominated by the larger realty interests, changed its method of computing square footage in 1953. Up to that date, tenants did not pay for corridors, toilets, air conditioning fan rooms located outside the premises, slop sink closets and electric and telephone rooms. Today, the tenant is required to pay for everything on a single-occupancy floor except the stairs, fire tower shaft and space occupied by the elevators. In effect, this means that the landlord receives between 7% and 12% more rent for the same space. Since few buildings are constructed on exact right angles and straight lines, the architect usually works hand in hand with the builder, giving him "the benefit of the doubt" on angles when the structure is not built flush with the lot line: for example, on a 8" skew over 200 lineal feet, the landlord would pick up almost 70 square feet (averaging the skew is 4" or one-third foot times 200 feet). Assuming two walls skewed in a thirty story building, the landlord would then pick up over 4,000 square feet! And we are starting on the assumption that the landlord indicates the correct footage to begin with....

Another method by which landlords receive rent for useless square footage is by calculating as rentable area the enclosures of the peripheral air conditioning, a practice universally accepted. Most of these enclosures stick almost two feet into the premises. Assuming a building of 20,000 square feet on a floor or 200' by 100', there are 600 lineal feet of exterior walls. This means that the tenant pays for 1,200 square feet additional on each floor! It has been calculated by those in the know that the really shrewd operators, who combine all of these methods, receive a bonus amounting close to 20% over traditional measurements. Since the average equity runs less than one-third of the building cost, it is not hard to see why so much money pours into New York construction today.

But the tricks are not limited to space measurement. A standard item of modern leasing is the inclusion of the so-called "escalation clause" which provides that all increases in labor and maintenance costs, as well as taxes, are paid ;by tenants in proportion as their occupancy or rent is to the total occupancy or rent of the entire structure. Originally created to solve the problem of inflation on long-term leases, this clause has become a bonanza in the hands of ruthless landlords. The technique is simple. Certain common cost items are delayed during the first or base year and then applied later so that they fall into escalated items. The net effect is to increase the rent or landlord profit. For example, a very expensive matter in modern buildings is elevator maintenance. The large elevator companies charge about $2,500 per cab annually. What the speculator does is withhold awarding the contract for elevator maintenance during the first year the new building is open. Thereupon he hires the company and charges the entire amount to the tenant! In the case of a building containing 15 elevators and some 400,000 square feet, this contract would run about $37,500 annually. The landlord would thus pick up as extra rent a bonus of almost $.10 per square foot.

The escalation clause has been extended to include everything from uniforms and broken windows to toilet paper and soap. The side possibilities are almost too obvious to mention. The landlord needs soap, toilet paper, hand-tailored suits as well. And sometimes he has a dull-witted nephew who then appears as a new mechanic or central control inspector....

ONE OF THE BIGGEST extras in office maintenance is the cleaning contractor. In former times, owners built up their own crew of cleaning women, who worked on an average between 1600 and 1800 square feet an hour. Except for the few remaining owners of integrity--or fools, according to one's terms--this has long since been discarded. Today high pressure cleaning contractors employ crews of women who are forced to cover between 2200 and 2500 square feet an hour. The results are lamentable because it is impossible to clean properly at this speed. But who can catch the landlord in a lease violation? "Clean" is a general word, meaning something to one party and another to the next. When the tenant occupies the space on a 20-year lease, there is little he can do. But this is not all. The maintenance companies also specialize in "extras," floor waxing, venetian blind cleaning, polishing furniture and desks, replacing fluorescent tubes and ballasts. By arrangement, the owner of the building "participates" in these extras, creating a handy side income. If an occasional tenant protests the high prices, the landlord points out "there is nothing he can do" and furthermore shows the tenant that competitive prices are the same--which they are, since the various cleaning contractors have their own private agreements not to raid each other.

The tie-in between the cleaning contractors and the unions is an old story in this industry. Similar tie-ins exist between the large realty management companies and the superintendents. In one tragic case that recently occurred, an honest superintendent of a newly completed office building was fired by the management company because he tried to service the tenants according to decent standards. He went to the owner of the structure and was berated by him because he did not work for the benefit of the building! The poor honest man was ignorant of the fact that the owner received a "piece" of the money made by cutting standards and charging extras.

One of the newest ways to gouge tenants is known as "rent inclusion," referring to the including of electrical charges in the base rent. The practice was at first a reasonable reaction by realty owners to the elimination of electrical submetering in New York City. In essence, it meant that the owner, through the use of an independent consultant, would establish the cost of electricity and add it to the bill of the tenant. Since the tenant would have to pay the same retail rate to Consolidated Edison Company, it did not hurt him, whereas the owner received the advantage of the larger or wholesale rate.

Human rapacity being what it is, "inclusion" soon developed into a new racket. Although the average tenant uses between $.16 and $.20 worth of electricity per square foot, many owners charged a flat fee of $.25, pocketing the difference. When this malpractice was revealed, the owners then changed their tactics. Measurements of electricity is a difficult process since it involves many fluctuating factors such as line loss, demand charges, seasonal use variations, etc. The owners then made private deals with so-called "independent consultants" on a percentage basis, kicking back a portion of what they received in return for how high the consultant could push the charge. Since the alternative for the tenant was to run his own electrical lines all the way down the building in order to tie-in with the main service, he was at the mercy of unscrupulous landlords. This vicious practice often leads to a net additional rent of between $.05 and $.10 per square foot which, even after the booty is divided between the consultant and landlord, throws thousands of dollars extra income into the profit column.

REAL ESTATE management is singularly adapted to multiple corporations in common ownership. Since each corporation is only taxed 30% up to the first $25,000 profit, every new building job is organized under a separate corporate entity in order to avoid the full 52% tax at the lowest step. Another common method of "thinning" taxes is by means of creating a management corporation distinct from ownership. Suppose a builder has completed a structure. He can operate the building directly, hire a management company or set up his own separate management. With the last method, he can then charge the ownership corporation a commission for operating the property and deliberately juggle the rent, salaries and benefits to fall into the most favorable tax position. This device is usually employed when the builder has relatives he must put on the payroll; in effect, it means that the government is paying their salaries for the most part.

Another popular aspect of real estate is its fat expense account allowance. The purchase, sale, rent and general investigation of property is a category so large in its implications that almost any and every expense is legitimate. If one wants to check realty in southern California during the cold part of the winter, and the approach is carefully documented with letters to brokers, etc., this is a legitimate tax deduction. If a syndicate considers buying a property in Venezuela, a trip to that country is only in the line of business, with all sundry expenses allowed. When a potential tenant wants to see the latest show on Broadway or stay overnight at the best hotel or be provided with the consolations of a call girl, these are all reasonable accommodations to the problem of realty advancement. It is only part and parcel of business that expensive Christmas presents must be sent to one's clientele; and some of these presents, like homing pigeons, have a remarkable talent for returning home. Twenty-three-foot Cadillacs with television and telephones, including ship-to-shore yacht connections, are owned by certain well-known titans of realty. How can they do business without being able to contact their colleagues at a moment's notice?

One amusing aspect of the expense account is the expansion of New York realty interests in Florida. This has an obvious background. Suppose an apartment builder in Manhattan wants to spend his vacation at Miami Beach, Boca Raton or the Keys. If he builds or buys a hotel or apartment house in the city of his choice, it is inhuman of the government to expect him to have all the rooms fully rented for the entire season. The fact that one large hotel or apartment suite stays vacant merely reflects the vagaries of renting. Then again, this same owner must see that his business is going on satisfactorily. It is only logical that he fly down several times during the winter in order to check his affairs. And the transport, meeting with clients at night clubs, restaurant bills, etc., are fairly regarded as legitimate business expenses....

A last aspect of holding real estate bears notice. If an individual invests in the stock market, he must pay a normal tax on dividends. The Internal Revenue Department has decided, however, that after a realty corporation has paid a tax on regular business profits, it is entitled to a tax credit of 85% on additional profits if this money is invested elsewhere. The remaining 15% is then taxed at the regular 52% rate, which means in effect that if a realty corporation goes into the stock market with its undistributed profits, it pays a total tax of less than 8% (that is, 52% of 15%) on what it then makes. Since a like investment of this money in realty over again would be taxed the full 52%, the result is that dividends from the stock market are only hit by the Internal Revenue Department at one-sixth the same rate, or less than 8% instead of 52%!

Let us take an example. Suppose a realty outfit has made $100,000 after taxes. If it takes this money and reinvests it in another proposition, the profit is again subject to full tax at the 52% rate. On the other hand, if the corporation invests the money in the stock market and collects dividends at 5%, or $5,000 on the $100,000, it then pays approximately 8% of this $5,000 as taxes, leaving it over $4,500 after taxes. At the same time the money is fully liquid, since the stocks can be sold within twenty-four hours. In a market like that of the last years, where stock values have shot up, this is particularly significant because a sale then would only be subject to capital gains or a total of 25% tax on the rise in value of the stocks. Instead of being "frozen in" with their money, as the trade terms corporate realty holdings, investment can be made at minimum taxes both on dividend income and sale profits.

IV.

In trying to analyze the social consequences of the favorable treatment afforded to building, the first thought to strike even the most superficial observer is the resulting architectural mediocrity. In truth, speculative builders with a high sense of product can rarely survive, as the history of Fred F. French at Tudor City well documents. Speculators, obsessed by the gold lodestar, tend to "mortgage out" or reduce the money stuck in a job to the minimum, and then add structure on structure in a dizzy pyramid until the slightest breeze of vacancy may blow it over. This leads to a frantic chase for the cheapest methods, which is evidenced by the mechanical repetition of building patterns. The Uris Bros. have a style: colored bakelite disks behind aluminum fins. The Tishmans have a style: microscopic enlargement of a fly's eye, pasted on concrete blocks. Erwin Wolfson has a style: loft construction of the 1920s, built ten times larger. And New York City might be renamed Rothville for the architectural firm of Emery Roth & Sons, whose monotonous variations on Speculator Style have dotted Third Avenue and Park Avenue with squat boxes. The difference between Levittown and Rothville is only size.

Several of the new buildings, created as home offices for billion-dollar concerns, escape this general pall. The main problem even for these worthy structures is their setting. Leonardo da Vinci observed centuries ago that a building should rise in height only one-half the distance of the free span of space before it, but Municipal Code is based on the exact reverse. For a short time New Yorkers can look from the east side of Sixth Avenue and 52nd Street across a vacant plot, recently purchased by Uris Bros., toward a group formed by the RCA building, the Time-Life Building and the Equitable Life Building. When the Uris Bros.--the largest single builders of office space in the city today--add another of their hulking masses to this vacant lot, the mighty tableau will be drowned in the total effect.*

But the practical results of the present boom provoke more than merely esthetic objections. New York City is strangling itself. By mass transit 40,000 persons can be transported on the same amount of roadway that will only carry 1600 persons in private cars: or 25 times as many. But buses and the railroads, which the municipal and state governments refuse to subsidize for the public good, have become so expensive, that cars--on an average carrying less than two persons apiece--are used more and more. And the focal points of traffic are two small Manhattan zones: from Bowling Green on Broadway to Fulton Street in the downtown area, and the Park-Sixth Avenue complex in midtown. Since the prime rule of building is location first, last and always, the concentration becomes worse with each passing year. Permitting the construction of Pan Am Building--due north of Grand Central Station--which will dump 25,000 additional persons in the heart of midtown, is an act of municipal madness.

THE RISING COST of land has led to a type of economic ghettoization which is the antithesis of democracy. The rich and poor used to live close together, but this is much less true today. Public housing brings the lucky poor together, and high rents keep the unlucky poor segregated in ugly slums. The Protestant whites have left New York City and the Jews are following. By rule of the inverse ghetto, the East Side is becoming the haven for the last-remaining rich. A broker three years ago offered the author a large vacant plot on the East Side at $70 a foot. The price seemed ridiculous but the broker said: "Take it. The East Side is the only place where white people want to live today. The values must go up." Recently the same plot was sold, after two additional turnovers, at over $100 a foot. If the present movement continues, New York City will soon resemble a grotesquely enlarged medieval town, with each caste in its own quarter.

Commenting on this metropolitan concentration over two decades ago, the well-known social critic Lewis Mumford referred to the new Trinity of finance, insurance and advertising. Certainly, the Rome of this Trinity is New York City and its leading churches the home offices of these industries. The insensate march of

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* Since the Rockefellers have become partners in this project, the Uris architectural style has been vastly upgraded.

Manhattan realty values reflects the disease of modern times, for in this city is collected all the bureaucratic and non-productive functions of the American economy. The great hive of advertising, design, speculation, publicity, news, television, periodical literature and insurance buzzes with frantic energy of which the building boom is merely the outer form: buzzing for wild profits and quick turnover, not the production of capital goods or values adding grace to human existence.

As long as predatory cunning and acquisitive lust are the highest social virtues, this state of affairs will continue. The public really admires its dream fulfillment in megalomania; in one sense, the conniver is the embodiment of American Success. A recent survey of the National Bureau of Economic Research showed that since 1949--which not so coincidentally was the birth of the realty boom--there has been a trend toward more wealth in the hands of fewer people and that already by 1953 only 1.6 per cent of the country's population held 30 per cent of the nation's personal wealth. Again not coincidentally, the survey indicated that New Yorkers lead the nation in total personal incomes. The report did not indicate that more children die of rat bites in the slums of the metropolitan area than elsewhere. People seem less fascinated by such statistics.

Without doubt, real estate--and its sister, the stock market--are the two provinces where money can be made most quickly in our society. Accelerated depreciation, capital gains, the single tax on syndicate ownership: the entire structure, emphasizing cheap building and rapid sale, is a mechanical milker that pumps out a continual stream of cream from the public cow. As long as the laws deliberately subsidize the rich and rapacious, a frenzy of building and speculation will be a permanent aspect of American life, a frenzy which has robbed America of internal equilibrium and a sane view of the changing world.

THESE DISTORTIONS can be resolved simply. Depreciation, like amortization of mortgages, should be after taxes, and not represent a tax-free return. This is the method prevailing in many European countries. Home owners even in this country do not get allowances for depreciation and there is no reason why business should be given advantages denied to the home owner.

Syndicates are permitted a single tax denied to corporations on the peculiar basis that no tax ruling has specifically called them to account. Such tax discrimination is neither logical nor does it serve a useful social function; to the contrary, it favors one class of investors against another and is thoroughly "un-American" in the most abused sense of the word. And, most important of all, capital gains should be eliminated; this specious tax dodge resting on the fiction that capital held over six months is a long-term investment as distinguished from capital invested for less than six months, and hence subject to a maximum 25% tax on profits. To this one gimmick alone can be attributed the violent cycles and distortions of the American economy.

But the individuals who take advantage of these legal devices are also the individuals who make the laws; it is their representatives who control the legislatures and sit on the courts. And each obscure voter, who votes for them, dreams of participating in the great rat race of amassing income as a symbol rather than for use. As far as the objective observer can see, only when the whole inflated structure collapses of its own weight--as it must--will reforms such as those touched on above be effected. And then it may be too late, since we shall all, the innocent as well as the guilty, be buried in the falling debris....

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MINORITY INCOME HELD HOUSING BAR

10/22/61

Low Earnings of Ne[illegible] and Puerto Ricans S[illegible] to Prevent Integratio[illegible]

SOCIAL BIAS LESSEN[illegible]

[illegible]ut Inability to Afford Ren[illegible] [illegible]n Open-Occupancy Areas Is Effective Barrier

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By GLENN FOWLER

[illegible]conomic barriers appear to [illegible] replacing social discrimina[illegible] as the most formidable ob[illegible]e to racial intergation in [illegible]ing.

[illegible]e growing importance of [illegible]omic factors in preserving [illegible]ential segregation was demonstrated last week at a forum held by the Citizens' Housing and Planning Council. At the same time, there was evidence that the traditional social hostility toward minority groups moving into new areas was abating slowly but steadily.

I. D. Robbins, a housing specialist who is president of the City Club of New York, declared that economic depression among Negro and Puerto Rican families in the city has become the prime factor in keeping members of the two groups from moving into open-occupancy housing.

Incomes Are Compared

[illegible]ore than 60 per cent of [illegible]white foamilies, he said, can[illegible] afford to live anywhere but [illegible]ubsidized public housing. Of [illegible] remainder, less than 5 per [illegible] have the economic means [illegible]fford apartments built with[illegible] Government assistance of [illegible]e sort.

[illegible] support his assertion, Mr. [illegible]bins compared recently [illegible]piled Government statistics [illegible]he average income of non[illegible]e families with the income [illegible]irements for renting mid[illegible]ncome apartments or buying into middle-income cooperatives.

He found that only 36 per cent of the city's non-white families have incomes that would enable them [illegible] housing built under [illegible] Mitchell-Lama program, w[illegible] vides state and city [illegible] funds for construction of middle-income housing. Among white families, 53 per cent were found to have incomes high enough to qualify them for Mitchell-Lama housing.

As for living in apartments built without Government aid, Mr. Robbins said, Negroes and Puerto Ricans have only a slim chance. Fewer than 5 per cent can afford the $45 per room per month in rent or cooperative carrying charges that is the minimum today for nonsubsidized housing.

Families Are Affected

Mr. Robbins, who manages the cooperative housing program of the New York Typographical Union No. 6, pointed out that the affliction of "minority" status in New York today is not something confined to only a small percentage of the population.

"One in six families," he said, "is in a racial or ethnic category which suffers acute discrimination and is economically deprived. Unless the incomes of Negroes and Puerto Ricans can be increased sharply, there is no possible solution to their housing needs except subsidized public housing."

Mr. Robbins said, nevertheless, that the housing p[illegible] of minority groups [illegible] hopeless. The Mitch[illegible] program holds out "grea[illegible] ise," he said, but as thin[illegible] stand even Mitchell-Lama [illegible] ments are difficult for [illegible] Negroes and Puerto Rica[illegible] afford.

"It seems likely that nine [illegible] of every one hundred famil[illegible] in Mitchell-Lama housing cou[illegible] be Negro or Puerto Rican," h[illegible] said. The ratio could go up i[illegible] incomes of members of the two groups were to increase sufficiently. But today, for example,

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SUNDAY, OCTOBER 22, 1961.

MINORITY INCOME HELD HOUSING BAR

Continued From Page 1

the cash down payment for a middle-income cooperative is about $500 a room, while the average savings account in one bank situated in an area of the city largely inhabited by Negroes is only $533.

Mr. Robbins urged all Negro and Puerto Rican families who can afford to move out of their traditional areas to do so, even if it meant a financial squeeze.

"The leaders of the community," he said, "must be the first to break comfortable ties to their racially homogeneous communities. If they make the break and are successful, the less secure and comfortable families will be eager to try it. This way lies the breaking up of the ghettos."

The problem of persuading members of minority groups who have the economic ability to move into integrated housing has long been recognized by proponents of open occupancy in the residential field.

Many Negroes who can afford middle-income housing, for example, have hesitated to apply for apartments in areas outside of Harlem. They have felt that social discrimination — though it has been declnng measurably n recent years—would negate whatever benefits they would have from living in quarters having more physical amenities [illegible]

House & Home EDITORIAL REPRINT

The challenge of open occupancy

At this writing, in mid-October, almost everyone in housing—and in politics—expects President Kennedy to sign an executive order aimed against bias in the sale and rental of housing. This article is written on the assumption that such an order will be issued and that it will be sweeping in scope—affecting all builders, brokers, and lenders and covering both new and existing homes.

The challenge is not only to the homebuilding industry but to everyone in America. The President's anti-bias edict will be aimed primarily at the industry, but its effectiveness will depend more on how the public—white and non-white—reacts than on what the builders, sellers, and lenders do. The effect will vary from city to city and neighborhood to neighborhood according to local custom and market conditions. The impact of the executive order will be felt at once in some areas, only a little or not at all in others.

The immediate result of the anti-bias order may be to slow down sales, slightly in some cities, drastically in others. Although very few Negroes will rush to buy houses in white neighborhoods anywhere, white buyers may postpone buying while they wait to see what happens. So some builders, brokers, suppliers, and lenders will suffer temporarily. But others will not be hurt at all—and some may even be helped.

The long-range result of the anti-bias order will not become clear in most metropolitan markets for several months, perhaps not for a year or longer in some. But one result can easily be predicted now, even before the content of the order is known: builders, brokers and lenders who refuse to panic, who get prepared for the new set of ground rules, will be in a position to adjust to the new rules. Those who don't face up to the changes will be at a marked disadvantage.

An astounding ignorance of the facts about desegregated housing pervades all segments of the housing industry. Few industry people have given much time to study the problem, although the possibility of forceful government action in the matter has been realized for many years. Last year NAHB's executive committee asked the President not to issue an order until NAHB could "make an immediate factual study of the economic impact" that would be caused by an integration order. Yet this study turned out only as an opinion survey (H&H, Sept). Its main finding: many—about half—of the builders were scared, and the bigger the builder, the more scared.

Thus at mid-October, on what appeared the eve of a strong anti-bias order, it was not surprising to find builders and lenders very much at sea about what they should do. One heard industry people talk of quitting homebuilding, shifting to remodeling, shifting to conventional financing (on the assumption the order would only affect FHA and VA mortgages), or simply planning to try to get around the order one way or another.

But these comments were in the minority: Most industry people said they planned to accept whatever happens and adapt themselves to the changes. And a few were already well set to sell and lend to minorities, in the South as well as North.

To see what effects an anti-bias order might have on the industry, consider the main questions now being asked—and some of the probable answers.

What bright side is there for the industry?

▶ Uncertainty will be ended by issuance of the order. Some industry leaders feel this has hurt sales as much as would issuance of the order itself. And since most people expect such an order

Continued

to be issued within a year or two at latest, better perhaps to have it come now than hang fire. This view also suggests that the sooner the order is issued, the sooner the industry and public alike will adapt to it and work out solutions that may be necessary.

- Issuance of the order will put an end to one aspect of publicity that has hurt homebuilding. Many critics of the industry, including the US Commission on Civil Rights, have said the industry is largely responsible for bias in housing. If industry spokesmen are right in their claims that the public is to blame for discrimination, a sweeping anti-bias order will take them off the hook.

- Negro buyers will bring more money into the existing house market which should, in turn, enable owners to trade up to new houses (and increase sales of new houses in the over $15,000 range). Says HHFA's Milton Semer: "Most likely the anti-bias order will work fastest in areas where there are a lot of little two-bedroom postwar houses. Until 1958, inflation built up equities and enabled owners to sell and trade up when they wanted. But now many cannot get their equity out since there is an ample supply of new homes available. The order may tip the owners of these houses to sell to Negroes who heretofore have been unable to get financing."

- For the many builders and developers who have long struggled with the extra problems in building for minority groups, an anti-bias order will create a more favorable business climate.

Semer sums up the bright side arguments: "The purpose of the executive order is to provide equal access to housing for all people. It aims to provide equal access to financing for builders who have wanted to build for minorities but haven't been able to so far. There have been artificial barriers created by zoners, banks, and so on. The executive order will let the free enterprise market work. Economics will be the principal motivation. Lenders cannot just sit this situation out. If, after an anti-bias order, the alternative to lending is letting money sit in vaults, lenders will simply lend. However, the order will not immediately produce world-shaking results. The order will facilitate change where economic conditions permit."

Will an anti-bias order offer any escape hatches?

It undoubtedly will. Nobody in government, including President Kennedy or HHFAdministrator Robert Weaver, expects that such an order would revolutionize housing overnight in every nook and cranny of the country. Much depends on enforcement measures. Possibly court tests will delay effective enforcement for a time. Charles Abrams, president of the National Committee Against Discrimination in Housing, points out that state anti-bias laws, "with far broader coverage" than an executive order would have, don't seem to prevent many builders from prospering.

State laws exist in Alaska, California, Colorado, Connecticut, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, the Virgin Islands; and New York City, Pittsburgh, and Toledo. Most are relatively ineffective because of poor enforcement by administrative agencies or the need for lengthy court action. However, many of the laws will probably be strengthened. They have all been enacted since 1958, and more areas will very likely follow the trend.

Big escape hatches, however, will probably not exist. If the order applied only to FHA and VA housing, it might cover only 25% of new construction. But such an order would merely erase FHA and VA from the picture, solving none of the discrimination problem. If the order were to include loans made by savings and loan institutions insured by the Federal Savings & Loan Insurance Corp., S&Ls would be severely damaged in their competition with banks. So the order is expected to cover not only S&Ls but federally-insured banks. The government cannot order insurance companies and some savings institutions (i.e. those without federal deposit insurance) to avoid discrimination against minorities,

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because there is no direct federal tie to them, but this does not worry government officials. They point out that insurance companies need an interstate vehicle like FHA or VA to limit their risk, and the uninsured banks and S&Ls are too few to matter. Mutual savings banks will go along with the executive order. Earl Schwulst, chairman of Bowery Savings Bank (the largest mutual) and former chairman of the Commission on Race and Housing, has asked the President to issue a broad anti-bias order as soon as possible. And Grover Ensley, executive vice president of the Natl. Assn. of Mutual Savings Banks, says: "I support a sweeping order, and I am confident savings bankers generally feel that, if an order is issued, it should be broad."

How many non-whites can afford to buy new houses?

This requires a look at population and income figures. The 1960 Census showed that in urban areas—where most of the demand for new houses exists—12% of the population was non-white (12 out of 13 of the 13,808,000 non-whites were Negroes). The Census figures also showed that 26% of urban non-white families had incomes of $6,000 or more (vs. 52% of urban white families). Extension of these and other figures indicates that about a million non-white families have sufficient incomes to afford new and livable older homes in urban areas. There can be little doubt that if the industry could indeed tap this market, total demand for new housing would be spurred.

However, adequate present incomes do not tell the whole story about non-whites' qualifications as buyers. Many potential buyers cannot pass credit examinations because they have neglected to pay commercial debts in past years (see below).

How many non-whites will buy new houses in the suburbs?

Very few at first will buy houses in new developments in predominantly white neighborhoods. There are several reasons:

1. Low incomes. Although Negro incomes are rising substantially, few can yet afford the prices of most new houses now going up in metropolitan areas. The 1960 Census showed the median income of non-white families was $3,233, only 55% as high as the $5,835 median income of white families. These statistics for the nation mean little, however, in individual markets.

2. Poor credit records. Many Negroes are disqualified by credit checks which show them to be slow payers or non-payers (see above). However, nearly everyone now trying to sell to Negroes agrees that those able and anxious to buy homes should not be penalized for poor credit records over three to five years old or for failure to pay small bills long ago. The effect of FHA's crackdown on credit reports (see NEWS) has drastically decreased sales to Negroes in many markets, including Louisville, Wilmington, Dallas, and Atlanta. (Builders specializing in the Negro market seem to be in agreement that most of their prospects with poor credit records are victims of high-pressure stores and loan companies—and even of credit reporting agencies whose main business is making collections. Some builders and lenders insist that credit reports are deliberately falsified to keep Negroes "in hock" to local merchants. FHA Commissioner Neal Hardy has heard much of this and has directed an investigation.

3. Skepticism. Floyd Covington, the race relations advisor for FHA in Los Angeles, predicts, "Not many Negroes will take advantage of an anti-bias order unless it is well merchandised by the government and Negro leaders. Many poorly educated Negroes will not understand the significance of the order. Many Negroes will doubt its meaning. They have heard of orders before, and state laws, and movements of various kinds, and they will doubt this one is any more effective."

4. Prejudice. In the North as well as South, most Negroes will prefer to avoid the unpleasantness they might expect in white neighborhoods. This can range all the way from violence to subtle daily rejection by white neighbors and local institutions.

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kefeller Center, New York 20, N. Y.

5. Land problems. Most Negroes prefer living relatively close to Negro enclaves, if not within them. But these areas are most often some distance from buildable land. Thus, an anti-bias order may not change the difficulty builders have faced in the past when they have sought to build open occupancy housing in the suburbs.

6. Distrust. Several builders acknowledge that Negroes have been so often bilked by white merchants that they will not buy from a white builder unless and until they become completely convinced of his integrity.

What happens to house values when minorities move in?

This is a critical question. Fear that neighborhood as well as house values will drop has provided one of the main motivations for those who refuse to live side-by-side with minority families and for those who refuse to sell to them. (Various studies have shown that this socio-economic reasoning is a greater cause of discrimination than outright prejudice or fear of losing status, at least in areas outside the South.)

Homebuilders are particularly troubled by this problem, more so than other industry segments. A builder who has tied up a lot of money developing a tract feels he risks everything if even one Negro family buys a house. He fears that white families will stop buying in large numbers and that there will not be enough minority families to buy the remaining houses even if lenders and others throw up no barriers to selling to these families. The bigger the builder, and the more he has tied up in his development, the greater his fear.

NAHB's survey neither proves nor disproves this belief. When NAHB surveyed its 15,000-plus builder members on their views about the effects of an anti-bias order, only 175 replied that they had ever sold houses to Negroes that had been intended for whites—and the survey report does not indicate whether these builders had been hurt or not in doing so.

In existing neighborhoods, considerably more evidence is available on the effect of open occupancy on values. It is generally conceded that prices often drop abruptly as white families hurry to sell "while they can still get their money out." This creates an over-supply temporarily and a consequent drop in market prices.

But what happens to prices over the long run, after the initial panic selling? The best documented answer is contained in a book devoted wholly to this subject, "Property Values & Race," by Dr. Luigi Laurenti (University of California Press, $6). The book is required reading for everyone who faces the problem of selling or financing houses in racially mixed areas. (For other references, see box below.)

Laurenti's exhaustive studies of existing neighborhoods lead to this answer: after non-whites move into previously all-white neighborhoods, prices of houses tend to go up more often than down, in comparison with prices in closely similar areas that re-

Further reading

▶ Heading the list is the US Commission on Civil Rights' 1961 report on "Housing," No. 4 in a series of five volumes. The 206-page report summarizes the commission's findings since its creation by Congress in 1957, contains considerable material on industry practices, and makes recommendations that sweeping financial controls be established to prevent bias. Superintendent of Documents, Washington 25, D.C. $1.

▶ Of nearly equal importance are several reports published by the Commission on Race and Housing in 1960. They include: "The Demand for Housing in Racially Mixed Areas: A Study of the Nature of Neighborhood Change," by
Chester Papkin and Willian
vately Developed Interracial
ysis of Experience," by
Grier; "Studies in Hous
Groups," edited by Nathan
McEntire; "Residence and R
prehensive Report to the C
and Housing," by Davis M
rector of the 1955-1960 pr
renti's volume described earl
at $6 from the University
Berkeley 4, Calif.

▶ "Forbidden Neighbors,"
Harper & Bros. 1955. $5.

main all-white. Laurenti made 34 detailed comparisons of prices in areas of Philadelphia, San Francisco, and Oakland, and found this to be equally true in areas into which only a few non-whites moved and in areas into which many moved. All the test areas were in suburbs of the three cities. Similar results have been recorded by other researchers in other cities.

Laurenti predicts that, as more areas open to Negroes and other minorities, prices will not be affected so much by race. This will be particularly true of areas where only a few non-whites move in. He says: "A study of several dozen 'infiltrated' neighborhoods in San Francisco and nearby cities supports the conclusion that the presence of one or two non-white families in a neighborhood, after a period of time, usually [goes] unnoticed."

What happens in the future will depend on many factors and local conditions. The available evidence seems to bear out what HHFAdministrator Robert Weaver said 14 years ago in his classic study, "The Negro Ghetto": "The effect of Negro occupancy upon property values varies from one section of the city to another and from one time to another . . . The arrival of a few Negroes may be the signal for a great decline in selling prices or it may lead to an appreciable increase. Much depends upon the state of the total housing market and the manner in which colored people enter an area . . . There is no one universal effect of Negro occupancy upon property values."

But, the fact remains that, because all evidence to date is limited to experience in existing neighborhoods, many builders of new houses still view the executive order with apprehension.

What special techniques are needed to sell to Negroes?

No one knows much what they are. But this much seems sure: the Negro market is many markets, and some techniques are needed that vary sharply from selling to white buyers.

Example: When Arch Hermanns opened his furnished models in Chicago last fall, one model furnished in colonial style simply didn't sell. Prospects didn't indicate why. Later, when new models were added, the colonial furniture was put in another model. Result: the model that hadn't sold before became a best seller and the model with the colonial furniture became a white elephant. Says Hermanns: "It taught us that Negroes don't look back toward colonial times with any great sense of delight." The same finding was made by Joe Bolker in Oxnard, Calif.

Example: Market Researcher Sanford Goodkin has learned from extensive research that upper-income Negro families are extremely concerned about the quality of schools because only through good public school education can their children hope to surmount the barriers their race faces. Thus many of the growing number in the professional class prefer to live in areas where schools are not dominated by Negro attendance—which historically indicates poorer schooling.

Example: Many builders specializing in sales to Negroes agree

Continued

William G. Grigsby; "Pri-
rracial Housing: An Anal-
by Eunice and George
Housing and Minority
Nathan Glazer and Davis
and Race: Final and Com-
the Commission on Race
vis McEntire, research di-
60 project; and Dr. Lau-
d earlier. Each is available
ersity of California Press,

bors," Charles Abrams,
$5.

▶ "But Not Next Door," Harry and David Rosen. Ivan Obolensky Inc., New York. 1962, $3.95. An account of the Deerfield, Ill. case.

▶ "Human Relations in Interracial Housing," Wilner, Walkley & Cook, University of Minnesota Press, 1955. $4.

▶ "Where Shall We Live?", Commission on Race and Housing. University of California Press, 1958. $1.50.

▶ "Trends in Housing," bi-monthly publication of the National Committee Against Discrimination in Housing, 426 W 58 St., New York. $2 yearly.

that a house means more in status and security to Negroes than to whites. Chief reasons: few have had a chance to buy houses, and the home is one place where they are secure from contact with prejudiced whites.

Example: When Builder Matt Jetton and two other builders took over a slow-selling Negro development outside of Tampa last year, they thought they could stimulate sales by the usual device of putting in a $75,000 swimming pool. Luckily, they made a survey and learned that the swimming pool was No. 7 on a list of what the prospects wanted. No. 1 was street lights.

Merchandising aimed at the growing minority market is obviously in its infancy. Builders say there is more need for market research in this area than almost any other area of housing. Acting on this theory, Los Angeles Researcher Goodkin has set up a special market advisory council composed of eight prominent Negroes. He has already undertaken several market surveys in Las Vegas, Los Angeles, and other markets across the country, using Negro pollsters to call on Negro prospects. Among his findings:

- Negro buyers do not want to feel that a "special pitch" is being made to them in a deceptive or insincere manner.

- Negroes do not want to move from one ghetto to another.

- A housing project must be offered as a normal project. They dislike use of terms like "open occupancy" or "unrestricted".

- Negroes are impulsive buyers but insist on quality because they know quality and seek its status. (Comments Arch Hermanns: "Our Negro buyers move in with far better home furnishings, including top-grade appliances, than our white buyers. Half the Negro buyers in our new southside tract own pianos.")

Should quota systems be set up for integrated projects?

This problem still perplexes builders. Says John Tolan of Barrett Construction Co., who builds integrated projects in Richmond, Calif: "Negro leaders are divided among themselves on whether quotas, avowed or invisible, are a good thing. Most of them are against bunching on a street or in a neighborhood, yet it's hard to keep buyers from tending to do this."

In Wilmington, Del., Leon Weiner has changed his mind in recent years from letting an open occupancy development take its natural course to favoring a quota system. He and other builders have proposed an urban renewal project for the city, including 105 townhouses, 170 garden apartments, and 380 high-rise units, but Weiner's group won't go ahead until Negro leaders agree to a quota of about 15% Negro and 85% white (about equal to the proportion of Negroes and whites in the area). Says Weiner: "One Negro leader insists that if we use a quota we'll discriminate against Negroes—but another says that we'll create a Negro ghetto if we don't. There aren't enough Negroes to fill the units, and if we don't announce a quota we can stick to, no white families would move in."

The question of whether quota systems are necessary has been important in the past, but it may not be so after an anti-bias order is signed—or may even be outlawed by the order. Economics may alone determine whether a new open-occupancy tract of houses or apartment projects will fill up heavily with one race or another—or not fill up at all.

All the answers to the major questions about open occupancy seem to add up to this: industry members should not panic and should, instead, learn all they can about this problem that will be with the industry for a long time to come.

And one of the best ways to learn is to take a look at the experiences homebuilders, lenders, and brokers are now having in different markets around the country, which begin at right.

What homebuilders are now doing

Nearly everywhere builders have adopted a wait-and-see attitude, mainly because they don't know what else to do. One eastern home builder association has met with Negro leaders and made a tentative proposal: all association members have agreed to sell to any qualified Negro buyer, and the hope is that Negro leaders will try to find enough buyers in each price class so that competitive builders will all be selling to Negroes at about the same time to start with. St. Louis, Philadelphia, and other local associations are trying to get an agreement from all members that none will try to take advantage of a new anti-bias order at the expense of competitors.

Following is a spot check of industry opinion and activity around the US:

Gainesville, Fla. Perhaps the most exciting and hopeful program to house minority families now under way is in Builder Philip Emmer's 285-acre Lincoln Estates. When Emmer came from Miami two years ago, Census data painted this dreary picture: there were 10,000 Negroes in this city of 50,000, and nearly two-thirds were renting slum dwellings. Only 100 Negro families had been able to buy new houses in the 15 years since World War II. But now the picture is different: Emmer has already transformed 100 ill-housed and usually debt-ridden families into owners of new homes in his well-planned community. The houses sell for $8,750 to $11,500 under FHA Sec. 221 financing with FNMA assistance. So far, only two owners have ever been as late as 15 days in their payments; only 10% have been more than five days late.

Emmer has accomplished this (and expects to sell 100 houses a year from now on) despite seemingly impossible odds. About a quarter of his prospects have had bad credit ratings, often through no fault of their own. Many were up to their ears in debt to finance companies, paying 36% interest a year on what they owed. The unique part of Emmer's work is the help he gives families in working their way out from these debts, straightening out their domestic problems, and setting their sights on the new opportunity of becoming homeowners. Says Emmer: "It's hard to sell this way. But it's satisfying, and it's profitable."

TYPICAL STREET in Phil Emmer's Gainesville community of houses averaging $10,040. Emmer is equipping playgrounds for children.

St. Petersburg, Fla.: No one is building for Negroes. However, since early 1961, more affluent Negroes have been able to buy existing homes in a 72-block area south of 17th Ave., the old "committee line" established by bi-racial agreement. Negroes say that lenders stall on FHA and VA loans, but that white owners offer to take back mortgages with about as good protection clauses and terms as FHA or VA mortgages.

Atlanta: Several leading homebuilders report that they are deeply worried over the President's executive order. Atlanta now has some of the finest Negro subdivisions for higher-priced houses in the country—new, suburban subdivisions where upper-income Negroes can buy houses from $20,000 to $50,000 or more. There are also a number of Negro subdivisions where new housing is priced at around $12,000 and less. "There is good housing here for Negroes who can qualify. We are not worried about the typical Negro buyer as he would rather live in his own areas. What we are worried about are the few Negroes, backed by pressure groups, who will buy a house in a white subdivision. When that happens, our white buyers are going to quit buying," said one prominent builder.

BEST-SELLING MODEL in Bill Kerr's Columbus tract has 1,477 sq ft of living area plus garage, basement. Price: $14,900 on $2,200 lot.

Columbus, Ohio: W. K. Kerr & Sons has sold about 600 houses in a 1,000-unit open-occupancy community in the past three years. The Kerrs make no attempt to count how many whites and Negroes buy but believe the ratio is about 50-50. Until last year sales were at $9,800 to $12,000 financed under FHA Sec. 221 but are now $11,800 to $14,900 under Sec. 203b.

Cleveland: Probably fewer than 200 homes are being built for Negroes this year. Of these, about 115 are built by Bernard Gilman's Federal Homes. Says Gilman: "We are not building 'Negro housing.' We're building for anybody, but virtually all the buyers are Negroes." Albert Taborn, Negro real estate broker, says too-stringent credit requirements are holding down constuction for the Negro market.

Knoxville: Builders here report that incomes among Negro families are so low that few can qualify for new houses now being built. So they believe that almost none will try to buy in existing subdivisions. Builders are worried however about "test cases" where a few Negro families "financed by Negro organizations" will move into new subdivisions.

Madison, Wisc.: Builders are unworried about an anti-bias order. Negroes reportedly can buy in various price classes in both Negro and non-Negro neighborhoods, from various builders. Jacob Sinaiko has built about 450 houses since 1949, all having open or mixed occupancy. One tract of 125 homes adjacent to a Negro enclave is 70% occupied by whites. Another of 21 houses has only one Negro family, despite Sinaiko's efforts to find and qualify others. His main problem is to induce Negroes to move into the non-Negro areas.

Chicago: Builder Arch Hermanns, president of the Illinois Home Builder's Association last year, is doing a land-office business selling $14,800 to $20,200 houses to Negroes on Chicago's almost all-Negro south side. Since opening his development a year ago, 223 families have moved in and sales are far ahead of starts. He expects to complete his 1,200-lot tract in three years. Hermanns' only competition in new houses are mostly scattered-lot homes being sold at $5,000 above his. When Hermanns first sought financing, lenders were asking 11 points, but he has obtained adequate VA and conventional financing "at better than average discounts."

St. Louis: There is virtually no new home construction for Negroes in this area. Two or three builders with poor locations—next to slums—are selling very slowly to Negroes. Some expensive houses are going up in scattered and generally isolated areas, and are usually sold for cash. One bank official concedes that loan applications from Negroes are checked "much more carefully" than applications from whites.

Dallas: Vernon and James Smith, the city's biggest homebuilders (723 houses at $9,000 to $25,000 last year), have built 200 houses a year for the past four years around a Negro college on the southeast side of Dallas. Though FHA has recently made its credit requirement so strict that the Smiths' Negro prospects cannot qualify, records show only four foreclosures in the 800-house tract in the four years. Biggest problems: many good risks with inaccurate credit reports and many prospects with adequate income but large debts.

San Antonio: Builder Roy Pletz, a pioneer builder for Negroes and Latin Americans, has recently sold 35 homes to Negroes in a new open-occupancy community planned ultimately for 275 houses priced at $13,700 to $30,000 and expects to sell soon to at least one white family. Says he: "This community of ours offers Negroes the first chance they've had in San Antonio to build or buy a new house and feel protection against encroachment of slums." Pletz' open-occupancy tract provided one of the five sites for the San Antonio Parade of Homes in September.

WELL-KEPT LAWNS are encouraged by Builder Joe Bolker who gives buyers landscaping plans plus a set of garden tools, hose, fertilizer.

Los Angeles: Builder Joe Bolker last fall opened an integrated "All-American" community and by last summer had sold out his first section of 130 houses (at $10,450 to $11,950). His buyers were Negro (45%), Spanish American (35%), and white (15%). Current sales to whites in his second section are running somewhat higher. The tract is in Oxnard, west of the city.

In the north part of Los Angeles, the San Fernando Valley Board of Realtors, headed by Clare Short, has assured Negro leaders that the board will encourage all broker members to treat Negro buyers the same as white buyers in the sale of existing houses. The real estate men say they will not offer a home to a Negro if the seller objects, but this is not expected to be important—in the first two months of the new policy, only two owners are reported unwilling to sell to Negroes—ROBERT MURRAY

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1962 CORE EMPLOYMENT - HOUSING INSTITUTE SUMMARY

SECTION I EMPLOYMENT

This summary should serve as an outline and guide in efforts to eliminate discrimination in the specific communities throughout the United States.

I. BACKGROUND INFORMATION

Thoroughly explored during Employment-Housing Institute areas a comparatively new approach in employment. There is increasingly emphasis in terms of manpower needs and labor demands in the skilled occupations. Consequently, there is and will be rapid growth in the number of jobs available in white-collar jobs such as professional, technical, and sales workers, managers and proprietors and in skilled trades such as pattern makers, tool and die makers, lithographers, operating engineers, sheet metal workers, plumbers and electricians.

More widespread use of automatic machinery and new fabricating processes require more technical know-how and versatility. Nonwhites have historically been barred from the skilled occupations and the training programs which are a prerequisite for entrance into many of these jobs.

Higher rates of unemployment among nonwhites, particularly Negro and Puerto Rican youth, necessitate a program with demands designed to create substantial employment opportunities for minority groups in the skilled job categories.

Consequently, in Columbus, our demands with Kroger's were aimed particularly at higher-paying jobs and emphasized not just the token hiring of one or two Negroes, but the employment of a substantial number in managerial posts and executive training programs. In order for these demands to be effective, the burden of recruitment generally has to be placed on the employer, so that his hiring efforts are directed toward sources and areas in the community most likely to produce nonwhite applicants.

II. AIMS

A. Work for a change in attitude

B. Specific demands on firm or employer

1. Fair employment and hiring of nonwhites on all levels
2. Recruitment of Negroes through regular channels

    a) Negro Press
    b) Schools
    c) Urban League and State Employment Office

3. Equal opportunity clause in ads and applications
4. Contact Negro press to get them to solicit ads from all companies

III. PROCEDURE

A. Investigation

1. Specific knowledge needed to determine which firm to choose and project

    a) Size of operation from Standard and Poore: Directory of Corporations
    b) Number of nonwhites in various job categories

    c) Number of Negro clientele

    d) Power Structure-Chamber of Commerce Business Directory

    e) Qualifications

    f) Labor Union's Power

2. Means of obtaining this knowledge

    a) Inspection (office and door count); whites especially effective
    b) Public channels

        1. Urban League
        2. Labor Unions
        3. Jewish Community Organizations Anti-Defamation League, American Jewish Congress, Jewish Labor Committee
        4. Negro American Labor Council
        5. NAACP
        6. Local Committees on Human Rights; ie, Near East Side Committee on Human Rights
        7. City Mayor's Commission
        8. State Commission on Civil Rights
        9. Catholic Charities Employment Service
        10. City, State, Federal and Private Employment Services
        11. Employees
        12. Employer

    c) Private channels such as personal friends

B. Negotiations

1. Written request for negotiations is bes to insure record of attempt to secure confrontation. Appointment may be made by phone or in person. Make clear that you are asking for a meeting with CORE. Be firm. Try to obtain specific time and date.
2. Appoint leader of negotiating team. Select a note taker. Determine line of approach before confrontation, making certain every member of team understands the demands. Don't contradict each other during negotiations. If division or confusion become apparent in team, recess negotiations.
3. Make concrete specific demands placing major responsibility for resolving discriminatory situation upon employer.
4. Be prepared to deal with defenses and objections of employer with specific facts.
5. Maintain point of focus, which is the resolution of discrimination by the posing of the demands.
6. Written summary should be kept for record with copy being sent to employer.

C. Appeal to Wider Public and Demonstrations

1. Identify organization, tell what you are trying to do, how you are doing it, and why.
2. Use mass media -- press, radio, television, if possible and available.
3. Leaflet area in which firm is located.
4. Enlist support of other organizations for stand taken.

D. Direct Action Techniques

1. In action identify who you are (what organization), what you are doing, way you are doing it and what you want done by using device appropriate to action - eg. picket signs, leaflets, press releases and statements.

2. In using boycott:

   A. Choose firm carefully

      1) Consider how widespread and common a market there is for item sold
      2) Check to determine if there are purchasing alternatives to item and/or firm boycotted

   B. Have clear direct reason for boycott with termination point dependent on meeting of specific demands

   C. Boycott most likely to be effective when object of boycott is directly responsible for discrimination.

   D. Canvas to determine community reaction. Boycott more likely to be successful if firm has large nonwhite clientele and is located in or near area where group discriminated against lines

IV. KROGER SUPER MARKET -- Case Study

   A. Purpose of Kroger Project -- to break down institutionalized pattern of discrimination in hiring, not just to obtain job for one Negro.

   B. Investigation

      1. Checked with Urban League, NAACP and State Commission on Civil Rights to determine previous contact, if any, with Kroger's in regard to hiring policy -- a little or no contact.

      2. Talked with personnel, particularly Negro, in several Kroger stores, to obtain information about jobs held by Negroes -- Negroes mostly in low-paying categories -- some salesmen, no managers.

      3. Discussed Kroger's hiring policy with Retail Clerks International Association Local to determine union attitude toward non-discriminatory hiring and union influence over hiring; President of Local voiced opposition to discrimination, but union has little say in determining who is hired and when; more influence in cases of dismissal and promotion.

      4. Sent Negro woman for job interview -- told no Negroes and no women in managerial posts.

      5. White checkers affirmed this by observing managerial training program, interviewing a trainee. Also verified by observation that no Negroes were in clerical positions in central office.

      6. Other facts obtained:

         3rd largest super market chain
         1,400 stores nationally
         40,000 employees
         26 stores in Columbus
         76 stores in Region or Ohio
         Competitor - Big Bear
         Kroger's employ some Negro clerks in Stores

C. Negotiations

1. Two interviews held - 1 each week

2. CORE demands - Negroes hired in office and in managerial staff

3. Acceptance of policy of change -- agreed to by Personnel Director, Dick Hepp of Kroger's -- by which Negroes hired as office workers and for training for management staff

   Time schedule accepted by company

   No agreement reached on actual substantial number to be hired

4. Means which Kroger agreed to use to obtain Negro applicants:

   Ohio State Employment Service
   Urban League
   Ohio Union of Ohio State University
   Negro Colleges
   Negro High Schools
   Community Talks to Negro Youth re: Food Industry Opportunities

* * * *

SECTION II HOUSING

I. INTRODUCTION

A. The aim of the Housing Institute is to train participants in the use of CORE techniques in combatting discrimination in housing and the development of new techniques leading toward the realization of an open occupancy policy. The achievement of open occupancy requires the turning away from approaches which have led to tokenism and the concentration upon methods which will place the responsibility for changing segregated housing patterns upon the property owners, financiers and realtors who have created them. This may mean that negotiation steps may be used without having an actual applicant once discrimination has been verified by Negro and white testors. Some of the objectives of such a negotiation would be to obtain a public statement of policy of nondiscrimination, removal of race from applications, and an advertising policy directed toward sources likely to produce Negro applicants. The housing activities of the Institute will be presented in the context of the five basic CORE techniques.

B. The Housing Committee's subcommittee on Testing began its research by familiarizing itself with the notes and materials in a folder supplied by Columbus CORE. These sources indicated that they had had a great deal of discussion and some exploration of the laws pertaining to housing, the direct action techniques possible and some work on locating community resources. They set up committees on obtaining Sellers and Buyers, Community Relations, and Financing.

The Ohio Student Civil Liberties Union invited CORE to help end discrimination in rooming houses next quarter. Columbus CORE decided against that at this time.

Recommendations from the Housing Committee of Columbus CORE include the following:

1. that apartment developments be tested
2. that results be referred to Coordinating Committee of Columbus CORE
3. that members speak at a Methodist and a Baptist Church
4. that one member visit with a member of the "Columbus Interracial Housing Group" and 15 industries who have agreed to an appointment
5. that negotiations be carried out, and initial stages of direct action be made in large apartment developments.

Direct Action recommended to the Institute:

1. To investigate apartments in vicinity of University
2. To investigate three apartment developments
   - a) University Arms
   - b) Beverly Arms
   - c) Westgate Manor

Report on these in accompanying form.

II. INVESTIGATION

A. Testing may be done by CORE members or applicants.

Obtaining of applicants:

1. Sources Used
   - a) realtists (Negro real estate brokers)
   - b) Churches
   - c) Projects: Operation Windowshop (See V)
   - d) Direct methods: first gain confidence through such means as a housing clinic
   - e) Public solicitation in areas of high mobility or relocation from public project using leaflets, tables on street corners, public address systems

2. Handling Process
   - a) Contact possible applicant and make appointment for interview; make sure to mention CORE, and that there may be a demonstration but that he does not have to take part in it if he doesn't want to.
   - b) Interview with form similar to APPENDIX I; note that personal information is needed to ascertain eligibility for dwelling and certainty of discrimination. See also Appendix II.

B. General Information

1. Specifics
   - a) from Negro community

1) % Negroes in neighborhood
2) general economc level
3) mobility

b) from white community

1) artificial barriers
2) property available

c) the law re: housing (ie. Fair Housing Law, etc.)

2. Means of obtaining specific information

a) Survey

1. of white community Teams surveyed the Beverly Manor Apartments posing as OSU students involved in a Sociology class practice survey on inter-group relations. Results generally indicated that while most persons would not object to working next to a Negro, many expressed reservations about living next to a Negro. However, it was pointed out that persons will often verbalize prejudice more readily than they are willing to act on it.

2. of Negro community: . It was found that 47 of 63 families had less than $3,000 annual income and 62 of 63 had less than $5,000 annual income. Approximately half of the families interviewed had been in home less than five years. 21 of 64 families expressed an interest in moving, this almost completely among younger families.

b) Public and Private Organizations

1. NAACP. No information obtained from visit

2. Urban League (Mr. Chester Jones) said that UL unable to directly support CORE because finances from the Community Fund. Negro community had received concessions and therefore fairly passive. Thought Beverly Manor good target for action.

Discussion of block busting legislation, Fair Housing Legislation. Discussion of Colonial Williamsburgh Project, which is in receivorship. Suggestion that CORE participate in Leadership Council, a body of Negro business and professional businessmen.

3. Anti-Defamation League of B'nai B'rith. ADL (Joel Ollander) gave leads to Urban League, two Human Relations Commissions, Mayor's Commission, Columbus Council of Human Relations, Ohio Bureau

of Unemployment Compensation, AFL-CIO COPE and Committee on Civil Rights, and to the Human Relations Conference at OSU from July 23-27.

4. Mayor's Commission on Civil Rights

5. Near Eastside Area Council of Columbus

6. American Freedom of Residence Fund
416 S. Franklin, Chicago 7, Illinois

7. National Committee Against Discrimination in Housing
426 West 58 Street, New York, New York

8. Family Relocation Bureau, (Mrs. Pryor) said that its purpose was to resettle families which move because of UR and expressways; suggested that get list of property managers from real estate brokers; suggested contact City Department of Urban Renewal for information regarding Advisory Board on Urban development.

III. NEGOTIATIONS

A. Negotiations become necessary only after proof of discriminatory practices has been established through the Investigation, and Testing procedures.

A negotiating team is appointed including one person who shall be designated as the main spokesman, one person to be the recorder and the applicant where possible. This team should become thoroughly informed on all facets of the case at hand and determine a list of demands to be presented.

The approach which seems most effective is one in which the focus of the demands rests on not only a statement and or a publication of a fair housing policy, but a demand that specific steps be taken to implement such a policy, responsibility for the implementation rests with the owner of the property in question. The presence or knowledge of an applicant may be helpful, but not necessary to these proceedings. In the development of community contacts and organizational contacts, a CORE chapter might well inform these sources of any housing problem on which it is working.

In the actual proceedings a few mechanical rules might be adhered to and these are the following: The spokesman should sit nearest the agent, and if there is an applicant, said applicant should sit on the far side of the spokesman away from the agent.

After introducing all parties the spokesman should then state the name of the organization and proceed to state clearly the specific evidence of discriminatior Following this a statement of demands should be made. The purposefulness of the team will help the agent realize that he cannot maneuver around the point and make a personal or moral discussion of the proceedings. Endeavor to keep the session short. If it seems vital to consult over a point, the team can always step out a few moments for consultations. It cannot be reiterated too often that the purpose of the talks are around a drastic change in policy, and a clear and distinct evidence of this change.

B. Case Study

Negotiations - Beverly Manor

Tuesday 2:00 PM	Atty Strip	Angela McLinn
July 24, 1962	Mr. John Briar	Arthur Brooks
Atty Strip's Office		Tom Porter
		Eugene Martin

Quotations

"Beverly Manor has never had a policy of discrimination. There have been Negroes living here, however these Negroes moved because of much harassment from the white tenants."

'We would like mutual protection from other developments. We don't want to give our tenants the jitters."

"We are willing to make change as long as we can make money."

"We are not going to put an ad in the paper letting our tenants know of incoming Negroes."

Demands

1. Immediate acceptance of fair housing policy, ie, equal consideration given to all applicants regardless of race, color, etc.
2. A signed statement between representatives of Columbus CORE and Beverly Manor Properties Inc. covering all areas of verbal agreement.
3. A public press release indicating Beverly Manor's policy-to-be of fair housing.

Response

1. Beverly Manor asserts compliance with demand 1. and indicated its awareness of its primary responsibility in securing applicants without suggesting implementation.
2. No resistance to demand 2. was indicated, but may arise when specifics are to be discussed.
3. A draft of the release indicated in APPENDIX III was prepared by Columbus CORE and will be submitted to Beverly Manor's national offices. There is total rejection of applying this release to the white press and minimal acceptance of the notion of making such a statement to the Negro press.

Observations

Gene Martin ---1. Beverly Manor's representatives have verbally accepted the idea that their vested interest now lie in assisting city-wide housing integration to thus remove pressure from their properties.

2. Mr. Strip accepts or rejects argument solely on a money profit basis. Mr. Briar evidenced deep streaks of personal prejudice, but can be expected to respond to "business" arguments.

3. There appears to be a possibility of having Beverly Manor sponsor a meeting between housing agents and Civil Rights organizations. A careful discussion of the separation between this issue and our expectations of theri policy was made.

4. Mr. Strip is presently quite aware of the discrepancy between their recognition of their responsibility in securing applicants and their no implementation of policy. He is therefore somewhat receptive to specific suggestions that will remove CORE pressure by locating several Negro families without any attendant publicity in the white community.

IV. DIRECT ACTION -- The Sit-In

A. Decision should be made by group that sit-in will occur, and sit-in will continue until some satisfaction has been reached.

B. Investigation should be complete beforehand:

1) Who owns building
2) Where office located
3) Where owner lives
4) Other real estate holdings, etc.
5) Where sit-in is going to occur -- physical layout (water, toilet)
6) Plan to get into place of sit-in
7) Access to sit-in site after sit-in begins

C. Accessory Action - planned in advance

1) Picket Line
    a) how many
    b) where - should always be one at sit-in site, may be also owner's home, office building, etc.
2) Leafleting
3) Phone-in
    call owner's home and/or office to protest policy

V. APPEAL TO WIDER PUBLIC: "Operation Window Shop" or "Open Door"

A. Discrimination is widely practiced, and members of minority groups are often reluctant to face rebuff and discouragement in seeking housing . "Operation Window Shop"

1) may be directed at urging people to move out of ghettoes and familiarize themselves with housing market.
2) may be aimed at securing applicants
3) requires considerable publicity, leafleting (See Appendix IV)
4) urge large numbers of people to get out on same day or same week end and look at housing whether they plan to rent or buy immediately or not.

B. Purpose of "Operation Window Shop" in Los Angeles area of California was to help overcome this reluctance and accelerate housing integration.

It also acquainted people of minority groups with the types of housing available in other areas, so that by the hundreds and thousands, we would get the habit of exercising our right of free choice.

To accomplish this project, leaflets were distributed in all community areas and all neighboring cities. Other groups dealing with fair housing were solicited for help and the coordination was wonderful. People were asked to visit new areas and look at homes, even if they weren't ready to buy. Phone numbers were printed on leaflets if more information was needed.

The project was a great success, with over two hundred people actually taking part in the operation.

VI. SPECIALIZED AREAS

A. Civil Rights Law

The object of civil rights law in the field of housing, whether on the local, state of federal level, is the outlawing of discrimination in the sale of rental of dwelling. Eleven state and two cities now have some form of housing legislation. The scope of legislation has broadened since New York State passed the first law, prohibiting discrimination in public housing in 1950. The broadest law is that of Alaska, which prohibits all housing discrimination. But the Alaska statute lacks the power of enforcement. The law with strongest sanctions is that of New York City, which prohibits discrimination in all housing except in two-family houses in which the owner resides.

Federal and state courts have made decision leading to the elimination of discrimination in housing. Probably the two most significant rulings in this area are the 1947 decision making restrictive covenants unenforceable and a recent decision of the highest courts of New Jersey upholding that state's fair housing law in unequivocal terms.

B. The Real Estate Industry

Two Columbus real estate men addressed the Institute. They described the deep-rooted pattern of segregation which permeates the sale and rental of houses. Negroes are generally excluded from real estate boards. The lack of communication is so pervasive that white real estate salesmen are known as realtors, while Negroes in the same profession go by the name of realtists. Builders, lenders, and real estate salesmen work together to prevent Negroes from buying or renting houses except in certain specified areas. Segregation forces Negroes to pay excessively high profits. Frequently, a realtor would be jeopardizing his license and his business by selling to Negroes without the approval of the controlling real estate and financial interests.

C. Federal Housing

The Federal government has supported, condoned and aided housing segregation in the United States almost without exception prior to 1948. This pattern of segregation was actively supported by the federal government prior to 1948 through restrictive covenants contained in mortgages which were FHA and VA supported.

1) In 1948 the Supreme Court ruled that restrictive covenants were unconstitutional.
    a) 60% of mortgaged homes are FHA and VA supported
    b) Since this decision the Government has failed to take concrete steps to implement the Supreme Court decision.

2) 80 % of housing in the United States is federally supported, and racially segregated.

3. Urban Renewal

a) Urban renewal is a smaller part of the greater housing problem. 80% of the persons in the United States who have been affected by renewal programs are Negroes. Too often urban renewal has meant Negro removal from one ghetto to another. Regardless of how liberal or conservative city planning boards may be, such agencies seldom have the time to determine with sufficient thoroughness, neighborhood interest and must serve the city as a whole. Frequently neighborhoods are aroused after a plan is already developed by city agencies. The neighborhood is then placed in the position of expressing its interests from a defensive position. The interests of people in the area to be "renewed" would more likely be heeded if they were initiating the plan for redevelopment themselves and the city reacting. The lack of socio-consciousness and leadership in the area may make this difficult. Nevertheless, the attempt to encourage and develop neighborhood expression should be made.

b) Suggestion: The formation of grass roots organizations withing and of the Negro community for the purpose of formulating renewal programs which will serve their best interests.

****

APPENDIX I

C.O.R.E APPLICATION FOR PROSEPCTIVE HOUSING OCCUPANTS

Name________________________________Age_________ time available_________

Address______________________________Phone_________ _________

Occupation_______________________________________

Employer____

Length of time at present job _____years, _______months.

If married:

Spouse's name__________________________Age_________

Occupation_______________________________________

Employer____

Number of children________________Ages_____________

Total Monthly Income $_____________________________

Length of time at present residence ________years, _______months.

Length of time in Columbus _______________ years, _______months.

Location of desired housing: general area -- north, east, etc., and street ---

____

Present owner: _____yes, ______no

Present monthly payments: mortgage $___________; rent $_________.

For prospective renters, what monthly rent (including utilities) can be afforded (check one):

up to $40_____
up to $50_____
up to $60_____
up to $70_________
up to $80_________
up to $90_________
up to $100_______
up to $110_______
up to $120_______
up to $130________
over $130________

For prospective buyers, what can be afforded (check one):

price bracket:
up to $9,000_______
up to $11,000______
up to $14,000_______
up to $18,000________
over $18,000______

down payment:
up to $500______
up to $750______
up to $1000________
up to $1250________
up to $1500________
over $1500________

monthly payments:
up to $40_____
up to $50_____
up to $60_____
up to $70_____
up to $80_____
up to $90_____
up to $100_________
up to $110_________
over $110_________

Can make down payment now_______; in 3 months________; in 6 months________.

APPENDIX II

CORE TEST FORM FOR HOUSING

1. Name of development or apartment ____________________

2. Address ____________________ Telephone __________

3. Realty handling sale or rentals ____________________

4.

Name of tester	Telephone	Applicant	Control

5. Date ____________________ Time __________

6. Type of housing: apartment building __________
apartment development __________
housing development __________
other (describe) __________

7. Name(s) of person(s) you spoke with ____________________

Their position: management ____________________
real estate agent ____________________
other (describe) ____________________

8. Rentals:
   a. Monthly rent ____________________
   b.
   b. Who pays for utilities ____________________
   c. Size of apartment ____________________
   d. Furnished __________ unfurnished __________ Stove ______ Refrigerator _____
   e. Apartment number or letter you were shown ____________________
   f. How many vacancies now ____________________
   g. Date available for rent ____________________
   (Be sure to include other comments -- #10)

9. Sales:
   a. Price ____________________
   b. Financing: FHA & VA __________; what bank, insurance company or other agency is furnishing mortgage ____________________
   c. Mortgage terms ____________________
   d. Name of builder ____________________
   e. Size and description of house(s) ____________________
   (use other side to complete answers)

10. Other comments (include everything) ____________________

APPENDIX III

Beverly Manor Properties, Inc. today announced a reaffirmation of its 11 year policy of democratic fair housing. "All applicants for housing in Beverly are treated on the same basis and given equal consideration, regardless of race, color, religion, or national ancestry," said Mr. __________, Beverly's __________. Beverly Manor, a grouping of 1,340 apartments located in the eastern portion of Columbus, offers one and two bedroom, furnished and unfurnished facilities renting from $72.00 to $86.00.

APPENDIX IV

facsimile of leaflet for Operation Windowshop, Los Angeles CORE

CORE invites you to join

OPERATION WINDOWSHOP

Saturday and Sunday, July 7 & 8, 1962

Whether you plan to move or not

WINDOWSHOP HOUSES AND APARTMENTS . . . with your family and friends

IN AREAS THAT ARE NOT INTEGRATED.

WHY WINDOWSHOP?

1. To serve notice on those who rent or sell housing that discrimination will no longer be tolerated - that in housing (as elsewhere) . . . . . JIM CROW MUST GO!
2. To acquaint people of minority groups with the types of housing available in other areas, so that by the hundreds and thousands we will get the habit of exercising our right of free choice.

WHAT ABOUT THE LAW?

California laws prohibit discrimination in the sale or rental of houses and apartments, Buts, in spite of these laws, discrimination is still widely practiced, and members of minority groups are often reluctant to face rebuffs and discouragement in seeking housing.

The purpose of OPERATION WINDOWSHOP is to help overcome this reluctance and accelerate housing integration in California.

IS HELP AVAILABLE?

CORE and the organizations listed below, stand ready to help if you encounter discrimination in seeking housing. They can also direct you to areas where housing is available. Call one of these numbers if you need help or further information:

AT 4-7226 (West Valley)..	San Gabriel Valley Council on Discrimination
ED 3-6793 (East Valley)..	" " " " " " " " "
OR 1-3781................	Centinela-Bay Human Relations Council
PR 4-1395.(Anaheim)......	Orange County Fair Housing Practices Council
EM 9-0524................	San Fernando Valley Fair Housing Council
DI 3-6084................	" " " " " " " " "
GL 4-9354................	Santa Monica-West L.A. Fair Housing Committee
SY 8-1944................	Pasadena NAACP
VI 9-4842................	Burbank-Area
EX 6-6109................	Santa Monica CORE
DU 9-444 or DU 7-0213....	Los Angeles CORE

Let's MAKE FREEDOM A HABIT
Let's WINDOWSHOP FOR HOUSING

Let's exercise our RIGHT TO FREEDOM OF CHOICE
Let's SHOP WITH CORE, on Sat, 7/7 and Sun 7/8

Congress of Racial Equality, 1115 W. Venice Blvd., Los Angeles 15

labor donated

Lecture # 2 2/13/63
Dr. Chester Rapkin, U. of Pa.
author, The Demand for Interracial Housing

Mr. Rapkin spoke of housing as one of the most strategic areas in the fight for equality. It can be considered as the focus and mechanism for equality. The people who live together will shop together, their children will go to school together, they will have politicians who represent them. Separation of people denies the maturity of these automatic associations, and prevents normal understanding.

As a point, Mr. Rapkin mentioned that at a meeting in Chicago a few days ago, 700 delegates of different faiths at a church conference delegated housing as the prime area at which to direct the attack against segregation.

Negroes in the housing market.

Negroes occupy more substandard and overcorwded housing than their total proportion of the population would indicate:

* NYC Metropolitan area: Nonwhites are 18% of the population, occupy 25% of the substandard housing and 22% of the overcrowded.

Philadelphia area: Nonwhites comprise 14% of the population, occupy 20% of the substandard and 16% of the overcrowded housing.

Negroes by and large have lower incomes:

In the NYC Metropolitan area: Nonwhites have 43% below $4,000/yr.
Whites " 19% below $4,000/yr.
Whites " 24% over $10,000/yr.
Nonwhites " 7% over $10,000/yr.

Even taking a sample with similar incomes of $7,000 or more, 13% of the whites, and 25% of the nonwhites are in substandard housing. 3% of the whites and 12% of the nonwhites are in crowded housing.

Negroes spend lower proportion of income on rent.

NYC Metro area:
3-4,000/yr, Whites pay $48, nonwhites $44
4-5,000/yr, " " 52, " 46
5-6,000/yr. " " 74, " 54.

(I am surprised at these statistics, and would recommend that they be checked. The contradiction between these statistics and the usual assumption that Negroes pay more for rent may be that Negroes pay more for substandard housing than it is worth, and are more willing to pay more in better areas, but it averages out to less because of the amount of Negroes in substandard and overcrowded housing who do pay less in proportion to their income.)

* These statistics can presumably be checked in Rapkin's book, listed above.

The Negro housing dollar is worth less: for $40-50 dollars, 90% of the whites and 68% of the nonwhites are in standard housing. For $60.00, 90% whites and 80% nonwhites are in standard housing.

In the past generation, the Negro middle class has increased (or rather, there has become a Negro middle class); home ownership has increased amazingly. In the NYC area it increased 52% for white ownership, 100% for Negro; in Philadelphia area it has increased 36% for whites, 106% for Negro.

There is a growth in areas available; Philly in 1940 had only 20 or 3 areas where Negroes could buy, now the entire city is open. (theoretically anyway, becuase of the law.)

Eastwick Development. This is the development that Dr. Rapkin undertook his study for, which culminated in the book The Demand for Interracial Housing. This development is to consist of 10-12,000 units, housing approximately 60,000 people. It will be a little city within a city, and the laws of the state demanded that the new development be open. However, since everyone was so concerned with what would happen to a development like this, they undertook this massive study, which would in effect, unite in some fashion the characteristics of the Negro market and the white market to give those characteristics of an interracial market. The needed to find the "interraction of demand." They looked at Concord Park (one of Milgram's developments) and at other open areas of Philadelphia. The study was entered upon with some trepidation, as everyone felt they already knew the answer, that there was no "interracial market" and that the project (East wick) was doomed from the start.

Of some 2,017 purchases in the four selected open areas, 443 purchasers were white, over 22%. 72% bought within a 1 block area of a Negro family; 30% bought on the same street front or across the street. Those making the study felt they had to look more closely at these purchasers (white) to see whether they all had some extra-special reason for buying in the area, such as their ill mother-in-law living around the corner, or being crusaders, etc. However, nothing distinguished these people from other purchasers; the whites were not unaware that they were moving into an interracial area, and the Negroes were not crusaders. The Negroes got mortgages easily, in some cases with better deals because there were many GI's among them. There were no differences in purchase prices. Some of the buildings were bought by intermediaries and sold for profit, after being fixed up. (These were not blockbusters, but people looking for a good deal to make money. There were some blockbusters around, who would plaster For Sale signs on houses during the night and start panics, but these people were stopped by the Philadelphia Commission.)

There were some distressing facts, however. In all the 443 white families purchasing, only 2 moved in next door to Negroes, and the study showed that the white demand contracted as the proximity to Negro families increased.

As time passes, Mr. Rapkin feels that more areas in the central city will be open, and the same will be true in the suburbs, to a lesser extent. Rapkin feels that the differential in income is the major stumbling block, for the next decade anyway -- ghettos will continue as the income of the Negro stays low. (which brings us to the usual vicious circles -- housing can help interracial employment, in that it can aid school desegration, which gives the education needed for better employment, but better employment is one of the prime factors which will enable the Negro to move into the open housing market.) For the upper and middle income brackets it is necessary to have open housing, and dispersal of the market is very important. The interracial demand for housing must exist for final and full equality.

Question and Answer period.

What is the status of East wick now?

It is slow, more Negroes are buying;for several reasons, they have not been able to attract white buyers. There was faulty merchandising; there is a slow housing market in general, though the Negro pressure for housing remains high. Rapkin extended his answer to state, in reference to many of the open developments which have not been able to attract Negro buyers, that it will definitely take "wooing" of the Negro community to get them to move out; it is very difficult to be the only Negro family; they are so apprehensive of reprisals, of trouble with their neighbors, that they are slow to take advantage of what they can buy.

Was there a slowdown in Levittown after it was opened?

No, housing is still slow there, but this slowdown occurred before the Negro families moved in.

What were the merchandising faults you mentioned in regard to East wick?

Several. First the model house was built in a bleak stretch of Eastwick, and this bleakness defies imagination -- the land is surrounded by industries, oil refineries, car graveyards, dumps and on a close day the odor is stifling. There was no attempt to make an attractive setting. The house was built across the street from several houses with Negro families. Some of the design was not good: the house was built for families with children, and they had an open stairwell, without railings. The bedroom opened onto the street level, which caused concern from wives about privacy, and children tramping through with muddy feet. In spite of this, the houses were a good buy at about $12,000. It was a city project, sold to the highest bidder, who in this case was the Reynolds Aluminum Corporation.

Will the Executive Order change anythin?

Very difficult to say, in fact impossible at this time. Maybe yes, maybe no.

Interspersed here were Rapkin's comments again on the difficulty of getting Negroes interested in housing that is open -- most Negroes do not consider, or realize their children's chances for better schools in integrated neighborhoods.

Milgram brought out the point, that in several cases where they had used amateurs, not real estate salesmen, but boys fresh out of college were set to work to sell houses they did a very good job, perhaps because they aren't beset with the old patterns of selling segregation.

Milgram mentioned the Chicago development again -- and Rapkin pointed out that it was on the shore edge, and thus cut off from complete encirclement by the ghetto. He also pointed out the same things that Milgram had the previous week, that it was a community in itself. In Cincinnati, there has also been a case of a 30% white development in the ghetto area; however, there have also, in Cincinnati been cases of setting up a Negro enclave in the midst of the all-white neighborhood. The smae thing has happened in Oberlin, Ohio, a liberal college town with a Negro population of about 1/3. Milgram said he went in and tried to persuade the Corporation who was building the development to open up its financing and the company -- which at this point was all Negro. The distrust of these people toward their white neighbors (liberal) and friends was so solid that they could not even ask them to help finance their company; the stockholders remained all Negro, and as a result, the development did so also.

Milgram pointed out that at first in Concord Park, the Negro ministers, etc., went all out to send Negroes to the development, not thinking twice that they had to publicize it both ways -- this larger publicity to the Negro community resulted in the high rate of initial purchases in Concord Park by Negroes.

(which brings up many questions. There seems to be a lack of knowledge as to how to balance open housing. What are the cross-avenues of attracting whites and Negroes; whites to interracial housing, Negroes to that which has been opened but is not being utilized by them; can the publicity be balanced somehow to attract both. What effect does "open occupancy" have in an ad -- or is this against the law, in that it implies that all the other housing is closed, and Negroes might not even try there, but only go the the "open occupancy" houses. Can't somple utilization of the Negro press do the job, if not, why not. How many realtors do place ads in Negro papers?)

In answer to a question from a man attending from a trade union as to why more interracial low cost housing is not built, it was pointed out that those developments which were low cost, and illustrated that tremendous cost of building a unti at "low-cost" rental or occupancy -- A Mitchell-Lama (which is not acually low cost) cost about $19,000 to build; the new apartments at the polo grounds in NYC cost about $20,000/unit. Thus, it is tremendously difficult to build low cost housing privately and without subsidy. Also, Rapkin here waxed somewhat bitterly against the trade unions, like the ILGWU who build coops at reasonable rent, presumably for their union members, and these apartments get rented to people earning from $10,000 to $12,000 who get a good bargain while being able to afford other housing. Rapkin felt that these apartments should be used to open up the housing market, and to benefit those people whose money made it possible for the places to be built, and for whom, presumably, the unions exist.

Rapkin, in closing, went into the varying degrees of prejudice -- indicating those white liberals who won't live next door; to those prejudiced people who do live in integrated neighborhoods and houses, to the ideal extreme of the unprejudiced person who is willing to live his way of thinking, to the prejudiced person who acts on his prejudice.

Prejudice stems from many things, from teachings as a child, from psychological sets, from social patterns.

One of the first questions, asked is, but don't the property values drop? Citing Luarenit's book, Rapkin pointed out that the result of this study says, "it depends? -- if there is no panic, no flooding of the market with houses, and a constant demand of houses, the value will not drop. Also, it must be remembered that the Negro pressure on the housing market is intense, when an area is opened up, the pressure finds some release in the new neighborhood.

All thiese things are added of course to personal reactions, as long as the pattern of status is attached to a person's skin color. For example, one person, when told that the Negro who was moving into their neighborhood was a doctor, answered, yes, but the people passing by won't know that the boy playing on the street was a doctor's son.

There is also the status attached to living in public housing; people want to move as soon aspossible, because of the stigma attached to the seal of public charity. As there is greater financial movility in the whites, they sooner remove themselves to private housing.

At ~~hits~~ this point, Rapkin mentioned two books by McIntyre, entitled "Where Shall we Live" and "Residence and Race."

Milgram put forth his viewpoint that people are primarily concerned with their housing needs, and will not notice an interracial neighborhood if the accommodations are what they desire. Rapkin did not concur, and siad that it was the unusual white family who does not notice, and take that factor of an interracial neighborhood into account.

JEROME 7-9009

THE COMMUNITY CHURCH OF MORRISANIA
1325 TELLER AVENUE
THE BRONX 56, NEW YORK

WILLIAM E. THOMPSON
MINISTER

MAR 5 1963

~~Make appt. with Norm & Gordon~~

seen by McCain & GRC

Housing
NY

March 4, 1963

Mr. Gordon R. Carey
CORE
38 Park Place
New York 38, New York

Dear Mr. Carey:

Pursuant to our telephone conversation, the following is a copy of my letter sent to Mr. William Reid, Chairman, New York City Housing Authority with cabon copies sent to Mayor Wagner and Borough President Joseph F. Periconi.

> I am writing to request an immediate conference with you to discuss several important matters that should be brought to your attention as Chairman of the New York City Housing Authority.
>
> I do not know whether or not you know the growing number of people who have applied for public housing and have been discrimnated against. This practice cannot be permitted to continue.

It is most unfortunate that women with children under the age of fifty cannot be considered elegible for housing projects. To rule these people out is to ignore other percipitating causes that warrant a humane approach. I am not in a position to say how many women have been refused. I do know it is an established practice not to rent to unattached women. This housing rule was instituted at the insistance of an Housing Official who thought this to be one way of curbing the high rate of illegitimacy among Negroes and Puerto Ricans.

I do not have the answer as to the proper approach one should make and for this reason I called your office.

Sincerely yours,

William E. Thompson

William E. Thompson,
Minister

WET/a

copy to Allan Hoff.
12/63

VL 26473

THE NEW LOOK IN PUBLIC HOUSING--TOO LITTLE AND TOO LATE? by David B. Carlson

(Reprinted by permission from the July 1963 issue of Architectural Forum and 1963 Time, Inc.

Public Housing is being drastically overhauled in answer to growing criticism. Next year, Congress will decide its fate.

Six years ago, FORUM provided a blue-ribbon panel of experts with an opportunity to explore solutions to what it called "The dreary deadlock of public housing." Today, the dreary deadlock has become an out and out crisis -- public housing must change or die.

The present Administration realizes this, and the program is being overhauled. In fact, the changes that are now being effected are the most radical in its 25-year history. Many of the very notions that were argued in FORUM a short half dozen years ago--more use of the existing inventory of housing, direct rental subsidies to families, subsidies to private builders to build public housing, and eventual tenant ownership--are all being tried, at least experimentally, under the current program. At the same time, new design concepts are being encouraged and the Public Housing Administration is actively seeking the finest architects in the nation to design public housing. But despite the many modifications underway, the question remains--is it too little, and is it too late?

Within the next six months, the federal public housing program will have exhausted its authorization for new construction. The last of the 100,000 units authorized under the act of 1949 are now being allocated, on a priority basis, to cities which have special needs, usually for relocation. About 620,000 will then have been built since 1937. Next year, the Administration is expected to ask for at least 500,000 more units, probably to be spread over a ten-year period.

Congress is sure to give such a request closer scrutiny than the program has ever had before. It is fully aware that many localities (some as large as Los Angeles) have stopped their public housing programs altogether. Others, like St. Louis, are in deep trouble (see page 5). And it cannot help but be impressed by criticism not only from public housing's traditional foes--real estate boards and apartment builders--but also from many of the staunchest advocates of federal aid for low-income housing, most of whom feel the present program is largely a failure. Most of all, Congress will be impressed by the opposition to public housing from the very low-income families it is designed to serve. Many of these families, even though seemingly desperate for good housing, stoutly refuse to be moved into "a project." Only four years ago, over one-third of all low-income families displaced by government action accepted the opportunity to move into public housing. Today, less than 15 per cent choose public housing, and the experts see the percentage continuing to decline.

Catherine Bauer has noted that "the public housing program has never called forth the kind of pervasive and persuasive popular support that oils the wheels of change in democratic countries." It could be too late to hope that such support might still be forthcoming, even given the current overhauling of the program. But the need is still very much there (see box, page 6) and the nation still is endowed with the capacity to foot the bill. Whether it will remains to be seen.

RECENT CHANGES ARE TO MAKE THE PROGRAM MORE FLEXIBLE

With the full realization that "change or die" is no idle threat, the Kennedy Administration has been working hard to change public housing. The changes are pointed toward making the program a more flexible instrument for the provision of low-income housing, while at the same time making public housing more acceptable to localities. Some of the changes are quite frankly pointed toward winning over long-time foes, such as the effort to enlist private homebuilders into the construction of public housing. Others, such as the recently announced concerted social services effort with the Department of Health, Education and Welfare, are directed at solving some of the knotty problems of poverty in the urban environment. All told, the innovations are making public housing a very different sort of program than it has been--and bringing it closer to what it must be if it is ever to succeed.

PUBLIC HOUSING MUST MAKE USE OF EXISTING DWELLINGS

Undoubtedly, one of the keystones of next year's housing act will be an expanded program of rehabilitation for public housing. Such a program has been tried in several cities, notably New York and Philadelphia, both of which opened rehabilitated units last year. The Philadelphia experiment was aimed at getting large dwellings for 5-person or more families. About one-third of all families displaced by code enforcement alone were found to need four or more bedrooms, and the housing authority had between 300 and 400 families waiting for vacancies in the 749 units of existing public housing with four or more bedrooms. The used-house program offers a solution to this problem--and, as it turned out, at costs considerably lower than new construction.

The housing authority bought 40 houses in the Haddington area at an average price of $5,960 apiece. (Prices ranged from $3,500 to $8,000 each). Renovations cost as little as $1,027 (on a $6,300 house) to as much as $5,292 (on a house bought for $5,400). Only in six instances did costs exceed the $10,000 per unit ceiling that had been set, and overall, total costs averaged out to $8,864. This is less than half the average cost of new public housing construction in Philadelphia, which now runs to over $18,000 per unit.

Since the first Haddington houses were finished, the authority has filed for higher cost limits--up to $13,500 for three-story houses, and $11,750 for two-story units. The authority now plans to buy and renovate 500 houses in the Midtown area at an average cost of about $14,000, if it gets necessary approvals from federal and city governments.

In New York, 40 units of low-income housing were carved out of four old brownstones on the West Side. The New York Authority had already rehabilitated over 300 units in areas outside renewal neighborhoods, but these were the first done in a renewal area. The authority spent from $14,000 to $20,000 per unit (compared to an average cost of a little under $20,000 for a new public housing unit) to convert the brownstones.

REHABILITATION ALONE CANNOT ANSWER CURRENT HOUSING NEEDS

Rehabilitation has great potential for use as low-income housing. It has been estimated that at least 7 million substandard units could be rehabilitated for public housing use; and, not surprisingly, this is just about how many urban families are eligible for subsidized housing. PHA Commissioner Marie McGuire is a strong backer of rehabilitation, even given the many economic uncertainties involved in such a program. She says: "In each case, we must determine that acquisition and rehabilitation costs will be lower than those of new construction," and so far at least, this seems to be possible.

There is still the question, however, of whether or not rehabilitation, at the relatively low economic level public housing demands, can do much to alter the character of a decaying neighborhood. Catherine Bauer has put it this way: "If there were no vast backlog of outright slums, little or no urban growth, and no racial discrimination, then a strong program of enforcement and rehabilitation might actually do the job of housing low-income families." This is not the only reservation the experts have about rehabilitation. They also point out that it adds nothing to the existing stock of housing, and the deficit of sound housing for low-income families is already so severe that only a great deal more new building can really make a dent in it.

In another effort to explore rehabilitation of existing homes for public housing, the housing authority of Washington, D.C., working under a demonstration grant of $194,470 from the Housing & Home Finance Agency, is leasing private homes for sublease to low-income families. HHFA Administrator Robert C. Weaver says, "This demonstration is designed to test a method for rapidly housing and rehousing large low-income families in private, subsidized housing and within a non-institutional environment. At the same time, such a program will restore large houses to their original use, thus facilitating enforcement of occupancy standards..."

HIGH COSTS PERPETUATE THE CONSTRUCTION OF HUGE PROJECTS

Another long-discussed notion is being tried experimentally in New Haven, Conn. This involves the direct payment of a rent subsidy to low-income families who then are housed in existing units in the private market. The tenant pays about 22 per cent of his income as rent, and the housing authority pays the difference between that and the total rent directly to the head of the family. Yale University social scientists will analyse the results of this program over a three-year period weighing the experimental method against conventional public housing for large, low-income families.

One of the primary reasons for using the existing inventory of housing rather than relying solely on new construction is to get away from "projectitis"--the continual building of massive, high-rise apartment complexes. But the experiments involving low-income use of existing houses should never delude anyone into believing that projects are out for good. PHA Commissioner McGuire says, with some sadness, "The day of the massive project is not finished--high costs keep it in existence."

But PHA also recognizes that even though it might have to keep building projects, it can at least demand a higher level of architecture and planning. (And it might even do something to trim current costs, which average over $9,000 per unit for buildings and over $5,000 per unit for land throughout the U.S.--and higher in most cities. (Pratt Institute is currently working under an HHFA demonstration grant to develop lower cost construction methods for high-rise apartments.) Assistant PHA Commissioner for Development Thomas B. Thompson is spearheading a federal effort to inspire better design in public housing. Thompson is uniquely qualified for the job, as he helped create San Antonio's much admired Victoria Plaza, a 185-unit high-rise apartment building for the elderly. Working closely with Thompson in the program to get better design is veteran housing architect Albert Mayer, who has been making a tour of PHA regional cities with a special message on public housing design.

Mayer's approach is modest, and directed as much to cost-conscious local authority heads as to architects. He speaks toward the better use of open space and community areas, night lighting, and the more aesthetic treatment of parking space. Mayer himself is somewhat skeptical of rehabilitation and efforts to build small units scattered throughout urban areas. ("Are existing neighborhoods so good that we should attempt to conform to them?" he asks.) At the same time, he is convinced that high-rise buildings are essential and can be better designed. Mayer advocates tall apartments "used in justified proportion with row housing and other lower elements, rather than their present use as a quick and indiscriminate universal cliche."

Mayer does not duck the sorest point in public housing architecture--the painfully low fee schedule. He says bluntly "The architects' fees--always a very minor percentage of the first cost of any building--have been kept too low to permit the kind of imaginative study that results in original and stimulating work. Most of the architects who do public housing have, for this reason among others, settled for more or less standardized plans, and this pattern has fitted in well with the attitude of most housing agency staffs, whose preference is for the more or less repetitive design that hews closely to the house rules." PHA Commissioner McGuire said last month that "Once we can find a basis for it, some adjustment is called for in the fee schedule." Some critics feel the basis for higher fees is already there for all to see, in the form of most existing public housing projects.

Mayer is equally unhappy with what he calls "false economies" in the program. He means specifically that, in the name of economy and because of "high costs," authorities demand too tight interior spaces and make a virtue of low land coverage in high-rise projects without really utilizing open space in a sensible manner. Mayer points out that as much as 10 per cent more space can be added for an over-all cost increment of only 2 per cent and that "the total cost of development of the outdoors is a small percent of total land and development costs."

Despite the fine work of men like Mayer and Thompson, it is still too true that, as Charles Abrams once observed, "design in public housing is more the product of finance and legislation than the drawing board."

THE PROGRAM SHOULD PROVIDE SOME FORM OF HOMEOWNERSHIP

One of the most curious public housing experiments now underway involves a group of Tulsa, Okla. homebuilders who will build 100 units under FHA's Section 221d3, and then lease the houses to low-income families. These families will also have the option to purchase the houses, with a 3 per cent down payment under an FHA-insured mortgage. In cases where the economic rent of the units is more than 20 per cent of the family's income, the authority will pay a direct subsidy. If the family later elects to purchase the house, it must repay the subsidy to the authority. This experiment will be especially applicable in communities where normal public housing is not available--and it is a first step toward providing eventual ownership of homes for low-income families.

Home ownership is considered by many observers to be essential to the ultimate success of public housing. URA Assistant Commissioner James Banks, who has had long experience in relocation and urban renewal, says flatly that "Any program ... we have must be an incentive program...we must be able to provide the incentive for homeownership even among low-income families." Banks believes that most cities can start such a program using existing housing at first, and, once the economics are established, build new housing for eventual ownership by low-income families. At the same time, however, Banks realizes that "it will still be necessary to have some institutional type housing. Many low-families need this sort of care."

The problem of providing social services to low-income families is finally getting some meaningful attention in the midst of the new programs, and in many respects this is the most significant approach of all. Several months ago, HHFA and the Department of Health, Education and Welfare announced a set of guidelines for "concerted social services" for families in public housing. The first specific trial of this approach will come in St. Louis, where the huge (12,000 unit) Pruitt-Igoe developments will be served by a vastly expanded staff of social scientists and welfare workers. There had been such a bad record of crime and vandalism in the project that low-income families balked at living there; the vacancy rate rose to 15 per cent.

PUBLIC HOUSING: A WEAPON IN THE FIGHT AGAINST POVERTY

A special Mayer's committee investigated conditions and made these observations:

** Unemployment and economic discrimination, (because of race, primarily) were at the heart of most of the problems. Over half the families in the project received public assistance, and an equal number had no male head of the family. About 70 per cent of the families had incomes of under $3,000 a year.

** An all-out attack on all the problems, economic as well as social, could yield real gains "in spite of the difficulties inherent in the physical environment of these high-rise apartments." But, the committee made clear, the solution to the economic problem must be paramount.

** The ultimate objective of the program must be to integrate low-income families more thoroughly into the community at large, in terms of jobs and social contacts. The latter will, of course, be made more difficult by the physical isolation of these families due to the size of the project itself.

The St. Louis experiment is just getting underway, but guidelines have been established for such a concerted program wherever it is needed--and it is needed just about everywhere. For the problems of public housing boil down, basically, to meeting the problem of poverty. As Author Michael Harrington has said, "We can and should build decent housing for the poor. But if at the same time we leave the job situation the same, and the people isolated from contact with society at large, then we shall have vitiated most of what we have done."

Public housing, then, should be used as a weapon in the all-out attack on poverty and discrimination. The forms public housing takes--whether rehabilitated housing or high-rise projects--are important, in most instances, but represent only part of the problem. Until local authorities fully realize this simple fact, progress will be slow indeed. And this program can not afford many more mistakes, or any less progress.

The changes that the current program is undergoing are instrumental to its survival. That public housers are engaged in experiments is in itself most encouraging; but the question is--can the program do enough, and what more must it do? The concerted services approach points one direction: All federal programs must be coordinated to a much higher degree than ever before, and must at the same time be integrated with state and local housing and social service efforts. Whether this is accomplished via a Department of Urban Affairs or by some other device, the problem is too big to be nibbled at piece-meal as under the present system. Slum clearance, community facilities, social services and public housing are all needed to battle poverty. None of these alone will do, and all must be fully coordinated. Most important, the total program cannot be administered as a branch of public welfare--the "welfare attitude" toward public housing is a chief source of failure.

Public housing's role, as William Wheaton has said, should be not only "the maintenance of decent, safe and sanitary dwellings, but the rehabilitation and encouragement of people." It must not enforce economic and racial segregation, but rather become a key instrument for destroying these patterns. It must, as James Banks says, provide incentives for low-income families to advance, in the American tradition. "None of these families wants to be comfortable in its low status," Banks observes, "Each wants to get out of it."

--END--

THE NEED FOR HOUSING

Only the lunatic fringe can argue that there is enough decent housing in the U.S. to go around. Over 19 per cent of our housing inventory--almost 11 million units--is judged substandard or lacks plumbing according to 1960 Census. Most of this is in the big cities and occupied by families of low income. The present total housing production is at least half a million units too small for our total needs, according to conservative estimates. More new construction, even of higher-priced homes (the average price for new FHA-insured housing is nearly $15,000), is necessary to filter older housing down at a much faster pace and generate the faster demolition of obsolescent units.

The problems of deficient housing supply really pile up in the city, where most of the least privileged families live. Here are some 8 million families with incomes under $5,000 (for a five-person or more household). Most of these 8 million families are probably eligible for subsidized housing of some sort. But there are only about 600,000 units of federally subsidized housing available--and these are almost all occupied. The problem is particularly acute for non-white families--about half the nonwhite renters and 40 per cent of nonwhite home owners live in substandard housing, whereas only 20 per cent of white renters and 10 per cent of white home owners occupy substandard housing.

What makes the need more acute is the relocation load that looms on the horizon. About 150,000 families have been displaced by urban renewal alone since 1949, and experts guess that highways and other programs have displaced at least 300,000 more than this in cities alone. (This year, Philadelphia estimates that all government programs will displace at least 3,250 families in the city.) James Banks, head of Urban Renewal Administration's relocation division, estimates the peak relocation load hasn't even been reached yet. By 1966, and for at least the following five years, demands for relocation housing will far exceed anything in the past, Banks believes.

PROBLEMS IN NEW YORK

In public housing, as in everything else, New York City is a special case. It has already absorbed about 15 per cent (around 70,000 units) of the total federal public housing program, and has an additional 50,000 or so units of state-and city-subsidized units for low-income families. But the city, like the federal government, is about out of authorization for new public housing--the housing authority has just requested nine more projects totaling 4,749 units, and this will exhaust its federal authorizations. At the same time, Mayor Wagner has been rebuffed by the state government in his plans to get $300 million of state bonds for low-income housing; as it is, New York City already has absorbed 82 per cent of all state housing aid.

The state, for its part, is studying the whole problem, with a special commission appointed several months ago. But while the studying is going on, the political tug-of-war between the Republicans upstate and the Democrats in the city continues, with public housing very much under pressure. A few weeks ago, James Gaynor, State Commissioner of Housing and Community Renewal, told the city flatly that "we are not meeting the demands of families displaced by demolition, nor are we meeting the requirements of families still remaining in substandard units."

Gaynor figures that three quarters of the families in substandard city housing are eligible for public housing--indicating that 400,000 more units are needed to house over one million persons. At current New York City land and building costs (which have risen 20 per cent in the past five years) this would mean an $8 billion program. And just to keep things in perspective, Gaynor adds: "The cost of a continued....commitment to (public housing) is already a subject of taxpayer concern...this is evidenced by the increasingly narrow margins of approval given to public housing...or by their outright defeat."

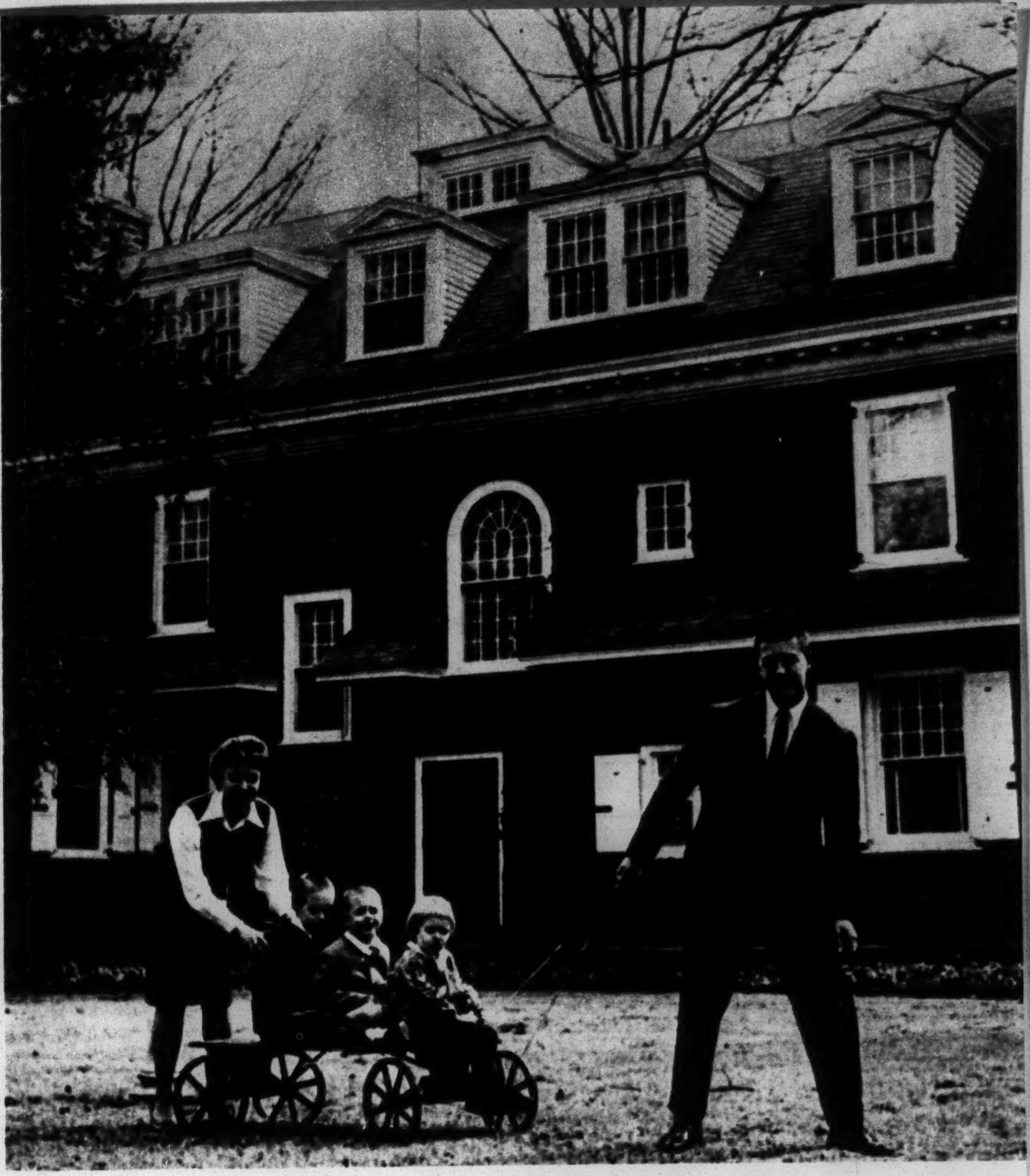
Gaynor knows full well it is not the cost of public housing alone that has brought down the opposition of voters upon the program. Antisocial behavior in projects has scored headlines so often that New Yorkers hardly pay attention--except when they get to the polls. Mayor Wagner this year asked for expansion of the Housing Authority's police force from 650 to over 1,500 to combat what critics call "wall-to-wall muggings" in projects.

The opposition of low-income families has already become critical--while the shortage of available low-rent housing keeps applications bulging, resistance from dislocated families to public housing is growing fast. Negro leaders have long despaired of the public housing ghetto (at densities of as high as 560 persons per acre) that has been created in East Harlem, but the city doggedly goes on retracing the mistakes of the past. (Gaynor says that one of the chief missions of the new commission is "to determine ways of breaking away from the present pattern of economic and racial segregation that is one of the distinguishing characteristics of low-rent housing...")

So far, the city authority seems hopelessly trapped by high costs, the massive backlog of demand, and its own inertia. If New York City, with all its vast resources if not resourcefulness, cannot produce better results, the whole nation's public housing program will feel the impact of its failure.

Housing

We Moved to an Integrated Neighborhood



The Stalveys: The neighbors are panic-proof.

By LOIS MARK STALVEY

YOU'LL BE SORRY," said suburban acquaintances when they found we planned to buy a house in an integrated area when we moved from Omaha to Philadelphia. We were told all the old myths about property values, crime rates and deterioration. However, investigation of the facts showed these myths *were* myths . . . and we had important reasons for wanting our three children to grow up among *all* kinds of Americans.

Five years of suburban living had exposed them only to white Anglo-Saxon Protestant children just like themselves, and this concerned us. Their school had a fine, statewide reputation, but their teachers and classmates all had the same color skin. The children knew all about car pools, but nothing about Hanukkah . . . heard talk about crabgrass, but had never seen a Crucifix.

Certainly, we could *tell* them America was made up of all kinds of people . . . young, old, rich, poor, Jewish, Negro, Catholic, Oriental . . . but it was obviously better if they found out first-hand for themselves.

We felt too that white families who had stayed or moved into an integrated neighborhood would be the k
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son's classmates are non-white?
of all, we've become "color-blind"
ike, our first-grader, came home

with tales of his pals, the safety cadets at his street crossing . . . "One is tall, Mommie, and one is short." One day I met his cadet friends. The short one was a very blond boy with a Swedish name; the other, a youngster as dark-skinned as his partner was light!

Another time I was asked just how many white children were in the first grade. "About half, I guess," I said, and I began to name the ones I knew. "Janice, Andy, Michael, Linda, Donna . . ." I stopped, suddenly realizing I'd included two Negro children in my mental list of white classmates.

Our four-year-old Noah is not so color-blind! He admires Timmy, only six months older, because Timmy can read. "I want brown skin like Timmy," Noah insists, with the typical childhood wish to be just like his pal!

OUR NEIGHBORHOOD has produced one surprise, however. We came prepared to work hard to help improve what we'd heard was the sad state of big-city public schools. Our experience with fine suburban schools, we thought, would be valuable here. After our first Home and School meeting at

(Continued)

C. W. Henry School we were wide-eyed and grinning; conditions were far superior to anything we'd found in the suburbs.

Our son's grades took a dive but his interest in school zoomed up! Why? Standards were higher at Henry School and he had to work to keep up, but he had a teacher who knew how to make working fun.

OVERCROWDED classrooms? One day I found my own third-grade class photo taken in the '30s and counted heads. My class had five children more than my son's class has today. True, some classes are larger, but it was interesting to learn that in this year's eighth grade graduating class, 27 children out of 45 passed the difficult entrance exams for Girls' and Central High.

Principal Beatrice Chernock, for whom the term "dynamic" seems an understatement, sets the tone for the school, where integration is a creative challenge instead of a problem. Negro teachers are not assigned to predominantly Negro classes, we've noticed. More often, just the opposite . . . to the enlightenment of all children. A stimulating Home and School Association is concerned with city-wide problems, not just Henry School projects.

Our friends in the suburbs ask about our social life. Well, we've made friends in

she would have used t
other planets. "Just lik
my husband (born in
the way), "except no o
they'd do if a Negro

"Do you have any p
Negro neighbors?" is an
asked. The answer is: n
they're Negroes. A Negr
street has a swimming
have not yet learned t
times worry they mi
through that formidable
bor's dog barks at night,
whether it's a white d

Our neighbors are pe
pride in their homes as
gent West Mt. Airy Ne
out unscrupulous realto
ing changes that coul
desirable multi-family d
big, beautiful homes in

Now, seven years af
gan here, our Negro ne
doctors, educators, lawy
in fact, outranking our
educational background
chosen to move into th
and more are doing so,
heavily toward scientist
and clergymen, all p
valuable community cl

e used to ask about life on
"Just like any party," said
born in South Carolina, by
ept no one talks about what
Negro moved next door."
ve any problems with your
s?" is another question often
wer is: no problems *because*
. A Negro family across the
imming pool. My children
arned to swim, so I some-
hey might somehow get
rmidable fence. Some neigh-
at night, but we don't know
white dog or a black dog.
rs are people with the same
omes as we have. The dili-
Airy Neighbors group kept
us realtors and fought zon-
at could have made un-
family dwellings out of the
homes in our area.

years after integration be-
Negro neighbors are mostly
ors, lawyers and judges . . .
king our family average in
kground. Whites who have
e into this area (and more
doing so, we've found) run
scientists, college professors
, all providing a pretty
unity climate for our chil-

But the question we'll remember longest came from a man we met on the plane as we were flying from Omaha to our new home in Philadelphia. He was a Philadelphian and asked what suburb we'd chosen. We told him we'd bought a house in the city . . . in West Mt. Airy. "Oh? But have you checked the colored situation there?" he asked.

"Yes, we have," I said, "and it's fine. Our block is integrated so our children will learn to live with all kinds of Americans. Don't you agree it's an advantage for youngsters to develop an understanding for all groups? Makes them at ease no matter where their future takes them."

After my little speech he grinned, knowing exactly how I'd twisted his words. "Well," he said, smiling, "good luck!"

PERHAPS he'll read this and know his good luck wish for us came true . . . that we're happily settled in a friendly, fascinating neighborhood where friendship among different groups comes casually and naturally . . .

Where one evening I can cheer my husband on in a close game of ping-pong with a Baptist minister friend who is a Negro (the close scores, says our minister friend, blast forever the happy myth that all Negroes are superior athletes!) . . .

Where, another day, I can visit a convent to learn about an exciting experiment-the usual ways . . . through school, through my husband's co-workers in a large corporation, plus our Midwestern practice of calling on new neighbors. Without taking a complexion check, I'd guess about half of our friends are white, half Negro.

Recently, we told some suburban friends that we'd taken good-natured ribbing one night when we were the only whites at the birthday party of one of our Negro friends. "Oh, what's an all-Negro party like?" asked our suburban guest, in a tone of voice

dren.

"What will hap
are old enough to
live in all-white a
say: "Did *you* ma
Most people didn'
for the best colle
where people ofte
better colleges hav
group for years. A
Negro classmates
duly interesting be

Reprinted wit

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For additio

Community
INSTITUTE OF
165 East 56 Street

Single

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September 1963

will happen when your children ough to marry?" our friends who -white areas want to know. We *you* marry the boy next door?" ple didn't. If our children qualify est colleges (and it's in college ople often meet their mates), the leges have been purposely multi- years. And to our children, their ssmates at college will not be un- esting because they're "different".

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Magazine May 19, 1963

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Quantity prices on request

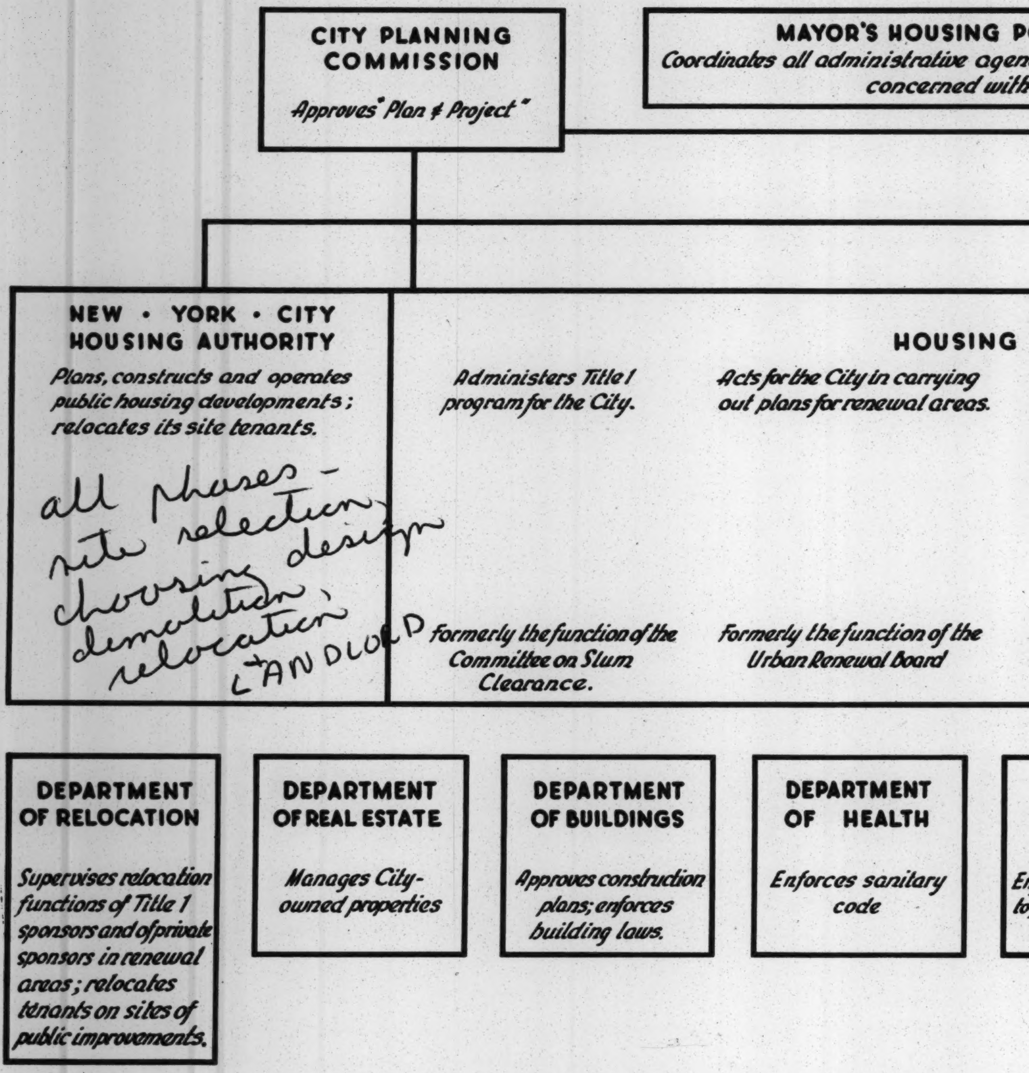
al youth program and the same night go with friends to hear a future Jan Peerce at a synagogue service . . .

Where our good luck produced in our children a precociously realistic assessment of the human race as Noah asked his big brother, "What's best . . . to have brown skin or pink skin?"

Our seven-year-old boy replied, "Can't see that the color makes much difference . . . I guess it's just important to have *skin!*"

150

NEW YORK CIT
INVOLVED IN HOUSIN



CITY PLANNING COMMISSION

Approves "Plan & Project"

MAYOR'S HOUSING P

Coordinates all administrative agen
concerned with

NEW · YORK · CITY HOUSING AUTHORITY

Plans, constructs and operates public housing developments; relocates its site tenants.

all phases -
site selection,
choosing design
demolition,
relocation
+ LANDLORD

HOUSING

Administers Title I program for the City.

formerly the function of the Committee on Slum Clearance.

Acts for the City in carrying out plans for renewal areas.

Formerly the function of the Urban Renewal Board

DEPARTMENT OF RELOCATION

Supervises relocation functions of Title 1 sponsors and of private sponsors in renewal areas; relocates tenants on sites of public improvements.

DEPARTMENT OF REAL ESTATE

Manages City-owned properties

DEPARTMENT OF BUILDINGS

Approves construction plans; enforces building laws.

DEPARTMENT OF HEALTH

Enforces sanitary code

En
to

CITY AGENCIES
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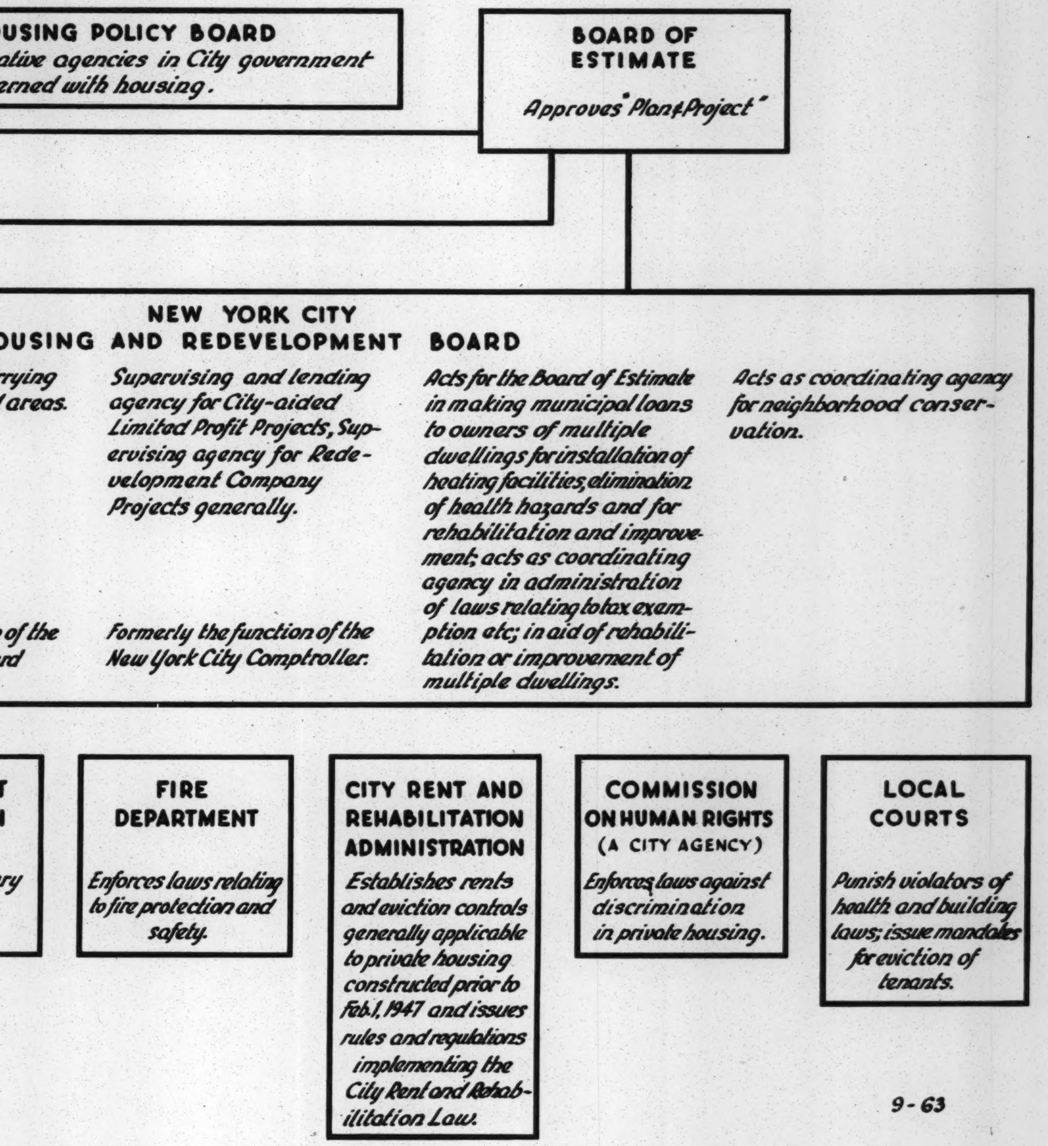


USING POLICY BOARD
ative agencies in City government
erned with housing.

BOARD OF ESTIMATE
Approves "Plan & Project"

NEW YORK CITY
OUSING AND REDEVELOPMENT BOARD

rrying
areas.

of the
rd

Supervising and lending agency for City-aided Limited Profit Projects, Supervising agency for Redevelopment Company Projects generally.

Formerly the function of the New York City Comptroller.

Acts for the Board of Estimate in making municipal loans to owners of multiple dwellings for installation of heating facilities, elimination of health hazards and for rehabilitation and improvement; acts as coordinating agency in administration of laws relating to tax exemption etc; in aid of rehabilitation or improvement of multiple dwellings.

Acts as coordinating agency for neighborhood conservation.

ry

FIRE DEPARTMENT
Enforces laws relating to fire protection and safety.

CITY RENT AND REHABILITATION ADMINISTRATION
Establishes rents and eviction controls generally applicable to private housing constructed prior to Feb.1, 1947 and issues rules and regulations implementing the City Rent and Rehabilitation Law.

COMMISSION ON HUMAN RIGHTS
(A CITY AGENCY)
Enforces laws against discrimination in private housing.

LOCAL COURTS
Punish violators of health and building laws; issue mandates for eviction of tenants.

THE CITY C
DEPARTMENT C

Racial and Ethnic Com

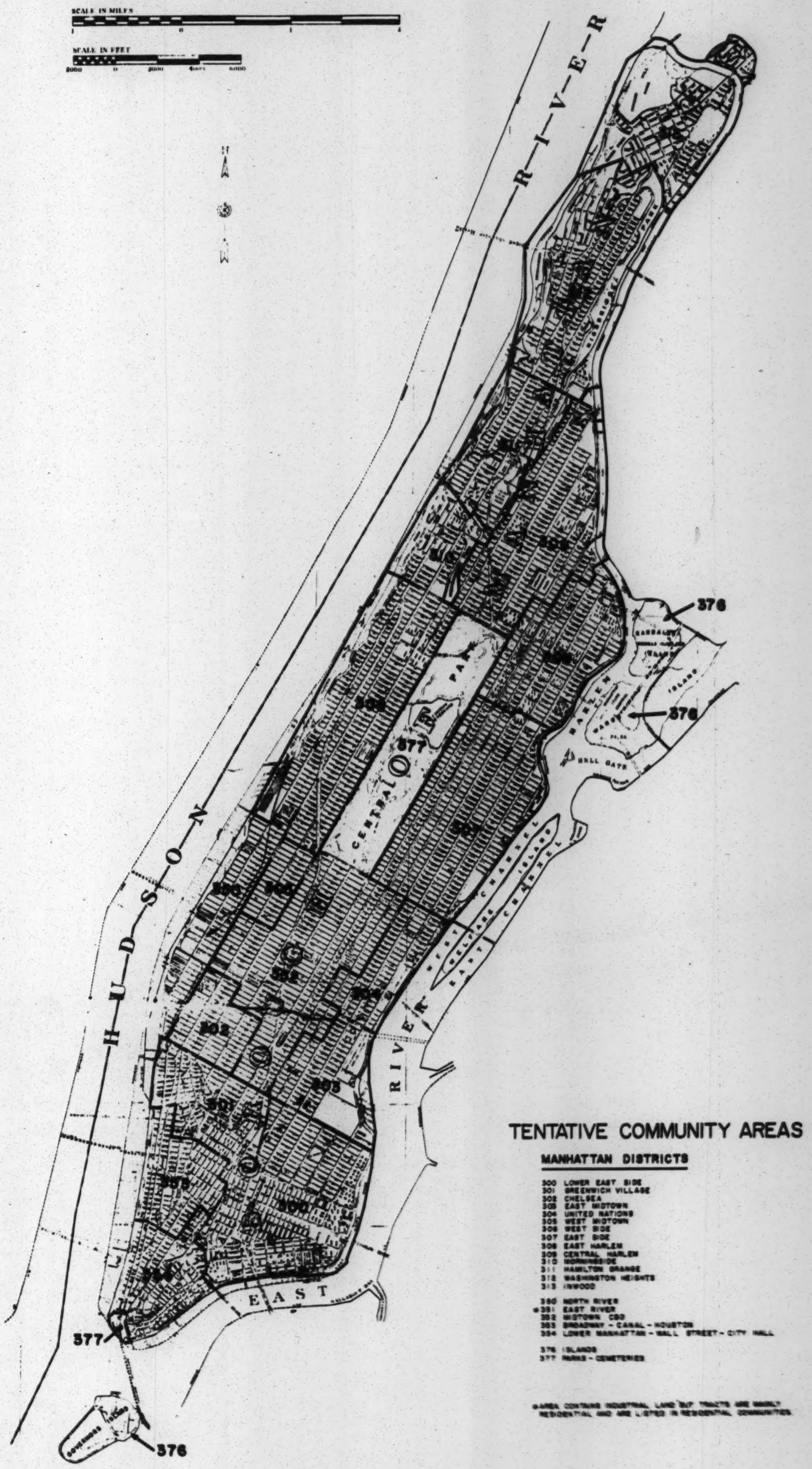
Eighty=Seven Community Areas in

CITY OF NEW YORK
MENT OF RELOCATION

ic Composition of Population in
as in the City of New York by Borough, 1960

Bureau of Planning, Research, and Reporting
October 15, 1963

BOROUGH OF MANHATTAN
DEPARTMENT OF CITY PLANNING
THE CITY OF NEW YORK
AUGUST 1956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377

TENTATIVE COMMUNITY AREAS

MANHATTAN DISTRICTS

300 LOWER EAST SIDE
301 GREENWICH VILLAGE
302 CHELSEA
303 EAST MIDTOWN
304 UNITED NATIONS
305 WEST MIDTOWN
306 WEST SIDE
307 EAST SIDE
308 EAST HARLEM
309 CENTRAL HARLEM
310 MORNINGSIDE
311 HAMILTON GRANGE
312 WASHINGTON HEIGHTS
313 INWOOD

380 NORTH RIVER
*381 EAST RIVER
382 MIDTOWN CBD
383 BROADWAY - CANAL - HOUSTON
384 LOWER MANHATTAN - WALL STREET - CITY HALL

376 ISLANDS
377 PARKS - CEMETERIES

*AREA CONTAINS INDUSTRIAL LAND BUT TRACTS ARE MAINLY RESIDENTIAL AND ARE LISTED IN RESIDENTIAL COMMUNITIES.

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THE CIT
DEPARTMEN

Racial and Ethnic Compo
Community Areas in th

		Tota
Number	Community	Number
300	Lower East Side	215,637
301	Greenwich Village	59,678
302	Chelsea	44,880
303	East Midtown	67,114
304	United Nations	45,734
305	West Midtown	34,748
306	West Side	254,022
307	East Side	194,925
308	East Harlem	144,536
309	Central Harlem	221,289
310	Morningside	48,353
311	Hamilton Grange	81,969
312	✓ Washington Heights	143,062
313	✓ Inwood	59,951
	Total	1,615,898
	All other[a]	82,383
	Grand total	1,698,281

a/ Includes all other areas outside the communities liste
cemeteries, and institutions.

THE CITY OF NEW YORK
PARTMENT OF RELOCATION

Composition of Population in Fourteen
in the Borough of Manhattan, 1960

Total		Percent of total			
	Percent	White	Negro	Puerto Rican	Other
7	100.0	61.2	7.5	24.3	7.0
8	100.0	95.2	2.5	1.7	.6
0	100.0	73.0	3.6	22.7	.7
4	100.0	91.2	1.0	6.5	1.3
4	100.0	97.9	0.4	.9	.8
8	100.0	84.0	2.7	11.9	1.4
2	100.0	72.6	10.5	15.3	1.6
5	100.0	95.4	1.4	2.6	.6
6	100.0	28.4	24.8	46.4	.4
9	100.0	1.2	95.5	2.8	.5
3	100.0	64.9	20.1	10.7	4.3
9	100.0	22.4	60.3	16.2	1.1
2	100.0	76.5	15.2	7.8	.5
1	100.0	93.1	4.3	2.2	.4
8	100.0	61.0	23.6	13.7	1.7
3	100.0	88.4	4.4	6.0	1.2
1	100.0	62.3	22.7	13.3	1.7

s listed, such as, commercial and industrial areas, islands, parks,

Bureau of Planning, Research, and Reporting
October 1, 1963

THE CITY OF N
DEPARTMENT OF R

Racial and Ethnic Composition of Popu
Areas in the Borough of t

Number	Community	Total Number	 Pe
100	South Bronx	184,160	1
101	Morrisania	180,346	1
102	Concourse	141,099	1
103	University Heights	134,006	1
104	✓Tremont	104,856	1
105	Fordham-Jerome Park	142,298	1
106	Riverdale	44,156	1
107	Soundview	23,666	1
108	Parkchester	119,429	1
109	Morris Park	48,165	1
110	Throgs Neck-Pelham	60,846	1
111	Baychester	36,898	1
112	Williamsbridge	141,533	1
113	City Island	4,280	1
	Total	1,365,738	1
	All other[a]	59,077	1
	Grand total	1,424,815	1

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a/ Includes all other areas outside the communitie
areas, islands, parks, cemeteries, and institut

Bureau of R
October 1,

OF NEW YORK
OF RELOCATION

Population in Fourteen Community
of the Bronx, 1960

otal	Percent of total			
Percent	White	Negro	Puerto Rican	Other
100.0	38.9	17.9	42.8	0.4
100.0	28.1	34.9	36.7	0.3
100.0	91.7	5.3	2.8	0.2
100.0	94.6	3.1	1.9	0.4
100.0	86.0	5.8	7.9	0.3
100.0	98.4	0.6	0.6	0.4
100.0	97.8	0.5	0.4	1.3
100.0	72.5	15.0	12.1	0.4
100.0	89.4	5.3	5.1	0.2
100.0	98.0	0.9	0.9	0.2
100.0	95.7	2.5	1.6	0.2
100.0	90.6	7.5	1.6	0.3
100.0	87.6	10.4	1.8	0.2
100.0	99.8	0.1	0.0	0.1
100.0	76.4	10.5	12.8	0.3
100.0	54.7	23.6	21.4	0.3
100.0	75.5	11.1	13.1	0.3

unities listed, such as, commercial and industrial
stitutions.

of Relocation Planning, Research, and Reporting
er 1, 1963

THE C
DEPARTM

Racial and Ethnic Comp
Community Areas in

		Total
Number	Community	Number
200	Brooklyn Heights	22,670
201	Fort Greene-Clinton Hill	71,884
202	Williamsburg-Greenpoint	135,417
203	Bushwick	112,082
204	Bedford-Stuyvesant	215,889
205	South Brooklyn-Gowanus-Red Hook	84,038
206	Park Slope	103,937
207	Crown Heights	242,197
208	Brownsville	122,696
209	East New York	145,313
210	Sunset Park	85,885
211	Borough Park	76,741
212	Flatbush	172,226
213	East Flatbush	74,598
214	Bay Ridge	138,967
215	Bensonhurst-Gravesend	206,995
216	Coney Island	71,555
217	Sheepshead Bay	115,739
218	Midwood	120,726
219	Flatlands	88,766
220	Canarsie	46,023
	Total	2,454,344
	All other[a]	172,975
	Grand total	2,627,319

---

a/ Includes all other areas outside the communities listed
cemeteries, and institutions.

THE CITY OF NEW YORK
DEPARTMENT OF RELOCATION

c Composition of Population in Twenty-one
eas in the Borough of Brooklyn, 1960

Total	Percent of total			
Percent	White	Negro	Puerto Rican	Other
100.0	89.9	1.4	7.4	1.3
100.0	40.4	45.1	13.5	1.0
100.0	73.0	6.2	20.5	.3
100.0	87.1	8.5	4.2	.2
100.0	15.0	71.9	12.6	.5
100.0	60.2	16.2	22.4	1.2
100.0	90.3	3.5	5.8	.4
100.0	64.0	30.5	5.0	.5
100.0	60.8	20.9	17.8	.5
100.0	89.5	6.4	3.9	.2
100.0	95.3	.2	4.2	.3
100.0	98.6	.3	.9	.2
100.0	97.7	1.5	.5	.3
100.0	99.4	.2	.2	.2
100.0	99.1	.4	.3	.2
100.0	99.0	.4	.4	.2
100.0	92.4	4.2	3.1	.3
100.0	98.5	.9	.3	.3
100.0	99.1	.5	.2	.2
100.0	98.9	.6	.3	.2
100.0	90.6	7.5	1.7	.2
100.0	79.6	14.1	5.9	.4
100.0	63.0	12.0	24.4	.6
100.0	78.5	13.9	7.2	.4

listed, such as, commercial and industrial areas, islands, parks,

Bureau of Planning, Research, and Reporting
October 1, 1963

THE C
DEPARTM

Racial and Ethnic Compos
Community Areas in

Number	Community	Total Number
400	Astoria	188,333
401	Sunnyside-Woodside	89,982
402	Jackson Heights	134,830
403	Corona	57,244
404	Ridgewood-Maspeth	74,959
405	Middle Village	36,721
406	Cypress Hills	32,638
407	Forest Hills-Glendale	107,439
408	Woodhaven-Kew Gardens-Richmond Hill	75,766
409	College Point	18,251
410	Whitestone	15,101
411	Flushing	65,389
412	South Flushing	70,854
413	Bayside-Oakland	94,501
414	Kew Garden Hills-Fresh Meadows	101,486
415	Douglaston-Little Neck	23,912
416	Jamaica-Hollis	69,985
417	Floral Park-Bellerose	86,614
418	Cambria Heights	82,587
419	Laurelton-Rosedale	51,947
420	St. Albans-South Jamaica	92,536
421	✓Ozone Park	82,380
422	Howard Beach	45,664
423	Rockaway	68,013
	Total	1,767,132
	All other[a]	42,446
	Grand total	1,809,578

a/ Includes all other areas outside the communities listed
cemeteries, and institutions.

THE CITY OF NEW YORK
EPARTMENT OF RELOCATION

Composition of Population in Twenty-four eas in the Borough of Queens, 1960

Total	Percent of total			
Percent	White	Negro	Puerto Rican	Other
100.0	91.7	5.3	2.5	.5
100.0	98.8	.2	.7	.3
100.0	98.2	.4	.8	.6
100.0	60.9	36.4	2.0	.7
100.0	99.8	.0	.1	.1
100.0	99.1	.1	.5	.3
100.0	99.8	.0	.2	.0
100.0	98.3	.4	.3	1.0
100.0	98.9	.3	.5	.3
100.0	99.2	.1	.4	.3
100.0	98.4	.4	.4	.8
100.0	97.6	1.2	.6	.6
100.0	97.8	.8	.7	.7
100.0	97.2	2.0	.4	.4
100.0	96.2	2.7	.2	.9
100.0	99.2	.4	.1	.3
100.0	98.1	.3	.8	.8
100.0	98.3	.9	.5	.3
100.0	71.2	27.1	1.1	.6
100.0	95.7	3.5	.6	.2
100.0	25.5	72.4	1.5	.6
100.0	93.8	4.9	1.1	.2
100.0	99.5	.1	.3	.1
100.0	85.8	11.6	2.4	.2
100.0	90.5	8.1	.9	.5
100.0	91.5	5.7	2.3	.5
100.0	90.5	8.0	1.0	.5

listed, such as, commercial and industrial areas, islands, parks,

Bureau of Planning, Research, and Reporting
October 1, 1963

THE C
DEPART

Racial and Ethnic Comp
Community Areas in

		Total
Number	Community	Number
500	Mariners Harbor	12,221
501	Port Richmond	30,168
502	Sea View-Dongan Hills	13,894
503	New Brighton	25,132
504	St. George-Grimes Hill	27,584
505	Stapleton	16,347
506	Willowbrook La Tourette Park	11,009
507	South Beach	19,710
508	New Dorp	27,408
509	Great Kills	13,799
510	Annandale	1,202
511	Prince's Bay	3,100
512	Tottenville	6,473
513	Huguenot	7,670
	Total	215,717
	All other[a]	6,274
	Grand total	221,991

a/ Includes all other areas outside the communities listed
cemeteries, and institutions.

THE CITY OF NEW YORK
EPARTMENT OF RELOCATION

c Composition of Population in Fourteen
as in the Borough of Richmond, 1960

Total	Percent of total			
Percent	White	Negro	Puerto Rican	Other
100.0	86.3	11.2	2.3	.2
100.0	97.2	2.4	.3	.1
100.0	93.6	4.8	1.1	.5
100.0	91.8	7.8	.3	.1
100.0	91.3	7.6	.7	.4
100.0	96.6	2.2	.6	.6
100.0	86.8	10.0	2.8	.4
100.0	96.9	1.8	1.0	.3
100.0	97.5	.8	1.5	.2
100.0	99.7	.1	.1	.1
100.0	97.4	.0	2.4	.2
100.0	82.3	4.5	12.9	.3
100.0	97.7	1.9	.3	.1
100.0	94.5	3.4	2.1	.0
100.0	94.4	4.3	1.1	.2
100.0	95.7	3.0	1.2	.1
100.0	94.3	4.3	1.1	.3

listed, such as, commercial and industrial areas, islands, parks,

Bureau of Planning, Research, and Reporting
October 1, 1963

File

STATEMENT OF
COMMISSIONER ELEANOR CLARK FRENCH
CITY COMMISSION ON HUMAN RIGHTS BEFORE THE
TEMPORARY STATE COMMISSION ON LOW-INCOME HOUSING
October 29, 1963 - AT THE BAR ASSOCIATION BUILDING

The New York City Commission on Human Rights is pleased to have this opportunity to share with the Temporary State Commission on low income housing, its views and suggestions regarding the nature and direction of the state low rent housing program.

The responsibility of government in meeting the needs of its people and serving their general welfare, has greatly expanded during this 20th century, and in no area of activity has this role been more proper nor more imperative than in the housing field. The obligation of government to play a positive role in meeting and uplifting the housing needs and standards of its people no longer is subject to challenge or debate. We have learned on a federal, state and local basis that an investment in the housing standards of our people accures to the benefit of our schools, our economic growth and the viability of our community. A vigorous role by government in the housing affairs of our people becomes therefore an investment in the security and well-being of our nation.

This is especially applicable as regards the housing needs of our low income families. The unmet needs of these families in terms of their dwelling conditions and opportunities directly affect a wide range of other social and economic interest and the Temporary State Commission has a responsibility to examine these interests closely.

The City Commission on Human Rights believes that the development of healthy, democratic communities, racially and economically diversified is foremost among the benefits which accrue from an adequate low-rent housing program. We do not, however, believe that the low-rent housing program of this state is geared adequately to achieve maximum results in this direction. The following comments therefore, seem appropriate:

The Need for An Adequate Supply of Low Rent Housing

In terms of the adequacy of supply and production, the state low-rent housing program is lagging far behind the needs and demands of our low income families. In the City of New York for example, there are over 200,000 low income families whose housing needs can only be met with subsidized low-rent units. The City is striving continously to meet this challenge supplementing its own subsidy program with an expansive rehabilitation and renewal effort. This struggle to balance the needs of our low-income families with the construction of an adequate volume of units demands support and cooperation from every segment of government.

We have drawn heavily upon the resources of the Public Housing Administration and our quota of federal funds is now exhausted.

State assistance for low-rent housing in New York City has been less readily available, however, and our effort to keep pace has been seriously threatened. During 1960, 61 and 62, for example, the state released funds for the construction of only 427 low-rent dwelling units. This diminishing rate of support, when compared with an annual average of more than 2,500 state-aided units in prior years seriously jeopardizes the city's effort to meet the expanding needs of low-income families.

The irony of this restrictive State policy during a period of urgent need in New York City is further compounded by the fact that the State has on hand more than $50,000,000 which could be allocated for public housing.

The City Commission strongly urges, therefore, that the Temporary State Commission join in support of a vigorously accelerated state program which will expand the volume of low-rent dwelling units constructed with state aid.

The Need for Legislative Action

The interests of the City Commission on Human Rights in the low rent housing program extends far beyond the issue of adequacy in numbers and improvement in physical standards. In these days and times, nothing demands greater attention and emphasis by government than the dignity and self respect of its people and their civil and human right to enjoy full equality of opportunity. Low-income families, whose circumstances epitomize economic and often social disadvantage, must receive special attention if the goals of dignity, respect and equal opportunity are to have true meaning. Central to all of their needs, is a decent home in a healthy, democratic environment, free of any barriers of racial or economic limitation.

In New York City we have demonstrated that the development of communities on a free and open basis inures to the benefit of the whole city. We have established a legal standard of non-discrimination in housing and have moved, through positive planning and affirmative action to advance racial and economic diversity in housing.

The State of New York, through its executive laws and administrative standards supports this concept. State-aided housing programs are required to promote racial and economic integration as a condition of state financial assistance.

The City Commission suggests, however, that certain legislative housing policies and procedures affecting racial integration warrant revision.

The Neighborhood Preference Law which requires local authorities to extend priority to families residing within a one mile radius of a project should be repealed. Both the City and State of New York are committed to the advancement of racial and economic integration in housing. But the preference law operates in diametric opposition to these objectives by impeding racial integration in projects located in or near areas which are exclusively white or non-white in character.

There is an urgent need for legislative authority and support for the principle of affirmative action advancing racial and economic diversity in housing. The promotion of racial integration in housing as a counter effort in the elimination of segregated patterns of living requires special effort on the part of housing agencies and officials. Such efforts, backed by positive programs, are imperative if the established policies of the State of New York are to be given meaning and reality.

Existing statutory prohibitions against discrimination fail to reflect the forward-looking policy that the State already has adopted on this issue. In the absence of legislative support, there is confusion regarding both the responsibility of housing officials to comply with state policy and, the legality of their position. The City Commission therefore, strongly recommends an expansion of existing housing legislation which in recognition of the need to develop healthy, democratic communities, gives statutory authority to plan and program for racial and economic diversity in housing.

The Need for Revision in Current Practices

The City Commission on Human Rights also recommends a thorough review of development costs and administrative procedures affecting the feasibility of constructing small projects. The construction of small clusters of projects on scattered sites is a technique that has many social advantages. The impact of new project tenants on a neighborhood is diminished; the creation of a large economically stratified body of tenants is avoided. Moreover, vest pocket projects, by size and design, can be made to blend into the existing neighborhood and, of course, the prospect of racial integration is enhanced. We must move beyond the mere advocacy of such techniques, however, and provide the state low-rent program with sufficient flexibility to make possible the construction of such units on a feasible basis.

The City Commission on Human Rights also is concerned with the matter of attractiveness and design. There is an obvious correlation between the dignity which responsible leadership in government is seeking to secure for all its people and the attractiveness of the housing developments in which many of these people will reside. We believe that low rent housing projects, in order to attract the broadest possible cross section of applicants should be dramatically beautiful. Public housing, when unattractive and institutionalized in appearance, presents a negative image to the public at large. The stigma of identification with such developments adds to the enormous burden which low income families already carry. When the challenge of blending beauty with location and practical design is faced immaginatively, many of the social problems attributed to public housing will disappear.

In conclusion, the City Commission regards the low-rent housing program as an integral factor in our joint efforts to uplift housing standards and develope healthy, democratic residential neighborhoods. The New York State Low-Rent Housing Program is a vital part of this effort and every phase of its administration, including volume of production, site selection, project size and design, must be geared toward advancing - a pattern of racial and economic diversity in housing.

We Moved to the "Worst Block in Town"

by Peggy Mann

Our friends doubted our sanity, and for a while so did we. But after two years of complications, frustration and real dangers, what is happening seems like a miracle

I came home late that August day in 1962, and darkness had settled on the humid city by the time I got off the bus at West Ninety-fourth Street. At the corner a Puerto Rican neighbor stopped me. "There was some big fight outside your house this afternoon."

An icy feeling went through me. "What happened?"

"A Negro woman slapped her kid. And a Spanish fellow hit her for it. That started it. Latinos against Negroes. Hundreds of them fighting like crazy."

Our block, I saw then, was strangely empty. The front steps of the brownstone rooming houses usually serve as bleachers on a summer night, crowded to capacity. But now, aside from patrolling policemen, the stoops and sidewalks were empty.

I walked, almost ran, down the street and up the front steps of our house. Fleeta Mae was in the kitchen dandling our three-month-old daughter on her knees. "I went out to empty the garbage," she reported mildly, "and they was throwing bricks and bottles, so I just come on back inside."

She had watched the fight from her third-floor window. "They was all colored on one side of the street and all Spanish on the other. Women was in it too, not just men. They been hollering, cursing, throwing things at each other ever since six o'clock." Some, she reported, had brandished baseball bats and knives. Some used garbage-can tops for shields. "The police would get it stopped. Then it'd all start up again. But time it got dark real good, things seemed to have quietened down."

Bill, my husband, would not be home until late. He was at a meeting. Subject: Urban Renewal.

I took the baby upstairs, started putting her to bed. There was a sudden, thunderlike noise on the roof. I glanced out the window. A policeman ducked as a brick hurtled past his head. Then what was later called The Battle of the Bricks opened up full force.

During the lull, Negroes and Puerto Ricans had called in reinforcements from neighboring blocks. They had mustered in doorways, rooming-house hallways and on rooftops. They also had amassed arsenals of bricks from a school under construction two blocks away. The noise I'd heard was the dumping of a sack of bricks on our flat roof.

In this, the third and most violent riot of the day, the battle went into a new roof-height phase as ammunition was hurled through the air high above the street. A mob of spectators from nearby blocks milled about farther down the street, their voices rising in a palpable wall of sound.

A riot call was issued; ten minutes later, another. The police commissioner appeared on the scene. Squad cars filled the street, sirens wailing. Bottles and bricks continued to crash down through the night. Then as I stared through our louvered shutters I saw a line of helmeted policemen range along the opposite sidewalk. They raised their arms. I stayed by the window a split second only, for the hands of the men seemed to explode. They held revolvers and they fired round after round at our roof. I picked up Jenny, ran to the back of the house and put her on the floor of a closet, out of the line of fire and out of reach of ricocheting bullets.

Finally, after shooting off some 50 rounds above the rooftops, the police succeeded in driving the combatants down. By 11 o'clock the situation was under control. No one was allowed out. A curfew was imposed. The street was littered curb to curb with broken bottles. Several men and a woman had been taken off in ambulances. Miraculously, no one had been killed.

The next day the newspapers ran pictures of policemen crouching for cover behind garbage cans and lampposts, guns in hand. And the headlines announced, "Riot on Worst Block in City."

Ninety-fourth is not, of course, the worst block in New York City. Nor was Eighty-fourth the worst, as it was labeled by the press when a similar riot occurred there the summer before. These slum streets are not unique on the Upper West Side. All have their street gangs, narcotics peddlers, prostitutes, derelicts and ordinary citizens—who live in squalid, violation-ridden, often rat-infested furnished rooms.

Why had we bought a house in this neighborhood and moved into it?

We earn enough to have a pleasant home in any of the desirable and peaceful surrounding suburbs. But I love Manhattan and am overwhelmed by a deadly feeling of isolation at the very thought of living in the suburbs. I was born and brought up in New York City apartments and fully expected to live in same for the rest of my life.

However, I married an Englishman. *He* was born and brought up in a house—a house with four fireplaces. For the first years of our marriage we lived in a "3 rm apt wt frpl." But despite the frpl, my husband continued to regard the apt as a transitory form of shelter. He wanted a house and a hearth of his own. So we started looking.

In Manhattan, where 1,698,000 people live in an area of 22.6 square miles, private houses are, understandably, scarce. Indeed, we found there are only 3,015 single-occupancy homes left. Most of the classic one-family brownstones have fallen victim to the bulldozer. And most of those that remain on the city's West Side are owned by slumlords, who often pack an entire family into each room of the house. S.R.O.—Single Room Occupancy—has, in these side streets, been translated as Standing Room Only.

The attractive, one-family private houses in Greenwich Village or on New York's "fashionable East Side" are owned in the main by successful writers, stage and screen stars, prosperous physicians. Or they are occupied by lucky long-term owners who inherited their houses or bought them for a song during the depression. Few of these people have any intention of selling—ever. And the handful of private houses that are up for sale cost $75,000 to $175,000.

It seemed, therefore, that my wish to stay in the city and my husband's desire to own his own home were incompatible, to say the least.

Then we heard about the West Side Urban Renewal (Continued on page 134)

PHOTOGRAPH BY GARRY WINOGRAND

even the laziest person can do, any hour of the day. "It is rather like a game. Choose one word that you use in your daily conversation. Each time you hear yourself saying it, automatically straighten up and pull in your stomach muscles. Select another word for tightening the thigh muscles. If you practice this regularly, it becomes routine."

DINA MERRILL has discovered a few of the secrets for subtle make-up. "I use face powder lightly. Ditto cheek rouge, if needed. I like to use a brown eyeliner, then a black one over that, feathering out the edges of both to the outer corner of the eye, to avoid a harsh outline. For evening, I use light lipstick over a slightly deeper color, applying the base with a brush and using a lipstick pencil for the final outline."

JEAN SEBERG says that a woman's hair is the first thing that anyone notices about her. "I happen to have hopeless hair, and I know how important it is to have it cut and styled well. Any woman with difficult hair should go to a very good hair stylist who knows how to handle her kind of hair so that it will always look well-groomed. If women feel that they can't afford it, they should resist buying something—perhaps an extra dress—and use the money instead to pay for regular visits to the hairdresser. The most beautifully gowned woman can easily ruin the picture she is trying to create if her hair is not an asset to her appearance."

—RUTH DRAKE

We Moved to the "Worst Block in Town"

(Continued from page 63)

Plan. This project had been on the drawing boards for five years, and was scheduled to go into operation in a matter of months, we were told. Part of the plan was the rehabilitation of the four- and five-story brownstones (now overcrowded rooming houses) that line the side streets in a 20-block area of the Upper West Side. Special government-guaranteed financing would aid owners who wished to restore these houses to their former charm and dignity. The plan also included construction of new, modern, high-rise buildings containing cooperatives and rental apartments. These would be built along the avenues and these too would be backed in whole or in part by city, state and federal money. Government funds would also be allocated to beautify the streets with trees, plazas and grass-green shopping arcades.

In other urban-renewal areas, entire blocks had been indiscriminately demolished, massive beehive apartment buildings constructed, each exactly like the next, and whole neighborhoods turned into institutionlike areas. But under this plan only dwellings unfit for rehabilitation would be razed. Many existing buildings—schools, churches and others—that had shared in the city's history and brought character and individuality to the neighborhood would be retained, along with numerous brownstones and apartment houses whose structure was sound. And for the first time an attempt would be made to mix architectural styles, to retain the best of the past and obtain the best of the future in a small, 20-block area.

Far more important than this, however, was the basic human concept; there was to be planned economic integration. Within the chosen 20 blocks there would be 1,000 new low-income apartments, 4,200 new middle-income apartments, and 2,500 new luxury apartments. There would also be ethnic integration. For the first time—according to plan—Negro, Puerto Rican and non-Puerto Rican white families would be neighbors in a small section of the city.

Furthermore, insofar as it could be prevented, no families would move from one slum to another. Low-income families who would have to move because their buildings were being rehabilitated or demolished would be guaranteed, under a new Tenant's Bill of Rights, standard, violation-free apartments at rentals they could afford to pay. Families who found their own apartments would receive bonuses of from $300 to $500—but only if the new apartments were approved by official inspectors. Moving expenses would be paid, and if a family could not find an apartment meeting required standards, the city would find them one. No family would be forced to move until they, as well as an inspector, had approved the new dwelling.

Under this plan, improvement of living conditions would be an integral and guaranteed part of low-income relocation. As we saw it, it would benefit those moving out as well as those moving in. It sounded almost too good to be true. Such an experiment in city planning could prove historic, and its methods and concepts serve as a pattern for urban renewal throughout America.

Enthusiastic at the idea of participating in such a plan, and at the idea of being able, after all, to own your own home in the center of Manhattan, we started house-hunting in the 20-block area.

On our first day out we found a four-story, 14-foot house a half block from Central Park. It was structurally sound but in sad condition. It had a garbage-dump yard, a single black-papered bathroom with toilet, tin tub and no sink, aluminum-painted doors and shutters, cracked ceilings, peeling plaster, and ugly neon light fixtures reminiscent of railway-station waiting rooms. Yet the house retained vestiges of its original charm. The ceilings were high, the rooms were large and the sun spilled in across once-elegant parquet floors. But the most attractive feature was the price—$20,000, which later slid down to $17,000.

The papers were drawn up. Our bank accounts suddenly read $00.00 as we scraped them out to help raise the required $10,000 cash. The deed was signed. And in January, 1960, we moved into our new home.

We were under the impression, of course, that passage of the West Side Urban Renewal Plan was a foregone conclusion. We furthermore were under the assumption that numerous other would-be owners of one-family brownstones would do as we had done as soon as they learned of the plan.

Neither assumption was correct.

We little realized then that our child would be the only non-Puerto Rican white baby on our block, that a mere handful of individuals could very nearly succeed in wrecking the entire program, or that my husband would lead a grass-roots citizens' movement to "Save the West Side Urban Renewal Plan."

We were the first family, we have been told, to buy and rehabilitate a brownstone in the area merely on the *promise* of the plan. We also were told that members of the city's Housing and Redevelopment Board referred to us as the "pioneers"—and indeed, we often felt the title was apt, especially during the first summer months, when we slept with three old doors barricading our bedroom windows against gunshots from the gang war that went on at night in the rickety-fenced back yards.

Our house had been built in 1885, and the original iron pipes politely waited until we had signed the final papers before they began to leak. Walls had to be ripped out in order to install modern brass plumbing for kitchen and four new bathrooms. More walls were ripped out to build a chimney for fireplaces. We moved in practically *with* the plumber, the electrician, the mason and a brilliant but alcoholic man of all work who took care of everything else from tile-setting to paperhanging—between binges.

We managed with no trouble at all to put more money into the house than we had paid for it. And since the plan had not yet been passed and we could not avail ourselves of the special long-term, low-interest loans to be given for brownstone rehabilitation, we lived on Jello, rice and hot dogs and handed our weekly paychecks over to the workmen. But within nine months we were the proud, albeit highly bemortgaged, owners of a town house worthy of the name. The former kitchen was transformed into a French café with marble-topped tables, red-checkered curtains, an authentic café bar, French posters—and a large, brick, wood-burning fireplace. The bedroom became pink and white and colonial, with wall-to-wall carpeting, Williamsburg wallpaper—and a wood-burning fireplace. In the library we had brown grass cloth walls, primitive carvings—and a wood-burning fireplace. The living room retained its original gaslight-era air with parquet floors, paneled woodwork, chandeliers—and a wood-burning fireplace. The garbage-dump yard was transformed into a flower-bordered lawn, with a brick-columned arcade at the back, a vine-covered trellis, and a yellow-and-white-striped awning over the brick patio, where marble-topped café tables could be set out.

We had a beautiful, spacious, elegant yet homey dream house—in the center of a nightmare block.

Our relationship with the street was a limited one while the cold weather lasted. We were annoyed by a constant barrage of slops thrown into our garden. We were shocked by the death of a family of five, killed by fumes from a refrigerator in the violation-ridden building next to ours. We were horrified when, during a local gang war, three .22 bullets smashed through our front window and lodged in the paneled woodwork.

During those first few months, the only person on the block we knew by name was the cheerful, cadaverous-looking Puerto Rican we hired to do odd jobs. He had done 20 years, he informed us one day, for killing a man. We privately dubbed him our friendly neighborhood murderer.

It was when warm weather came that our relationship with the block took on a far more personal aspect. At the first touch of spring, women came down to sit on the stoops and gossip. Men brought out rickety bridge tables for sidewalk poker, or squatted on the steps, engrossed in a dice game. Teen-agers played stickball in the street and small children sailed empty cigarette packs and milk cartons in the hydrant water that had gathered in the gutters.

The street was suddenly alive with color and sound—vendors selling paper cups of syrup-covered shaved ice; a carrousel truck with canned hurdy-gurdy music drawing the shrieks of children; boys with guitars and bongo drums who made their summer-long stand on certain stoops; radios on sills of open windows blaring nonstop Spanish rhythms. And around midnight the treble calls and shouts of children were replaced by the eloquent cursing, shouting and brawling of their elders as they returned home from corner bars.

One of our few non-Puerto Rican white neighbors, who has owned his brownstone since depression days, gave us warning in the winter. "When warm weather comes, don't let anyone sit on your stoop. Chase them off. Let them know it's your property and you're boss." With some pride he reported that he was known on the block as the Hitler of West Ninety-fourth Street. His wife also mentioned that they had not been away on vacation for some six years. They were afraid of what might happen to their house if they left it and the hostile citizens of the street were free to take their revenge.

But when spring came and people *did* sit on our stoop, we merely said a polite "good evening" and "excuse me" as we made our way between the neighbors who crowded our steps. And they greeted us in kind—"good evening" or "*de nada*," as they moved their legs aside or stood up to let us pass. We sometimes offered the women newspapers to sit on so they would not soil their clothes.

Although we had not objected to the people who relaxed on our front steps, we found that by the middle of the summer they had responded to our politeness. They ceased to sit on our stoop, but always greeted us cheerfully from their own steps when we came home in the evening.

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At times, however—especially on relief-check night—a rather unsavory group of men would use our stoop as a site for a beer party. My husband then usually went out to empty the garbage, carrying a large cardboard carton and a heavy-bladed Gurkha knife we had bought in Nepal. He would swiftly demolish the box with a few blows of the knife. Often the toughs would admire the villainous-looking weapon and he would let them handle it and feel the blade. At other times they evidently decided he looked a little peculiar and discretion was the better part of valor. In any case, they always took the hint and moved the party to another stoop.

But it was the children who really introduced us to our neighborhood. I had optimistically planted small fir trees and ivy in the brick boxes we built in our basement areaway. A scrawny six-year-old named Carlos promptly invented a group game that might have been called Strip the Firs or Yank the Ivy. One day I asked Carlos if he would like the job of watering the boxes for 25 cents a week. His duties would include protecting the plants. Carlos was delighted. The watering can became his personal status symbol. Throughout the summer the trees and ivy flourished, well-watered and unmolested. One day as I stood at the open window I saw Carlos passing with a small friend. He indicated our two brick flower boxes and remarked nonchalantly, "I'm the gardener at that place."

Carlos is the leader of the street's youngest Puerto Rican constituency. José is the leader of the preteens. It was he who organized a crew of boys to lift up a Volkswagen and set it down in the center of the street, blocking all traffic. It was he who conceived the idea of tying a rope between car doors on opposite sides of the street at night. It was he who specialized in opening the water hydrant and placing empty beer cans on the forceful jets of water, which turned the cans into midget missiles shooting across the street.

At our first meeting José eyed my husband suspiciously and, perhaps thinking of that Gurkha knife, asked whether he would kill anyone who came into our house. Bill replied that he certainly wouldn't like to.

José came around often after that. When I answered the doorbell he would inform me that he wanted to see "the man"; he had "some things to talk over." But when Bill came down, José would merely request a Coke or some candy. One evening, however, he blurted out, "Mister, you want to make a lot of money? Turn your basement into a center. Some place we can play dominoes and chess in the day and have dances Saturday night. You could charge each kid a quarter a week. You'd make plenty money."

José and his friends were too young to join the street gang. Nor did they have any ambition to join the group known as the Young Kings. They merely wanted a place on the block where they could relax and be safe. A place where they could go without having to face a fight.

Didn't the schools and churches in the area have recreational programs? we asked. They did. But José informed us that they needed a place on their own block, for each street had its own gang, and if he and his friends walked through another block at night, they invariably would be set upon on the way home.

We told José that it would not be practical to use our basement as a center. But we found a woman on the street who was willing—for a three-dollar fee—to supply a room for a Saturday-night party. Bill and José then visited several neighborhood merchants, and José was amazed to discover that they were willing to supply free Cokes and cookies for the affair. The owner of the corner bar offered free ice cubes and paper cups.

Bill then pointed out that since he was paying the three-dollar "rent," he should have the privilege of inviting anyone he wished. José agreed. And Bill invited Clarence Jones, the 12-year-old leader of the Negro preteens on the block. Clarence invited ten of his friends.

The party, with dancing courtesy of our portable phonograph, was a great success. It was the first "interracial party" given on the street. Others followed every Saturday night.

Shortly after this we introduced José and Clarence to Fred Johnson, a social worker from the Goddard-Riverside Community Center. And with his help the nearby Columbia Grammar School pool was opened for Saturday-morning swimming sessions for the children on our block.

When the race riot exploded in early August, not one of the children or Young King teen-agers on our block was involved.

But after the riot they *were* involved. After the riot the Police Athletic League, the Youth Board and other city and civic groups suddenly took cognizance of the fact that our block was a street in trouble. They organized a bus to take Puerto Rican and Negro families on free picnics to a lake about two hours from New York City.

The adults refused to participate. Hatred swept high after the riot. A dozen policemen of a specially trained Tactical Patrol Force patrolled the block night and day; but it was claimed on the street that people were biding their time and marshaling their forces, that the "race war" between Negroes and Puerto Ricans would be continued as soon as the police guard was relaxed. In the meantime they certainly did not plan to go on any picnic together!

The lakeside bus trip plan undoubtedly would have fallen through if it had not been for the kids. Fred Johnson was to lead the trips. He had already won the children's confidence at the Saturday-morning swim sessions. Since no child was allowed on the bus without an adult, the kids proved a persuasive force against the skepticism and cynicism of their parents.

It was not always an easy job. Five-year-old Luis tried in vain to persuade his mother to come. Since he has no father, I finally suggested he try his grandmother, on Ninety-first Street. That evening he rang our doorbell, very downcast. "She won't come either." Then he shrugged with weary sophistication. "You know these Puerto Rican women! You can't get them outa the house." So Fred Johnson became Luis' adult for the day.

Gradually, almost shamefacedly, the Puerto Rican and Negro adults began signing up for the outings. The picnics were held every two weeks and continued through the rest of the summer. It was a simple remedial measure, but it had a tremendous impact. As young Clarence Jones put it: "Before the riot there was no good understanding between the grownups on the block. They had no activities that anybody got to meet anybody. So everything stayed bad. But after the picnics at the lake there was a lot of good understanding. Now things are better than before the riot. Things are better than they ever been on this street."

Things had got better in other respects as well. Soon after we moved into our house we learned there was a block association, which had been trying to cope with some of the neighborhood problems. We joined. A year later Bill was made president. The association set up committees to work out a liaison with the police, the Youth Board, the departments of Health and Sanitation. But whenever possible, before calling in the "officials," we tried to work out the problem with the people concerned.

The overcrowded rooming house next to our brownstone was, for example, one of the worst offenders as far as garbage disposal was concerned. One day, after supplying myself with candy, I strolled past the house and waved as usual to the superintendent's two small children, who were not allowed to play in the street but watched eternally from their ground-floor window. I held up the candy. The faces disappeared, to be replaced by that of the super. He invited me in.

I entered the shabbily furnished, yet tidy, one-room home. The children were shy, but their mother flashed a smile and got up from a chair where she had been sitting, wrapped in a blanket against the drafts. Several men playing cards at the family dining table looked up inquiringly.

I gave the children the candy, admired the bundled-up newborn baby and then, hesitantly, broached my subject to the super. There had been complaints to the block association, I said, about garbage thrown from the windows of his building. Garbage means mice, rats, germs, which could mean sickness for any of us. I suggested that if he, with his authority as super, would have a word with his tenants, the problem could easily be solved.

The visiting card players, I learned later, were among the worst offenders. Yet they declared emphatically that only the worst pigs would throw slops out the window. They offered to help the super spread the word that henceforth any tenant would be thrown out if he did not dispose of his garbage in a manner more traditional to city living. Within a few weeks no more garbage was being thrown from the windows of that house.

This incident illustrated a principle that proved itself over and over. Almost everyone on the block responded to politeness—the same social amenities and subtle manner of suggestion you would use in making a fairly embarrassing request of a friend or business associate.

We were also able to make some impact upon other problems. The radio blarers were persuaded that they could enjoy their programs equally well if the radios were kept indoors and played at normal sound levels. And teen-agers were discouraged from using the roofs as hide-aways, playgrounds and battlefields. (The police took a firm hand in this matter after the dead body of a young man was found on a rooftop on Ninetieth Street. He had been shot.)

Two years went by. Our street had become a quieter, more peaceful block. But whatever minor successes we may have had were merely a holding operation, we felt, until that long-awaited day when the West Side Urban Renewal Plan went into operation.

The plans, we were constantly being told, were at last being completed. Then there were more meetings. More discussions. More resolutions. More procrastination.

I remember a conversation I had one evening with Clarence's mother. She is bringing up three boys—on a relief check. "This urban plan is the only chance I see for my family to live in a decent place. Last night my Donald is sitting on the stoop minding his own business. Ten years old. And some bum comes up and propositions him to start selling dope to the other kids at school. I'm hoping for this urban plan. But I don't know if it will ever come off. Once you get people profiting out of the misery, they fight hard to keep what they got. The politicians are half the trouble. That's why Harlem'll never change. It suits too many politicians and crooked landlords."

Her words, as it turned out, held bitter truth.

Slumlords had a fine money-making situation in the side-street rooming houses. Under the present system, taxes fall as the building deteriorates; yet the slumlord's profits continue despite the state of deterioration. In fact, with the population explosion, the housing shortage and the flow of Puerto Ricans and Southern Negroes into the city, the profits in slums had boomed. Many landlords in this 20-block area were charging more per square foot of slum space than Park Avenue millionaires were paying in Manhattan's highest-rent luxury apartments. But if the plan passed, no overcrowded, run-down rooming houses would be allowed in the 20 blocks. Landlords who refused to comply with the new, stringent rezoning and rehabilitation regulations would be required to sell their rooming houses to the city or to private individuals or builders who would renovate the houses in accordance with the plan. If a landlord refused to sell, the city would condemn his building and take it over.

The majority of slumlords, needless to say, were against the plan. So were a few would-be neighborhood politicians, whose motives we thought less than pure. They were not politicians in power, but their only *hope* for power lay in the perpetuation of the low-income, minority-group constituency of the side streets. Quietly they formed a spate of organizations, often consisting of little more than a letterhead; and they passed resolution after resolution that if adopted by the city's Housing and Redevelopment Board, would have wrecked the plan.

But there were also many responsible individuals and neighborhood institutions—churches, social agencies, minority organizations—who had serious reservations about the plan. They argued that since the population of the 20 blocks was preponderantly poor, the number of low-income apartments planned for the area should be proportionately high. These groups had already achieved a 150 per cent increase over the admittedly low 400 low-income units originally planned.

Now some of these organizations proposed that the number of low-income apartments be increased still further to 2,500, with more extreme groups asking for 5,000 to 6,000. At first glance this last figure seemed fair, since of the 6,300 tenants in the area who would have to be relocated, about 4,700 were low-income. But although the plan did attempt to provide for the improvement of every family's housing conditions, its point and purpose was not to rehouse within the 20 blocks all its present residents. To do this would only serve to create another concentration of standardized, low-income public-housing projects.

New York's newly appointed (and first) Commissioner of Relocation, a brilliant 33-year-old Puerto Rican, Herman Badillo, expressed it succinctly: "We are building a neighborhood that is going to last for at least fifty years. A preponderance of new low-income housing would only mean a low-income ghetto for the next fifty years. And not only housing, but also schools, public facilities and community groups would be limited almost automatically and almost entirely to Puerto Rican and Negro families. What we plan is to bring about a balanced neighborhood—for the first time in the history of New York City."

Bill and I, needless to say, agreed with Commissioner Badillo. We wanted a fair number of low-rental apartments, but not so many that they would "sink the ship." High- and middle-income families were essential not only to the idealistic and sociological aspects of the plan, but also to its financial feasibility. Of the $211,900,000 needed for the West Side Urban Renewal Plan, $27,600,000 was to be allocated by the federal, state and city governments. All the rest—$184,300,000—must come from private investors.

The new high-income rental apartments would mean full tax-paying property as far as the city was concerned. The middle-income apartments would mean partially tax-paying property. But if the proportion of low-income housing were greatly increased and thereby drove out the potential investors and builders for high- and middle-income housing, the city, we were told, might well find it economically unfeasible to proceed.

Then we learned that on the 11th of June, 1962, the final fate of the West Side Urban Renewal Plan would be decided. The plan was to come up before New York City's Board of Estimate on that date. If the board passed the plan and allocated the money needed, the renewal program would finally go into effect.

But the board could just as easily turn the plan down. The board is an elected body; it is not immune to political pressure. And at the 11th hour full-scale pressure was suddenly applied.

Sound trucks went through the 20-block area, blaring their message in Span-

Welsh "Playmate" ®

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Dr Scholl's Zino-pads

NEW YORK CITY HO

SUMMARY OF PR

PROJECT DATA	IN FULL OPERATION	UNDER CO AND/ PARTIAL O
NUMBER OF PROJECTS	106	
NUMBER OF BUILDINGS	1,471	
NUMBER OF APARTMENTS	119,482	20.
ESTIMATED POPULATION	471,185	75.

COMPARATIVE POPU

STATE	TOTALS
DELAWARE	446,292
VERMONT	389,881
WYOMING	330,066
NEVADA	285,278
ALASKA	226,167

HOUSING AUTHORITY

PROJECT STATISTICS

ER CONSTRUCTION AND/OR RTIAL OPERATION	IN PLANNING AND/OR PARTIALLY UNDER CONSTRUCTION	TOTALS
32	29	167
175	108	1,754
20,971	14,639	155,092
75,888	52,397	599,470

OPULATIONS (1960 CENSUS)

CITY	TOTALS
JERSEY CITY, N.J.	276,101
COLUMBUS, OHIO	471,316
LOUISVILLE, KY.	390,639
PHOENIX, ARIZ.	439,170

12-63

AGENCIES PROVI
IN PREPARATION OF "PLAN & PR

NEW YORK CITY HO

BOROUGH PRESIDENT

Makes recommendations in the interest of the people of his borough based on advise of Community Planning Boards.

•

Topo Bureau re street openings & closings, street widenings and fixing of legal grades, preparation of map changes.

DEPARTMENT OF REAL ESTATE

Sale of City-owned property to Authority for housing purposes

•

Lease of project space to other City agencies, such as Board of Ed. Dept. of Health.

CITY PLANNING COMMISSION

Office of technical controls, re-mapping and zoning, public improvements.

•

Office of Master Planning, co ordination of applications to C.P.C. for necessary zoning, exceptions and changes to Zoning Resolution.

•

Community Renewal Program, coordination of efforts to obtain community approval of proposed developments.

DEPARTMENT OF TRAFFIC

Propose changes in street system as to effect on traffic.

DEPART
OF HIGH

Street syste
closings, widths
Paving and
stree

DEPARTMENT

Health centers
in housing

DEPARTMENT

Staffing and fund
centers, aged cen
projects.

CITY PLANNING

Public Hearing; appr

BOARD OF E

Public Hearing; app

OVIDING ASSISTANCE
, PROJECT" FOR PUBLIC HOUSING

TY HOUSING AUTHORITY

DEPARTMENT OF HIGHWAYS

reet system, openings,
s, widths and legal grades.
ving and grading of
streets.

DEPARTMENT OF PUBLIC WORKS

Adequacy of sewers, discontinuance, re-routing of sewer lines.

DEPARTMENT OF WATER SUPPLY, GAS AND ELECTRICITY

Adequacy of water mains. Discontinuance, re-routing of mains.

HOUSING & REDEVELOPMENT BOARD

Neighborhood Conservation Program; Area Service Program; coordination of efforts to obtain community approval of proposed development.

ARTMENT OF HEALTH

lth centers and clinics
n housing projects.

DEPARTMENT OF PARKS

Operation of parks & playgrounds in housing projects.

RTMENT OF WELFARE

g and funding of childrens
, aged centers in housing
ts.

BOARD OF EDUCATION

Adequacy of existing and planned school facilities. Lease of space in housing projects to Board for school purposes.

BUDGET DIRECTOR

Approval of public improvements, community facilities in housing projects requiring City staff and/or funds.

LANNING COMMISSION

ring; approval of "Plan & Project"

ARD OF ESTIMATE

ring; approval of "Plan & Project

12-63

file

EMERGENCY COMMITTEE for MORE LOW-RENT HOUSING
organized by
Citizens' Housing and Planning Council of New York, Inc.

20 WEST 40th STREET New York, N.Y. 10018
LOngacre 3-5990

Executive Director
Eleanor Vaughan

Chairman
Paul T. O'Keefe

January 2, 1964

STATEMENT ON THE STATUS OF THE STATE LOW-RENT DEVELOPMENT PROGRAM

The current rent strikes in Harlem give the concomitant slow-down in the State-subsidized low-rent housing program the most serious ethical, social and political ramifications.

As the NEW YORK TIMES put it editorially on December 27:

> While Building Code enforcement is a must, the supply of new housing must be increased to replace the tenements .. A continuance of Federal and state support is necessary if the rookeries - and threatened rent strikes are to be abolished.

It is in the light of the overwhelming and growing need to build as much additional low-rent housing as quickly as possible that the ECMLRH has arranged the meeting with State Commissioner James Wm. Gaynor on Monday, January 13th. We have informed Mr. Gaynor that at this meeting we shall not be concerned with the status of particular projects in the so-called "administrative pipeline". Our interest will center on whatever policies have resulted in a situation where the New York City Housing Authority has received no State funds to develop housing so far this fiscal year and only a minuscule amount in the three previous years of his administration.

Through your participation as an enlightened and concerned citizen, we seek to find out specifically from Mr. Gaynor:

1. What he has done with the funds voted by the people of New York State to build new low-rent housing and to rehabilitate old tenements into livable shape.

2. Whether he expects to release any loan funds to New York City before the close of this fiscal year

(i.e., before March 31, 1964).

3. What he is going to do during the coming fiscal year to expend already available low-rent housing funds.

4. As the State's most knowing and most responsible housing official, what future low-rent housing policy and financing source does he plan to recommend to his executive officer, Governor Nelson A. Rockefeller. Does he, for example, expect to recommend new bond and subsidy issues in 1964 to continue and expand the conventional low-rent program or will he confine his recommendations to substitute, untried methods for meeting the housing needs of the City's low-income people.

5. Whether he will consider the State low-rent housing program as an essential housing resource to permit urban renewal to go ahead and therefore release funds for housing projects located outside of designated urban renewal areas.

Because the administrative and financing procedures governing low-rent housing are highly-complex matters, subject to statistical manipulation and administrative maneuver, the following background information has been assembled for your review prior to the meeting with Mr. Gaynor. The source of most of the information is the New York City Housing Authority.

1. The following are the procedural steps under which the State Housing Commissioner grants low-rent development funds to New York City:

   a. The New York City Housing Authority selects a tentative site for a low-rent project and applies to the State Housing Commissioner for permission to study the suitability of that site. The Authority may not incur any site study and planning expenses until such permission has been obtained.

   b. The State Commissioner approves the Authority's request to study a tentative site.

   c. The Authority makes the site study, formally recommends a project to the State Commissioner on that site, and requests financial assistance for its development. The application for loan funds at this stage includes details as to number of units, amenities, cost estimates, estimated budget, school facilities, tenant relocation facilities, etc.

d. The State approves or disapproves the application for financial assistance.

e. If the State approves, the State and the Authority sign a loan and subsidy contract.

In addition to the above procedural steps related to the State, there are of course concurrent procedures related to the City - such as City Planning Commission and Board of Estimate approvals.

2. At the time Mr. Gaynor assumed office (January 1, 1959), he had available $75 million in fresh loan funds voted in the election the previous November, plus whatever relatively small amounts remained from previous bond issues.
Today, according to Mr. Gaynor's own statement to the ECMLRH, approximately $66 million low-rent housing funds remain uncommitted.

3. There are no legal restrictions on the amount of loan funds out of the total available which the State Commissioner may release in any one year. However, loan funds are tied to subsidy funds. By law, the State can increase the amount it spends to subsidized low-rent housing by no more than $2.5 million in any given year.

The loan-subsidy tie-in means that the State can effectively lend a maximum of about $55 million of available low-rent housing money in any single year. At current land acquisition and construction costs, $55 million is enough to develop about 3000 apartments.

4. When Mr. Gaynor became Commissioner, applications by the New York City Housing Authority for about $30 million were on his desk. These applications had been processed and developed by his predecessor. Mr. Gaynor signed contracts within three months to commit these funds.

After the initial approvals, however, Mr. Gaynor has entered into loan and subsidy contracts with the New York City Housing Authority for a total of only $8 million worth of development funds for new low-rent projects. The breakdown is as follows by years and number of units:

Fiscal Year Ending	Number of Units
3/31/60	75
3/31/61	130
3/31/62	222
3/31/63	0
Total	427

The total of 427 units approved for development over a four-year period contrasts with the release of loan funds to New York City by Mr. Gaynor's predecessor at an average annual rate large enough to develop 2,500 apartments. Had the rate been continued by Mr. Gaynor, all available loan funds would have been committed by early 1962, and a bond issue to refill the emptied public housing coffers would have been required in the November, 1962, elections.

5. Mr. Gaynor claims that he has released or, in the near future, plans to release some $84 million in loan funds to the City - or more than the $75 million authorized for the entire State in the 1958 election. For example, in a letter to the WORLD TELEGRAM, dated November 6, 1963, Mr. Gaynor wrote: "The New York City Housing Authority will have received (during his administration) over $84 million in development funds" by the end of the current fiscal year. He also stated in the same letter, "This year the Housing Authority's requirements for new projects and additional funds will total $39,420,000."

The New York City Housing Authority cannot interpret either the $84 million or the $39 million figure. Its records show receipt of commitments for the following loan funds since 1959:

Date	Amount (in millions)
Jan. - March 1959 (as above)	$30.0
Dec., 1960 (Douglass Addition)	2.8
March, 1962 (Bronx River Addition)	3.3
Various amendments to previous contracts	7.9
Contracts to be amended	3.3
Total	$47.3

Since Mr. Gaynor uses the words, "will have", in describing the amounts to be committed to the Authority by the end of this fiscal year, presumably the $39 million figure represented loan applications he expected to approve between November 6, 1963, and March 31, 1964.

However, the most recent communications from Mr. Gaynor to the Housing Authority reveal no such intention.

His letter to Commissioner William Reid of December 16, 1963, states that he is reserving an aggregate of about $25.7 million (not $39 million) to develop three projects for which the Authority had been seeking funds. However, the conditions attached to his tentative, conditional reservation are such that the Authority cannot possibly meet them. (These conditions will be discussed later.)

6. The Housing Authority alleges that Mr. Gaynor has been deliberately husbanding low-income housing funds. However, this has been difficult to prove for several reasons:

a. Mr. Gaynor, rather than rejecting loan applications outright and in formal, official fashion, has followed the administrative practice of "deferring," "holding," or giving "conditional approval" to the Authority's requests.

Incidentally, this was the same administrative practice followed by the federal Public Housing Administration with respect to the federal low-rent program during the period of the Eisenhower administration in Washington, to wit: The federal Housing Act of 1949 provided enough funds to develop some 812,000 low-rent units, nation-wide. It was the intent of the Act's bi-partisan sponsors that those funds would be used up within four or five years. However, more than 10 years later, when the present PHA Commissioner Marie McGuire took office, funds to support 100,000 units of the original 812,000 remained unexpended. Responding to the directive of Congress in the 1961 Housing Act, Mrs. McGuire took immediate steps to approve applications being held in abeyance and to encourage local housing authorities to submit new applications. The result is that the old 1949 housing funds have finally now been virtually all used up, and to keep the federal building program going, Congress must in 1964 authorize additional funds.

b. The Housing Authority, having been informally apprized of Mr. Gaynor's generally negative attitude toward the conventional low-rent program, has not been submitting the number of loan applications it might otherwise have. This makes the difference between projects applied for and projects approved seem relatively small. In other words, whatever "administrative pipeline" figure is under discussion at any given time is not necessarily viable, in terms of the Housing Authority's assessment of the low-rent housing need and its ability to plan and execute projects. The Authority argues that it has exercised self-disipline in the demands it has made upon the State Division because it has not wished to incur the administrative expenses involved in preliminary site selection studies and applications for loans or to arouse the hope of the people that housing would be built when it was reasonably certain that the State would find some excuse for "deferring" or "rejecting" its application.

Therefore, at this point, the "administrative pipeline" contains only about 2645 units. These represent the units awaiting final State approval or disapproval, plus those which the Authority considers were rejected for specious reasons and which it expects to continue to go after. Still outside the official pipeline is at least one project which has already received City Planning Commission and Board of Estimate approval and "any number of good sites" which the Authority contends it would put into the pipeline were there any possibility of obtaining State approval. These withheld sites, "mostly in ethnically-mixed neighborhoods", represent in toto about 10,000 units.

c. Many of the negotiations between the State Division and the Housing Authority with regard to loan contract approvals have been carried out in an informal manner, sometimes by the lower echelons of both institutions and sometimes through the intermediary of the New York City Housing and Redevelopment Board. Under ordinary circumstances, when both parties are working toward a common goal, much of this is normal, good administrative practice which serves to cut out the red tape of formal, protracted negotiations between agencies.

However, because the details of negotiations between the Authority and the State Division have not always been crystallized in writing, they have become matters of hearsay, rumor, and subsequent argumentation.

The reasons behind Mr. Gaynor's failure to develop and continue a maximum-sized low-rent building program for New York City can for the most part be only guessed at since at no time has he stated publically that he disapproves in principle with the program he is charged to administer.

Early in his administration, according to officials of the Housing Authority, Mr. Gaynor did make it known that he felt that New York City had been getting an unequitable share of the limited low-rent housing loan funds. This is admittedly correct, if one assumes an equal housing crisis throughout the State. Nearly all funds had indeed been coming into the City. The reason, however, was certainly not one of discrimination in favor of New York City. Getting upstate communities to use the State low-rent program has always been a problem. Those relatively few upstate cities interested in building publically-owned housing in any quantity prefer the federal program. From the point of view of the community, the latter is cheaper because it requires no matching funds. Thus, according to Housing Authority officials, Mr. Gaynor's first period in office was marked by unsuccessful efforts to get some State low-rent housing money out upstate. Meanwhile, he merely "stalled" on applications in process from the City.

Mr. Gaynor has, however, recently put into writing a definite policy, the results of which will be, according to Housing Authority officials, effectively to end the State program. His letter to New York City Housing Commissioner William Reid, dated December 16, 1963, in which he states he is reserving some $25.8 million for four New York City projects, states:

> ...we believe it is poor policy to finance slum clearance with housing dollars requiring 50 year loan and subsidies when capital grant financing is available for that purpose and is far less costly to the taxpayer...

Spelling out the above, Mr. Gaynor indicates he will grant State funds only to those low-rent projects located in urban renewal areas, where they are eligible for land write-downs, and even in those areas will hold State approval until precise land write-downs for particular parcels of land have been established. He also conditions his approval upon the charging of all relocation and demolition costs against urban renewal (i.e., federal funds) instead of against housing (i.e., State funds), and upon the Authority's ability to meet certain deadlines in meeting the above conditions.

Mr. Gaynor's position seems to us to be completely untenable:

If Title I urban renewal is to be a viable instrument, there must be a housing resource for the displaced low-income families moved out of urban renewal areas. It is one function of the low-rent housing program to provide the housing into which to move those families. Some of it therefore must be placed outside of designated urban renewal areas, available for occupation before urban renewal clearance begins.

So far as long-range public housing policy is concerned, the charging of certain costs to the housing or the urban renewal dollar is a procedural and bookkeeping matter. Taxpayers pay the money in the end whether it goes out in the form of land write-downs or is financed as part of housing development costs. It would probably be preferable if public housing financing could enjoy the land write-down benefits similar to those enjoyed by Title I urban renewal, but this would require changes in the present statutes.

The condition that precise land write-downs be obtained prior to the execution of a loan contract for a given project is impossible. Experience with the West Side Urban Renewal project shows that it takes five or six years for a project to reach this stage; even so, the City does not yet have the West Side land write-downs parcel by parcel.

Charging the costs of demolition and relocation for a State housing project against the federal urban renewal program may or may not even be legally possible. This condition is now being examined by the federal urban renewal administration in Washington.

by
Eleanor Vaughan

New York City Housing Authority Informational Literature

Mayor's Housing Conference

January 6, 1964

1. Blue Book - Project Statistics
2. 1963 Guide to Housing Developments
3. Chart #1
   Summary of Project Statistics and Comparative Populations
4. Chart #2
   New York City Agencies Involved in Housing and Planning
5. Chart #3
   Public Housing
6. Chart #4
   Publicly Assisted Private Housing
7. Chart #5
   Agencies Providing Assistance in Preparation of
   "Plan" and "Project" for Public Housing
8. Chart #6
   Interdepartmental Committees Concerned with Public Housing
9. NYCHA Annual Report - 1962

FOR RELEASE A.M. PAPERS
MONDAY, JANUARY 6, 1964

CITY OF NEW YORK
OFFICE OF THE MAYOR

Mayor Robert F. Wagner today made the following statement:

"Access to decent housing is a right which belongs to all. Slums and slum conditions constitute a shame and a reproach, not just to our City but to our country and sense of humanity.

The eradication of slums and slum conditions is a constant and urgent challenge. We need to make continuous and ever-increasing progress on this front, using every possible device within the power of government and the community. But no waving of a magic wand will do it. No one formula, program, law or approach will accomplish it.

The fact is that slum conditions vary widely in their origin and in their manifestations. In some cases the slumlord is chiefly at fault, exploiting human misery for squalid profit. In other cases, the landlord is only marking time until he can sell his property, or get rid of it -- and the responsibility for it. Frequently, such landlords make themselves hard to find, to escape process servers, or tenants demanding heat or light or plumbing repairs. In still other cases, some of these slum conditions are the fault of some tenants or neighborhood vandalism.

Basically, the problem embraces over 43,000 old-law tenements, built prior to 1900 and many other old buildings housing over a million people. And the people are poor -- the poorest in our City. The sad fact is that there isn't enough decent housing for our poor people at rents they can afford. Many impoverished families have come to our City in recent years. And all our housing has gotten older. We have made headway by a vast amount of new construction and rehabilitation. There has been a net increase of approximately 300,000 new units and approximately 50,000 housing units have been rehabilitated within the last 10 years. But the old housing has gotten steadily worse. Landlord neglect has made much of it squalid slums.

Most of these buildings should and must come down eventually. They must be replaced by decent housing at rentals that the present inhabitants can afford. Moreover, when these buildings come down, the present inhabitants must have decent housing to which to move. Today such housing is not available, despite the 61,000 units of low-income housing we have built in the last ten years. While we are moving ahead with new construction and urban renewal, minimal conditions of decency in these present buildings must be induced and enforced as long as people must occupy them. This is a matter of the highest urgency.

This is the background against which we have been working to encourage and force landlords to remedy violations and slum conditions in this over-age, obsolescent, deteriorated housing. We have been working at it diligently. We have been making progress. We must make much more.

On June 7th of last year, I set in motion an intensified attack on slum conditions. As the year-end approached, I directed the Housing Executive Committee to conduct a thorough review of the progress made to date as a result of the programs promulgated on June 7th, and to present for my consideration a range of "next steps" which might be taken.

The review was made. We have used these months to sort out and try out these aggressive techniques, in accordance with my June 7th directive: (1) cyclical inspections, (2) the new Receivership Law, (3) the Spiegel Law in welfare cases, (4) rent reductions as a means of inducing the removal of code violations, and (5) Vacate Orders in the case of buildings with conditions so far deteriorated as to constitute not shelter but a menace to health and life.

The cyclical inspections are cellar-to-roof, room-by-room and block-by-block inspections in deteriorating areas, carried out by the Buildings Department on a periodic basis without waiting for complaints.

The new Receivership Law gives us the authority, for which we fought in the State Legislature for four long years, to apply to the courts for the right to step in and restore acceptable standards of health and decency in buildings in which landlord neglect has allowed conditions to deteriorate beyond the point of livability. Under court order, the City then has the right to collect the rents, from which the City 's expenses in making the repairs are to be met.

The Spiegel Act, another law which the State Legislature enacted recently upon the strong recommendation of the City Administration, authorizes the Welfare Department to withhold payment of rents in accommodations housing Welfare clients, when those accommodations are hazardous to life or health.

These weapons have proved themselves to be highly potent. Each of these weapons has been shown to be suited to a particular circumstance, and effective to a substantial degree.

It is incontrovertible that we have made much progress with these and other devices.

Cyclical inspections have taken place in five areas -- Harlem, East Harlem, Bedford-Stuyvesant, South Bronx and Jamaica. A total of 6,829 buildings and over 40,000 apartments have been inspected. Over 74,000 violations have been filed; 1,250 buildings have been referred for court action; and 550 buildings have been referred for rent reductions.

Under the new Receivership Law, over 260 buildings have been reviewed for receivership. The Commissioner of Real Estate has been appointed receiver for 13 of those buildings, and we have secured full compliance in 36. The remaining buildings are in various stages of compliance or processing.

The Spiegel Act has been invoked by the Commissioner of Welfare in over 4,000 cases since its enactment.

The Buildings Department in 1963, has referred over 1,500 buildings containing 22,000 apartments to the Rent and Rehabilitation Administration for rent reductions. In more than 65% of these apartments, code compliance was achieved.

The Department of Relocation has received vacate orders for 64 buildings declared hazardous and has relocated over 342 families. These buildings have been boarded up by the Department of Real Estate.

Along with the review of recent achievements, the Housing Executive Committee prepared and presented for my consideration a range of plans, programs and forward steps. I have been studying these over the past several weeks, and holding the necessary consultations with the Budget Director, the Corporation Counsel and housing and related agencies.

I can today announce the first of the steps to be taken. I will have a further announcement in a few days, as soon as other of the plans and proposals have been finally checked out.

In general, we must step up the pocketbook attack on the slumlord. But the time has also come for the punitive approach to be intensified. I mean code enforcement through stepped-up court prosecution of violations.

To this end, I have directed the following steps:

1. I will seek the cooperation of the senior administrative judges of our courts to secure the establishment of special housing courts in the Bronx and Queens, similar to those in Manhattan and Brooklyn, to handle housing and health violations. I will ask them also to help establish standards of stiffer penalties, including jail sentences, for acts tantamount, in my judgement, to criminal neglect.

- more -

2. The Law Department will step up the pressure for maximum justifiable fines, and where warranted, jail sentences in the case of violations affecting safety or health. The Law Department is also prepared to handle and press an expanded number of receivership proceedings as the properties are processed by the Buildings Department and the Real Estate Department.

3. I will press for action by the State Legislature, as I have for the past five years, to establish minimum fines and jail terms for such housing violations.

4. During the past six months we have substantially increased the inspectional force of the Buildings Department, in order to make possible cyclical inspections and more effective enforcement of the housing laws. I have just authorized the immediate expansion of the inspectional force of the Buildings Department by 35 men.

5. As a result of the great expansion of inspections by the Buildings Department, a bottleneck has developed in the Department's electronic processing system which handles violations; I am authorizing the expansion of the electronic processing staff so that the present interval between the reporting of a violation, its inspection and its recording by the electronic processing equipment and the dispatch of a notice of violation to the owner, will be a matter of days instead, as at present, of weeks. The speed-up of processing will accelerate the repair of slum conditions.

6. I have also authorized increased personnel for the Receivership Section of the Real Estate Department, which, with the staff expansion in the Buildings Department, and with the emphasis on increased receivership actions in the Law Department, will enable us to double the number of receivership actions instituted and to cut down substantially the interval between the referral of a building for receivership and the time of presentation in court.

7. Although the receivership program is an excellent one, there are many cases in which it cannot be invoked. Thus, there are some slum tenements so run down and so structurally unsound, that receivership proceedings are totally inapplicable. In the case of such buildings, we will expand the use of vacate orders, under the terms of the local law passed by the City Council, upon my recommendation, earlier this year. Thus, the Building Department would order the vacating of this type of building and, if the owners desire to rent the apartments again they must, in addition to remedying the violations, reimburse

the City for relocation costs; the relocated tenants will continue to have the prior right of return to these buildings after the buildings have been restored to safe and livable condition.

8. Even the combination of all the measures referred to above will not meet every slum situation. There will be cases where certain essential services are so lacking as to constitute a major threat to the public health; for example, where no heat and hot water are being furnished, where sewage has backed up into the basement, where there is no electricity because the landlord has failed to pay the electric light bill -- or where there are rats. In all such cases, a device must be provided to insure the safety and health of the tenants....yet one that will not require the City to pay for housing services to some of its citizens merely because the landlord has failed or is failing to provide them. Consequently, I have directed the preparation of legislation to be submitted to the State Legislature to provide that where the Commissioner of Health certifies that a condition exists which is a serious danger to public health and where a majority of tenants agree to pay their rents into a fund to be used for the correction of these conditions, the tenants be legally authorized to deposit their rents for this purpose; the Real Estate Department would furnish these absolutely necessary services and the City would be recompensed from this fund. I hope to have this bill before the State Legislature within the next two weeks.

9. Carrying out a pledge I made in my statement on June 7th, I have had placed on the January 9th calendar of the Board of Estimate, for its consideration, a contract with Columbia University for an intensive study of all our laws and codes bearing upon housing and health, and of the structure of all the City's departments and agencies involved in the enforcement of these laws. I have recommended that $85,000 be immediately appropriated. The object of this study is to weed out obsolete laws and to eliminate duplication or overlapping and fractionalization of inspectional and related services."

# # #

FOR IMMEDIATE RELEASE
FRIDAY, JANUARY 10, 1964

CITY OF NEW YORK
OFFICE OF THE MAYOR

Another phase of the multi-pronged attack on slum conditions in New York City was disclosed by Mayor Wagner today in unfolding an unprecedented extermination drive against rats in those deteriorating neighborhoods which are now heavily infested. The City Health Department would be given the job as a health measure, of killing the rats in the infested houses in those neighborhoods at a budget cost of $1,000,000 for the first year of the program.

The rat killing program would be a direct operation of the Health Department which will be required to provide staff for the undertaking.

This project has been under study by the Housing Executive Committee in consultation with the Health Department for the past month. The Mayor has been studying it for the past week and yesterday presented its outlines to the Board of Estimate in two separate executive sessions. An appropriation by the City Council and the Board of Estimate would be required to launch the program.

The Mayor explained that the undertaking initially would cover approximately 6,000 buildings, housing approximately 100,000 families. These are in the slum neighborhoods. The Mayor stated that staff of the Area Services Program of the Housing and Redevelopment Board would be utilized in mobilizing other government agencies and the people in the neighborhood for the concerted clean-up that would be necessary in connection with the rat-baiting activities of the Health Department.

The Health Department has traditionally been responsible for rat inspection and the enforcement of the Health Code regulations against rats. Such infestation is a Code violation which the landlord is required by law to remedy. "The problem is," the Mayor explained," that in many of the slum buildings it has proved difficult to find the landlord and to force him to exterminate the rats. Consequently, the City must, for the sake of the health of the people concerned, move into the breach."

The Mayor emphasized that the present services of the Health Department with regard to the enforcement of the rat regulations in all parts of the city would be maintained and would not be affected by this special undertaking confined to the deteriorating neighborhoods. The Mayor further emphasized that he has been assured by Dr. George James, Health Commissioner, that the poison that is used in the rat extermination program is not dangerous to children or pets, being an anti-coagulant which has been tested over a long period of years.

While the necessary legislation is being drafted and under consideration by the Board of Estimate and the City Council, the Health Department has been directed by the Mayor to make the necessary plans and procedures. After the appropriation has been made, the Mayor explained, it will take a certain amount of time to hire and organize the staff.

Health Commissioner James told the Mayor that the actual rat extermination could get under way by early March.

It is expected that the cost of this undertaking can be shared with the State Government under the arrangement whereby health undertakings are reimbursed by the State on a 50/50 basis.

"We are trying a radically new approach to meet an old problem. We have no Pied Piper to whistle a magic tune to lure all the rats out of New York. However, we are going to do our best, even at great cost, to diminish the ugly menace of rats in the neighborhoods which they infest most heavily and do the most harm," the Mayor said.

- more -

"This is not a free service for slumlords," Dr. George James, Health Commissioner whose Department will administer the program declared. "When we are forced to do actual rat extermination work in a building the owner will be charged with the cost of that work. And, of course, we will prosecute the owner of every building where we are forced to take action for the protection of the tenants."

Dr. George James said that the actual work of killing rats will begin early in March. He explained that time is needed to recruit and train the staff of 145 persons who will make up the new rat control unit within the Health Department and to purchase and get delivery on equipment and supplies.

The first attack, Dr. James said, will be directed at some 6,000 buildings housing approximately 100,000 families where the Health Department has been unable to find a responsible landlord, or owner, or has been unable to get effective clean-up action, including rat extermination. He explained further that despite the fact that the Health Department has taken many landlords into court, prosecuted them and even gotten fines levied, some slumlords still persist in neglecting their buildings.

Actual rat extermination will be carried on by 124 men divided into 20 teams of six persons working under four top supervisors. Each six man team will consist of five exterminators and one health inspector.

Before the exterminators go into a rat infested building, inspectors will have checked the building from cellar to roof and located rat holes and rat runs. Then exterminators will go into the building and place poisoned rat bait at strategic locations. The rat poison used will be an "anti-coagulant" which is deadly to rats, but which involves no danger to humans or pets when properly used. This anti-coagulant rat poison, which is put out under several trade names, is mixed with a corn meal bait. When rats eat the poisoned rat bait, they die from internal hemmorhages.

Experts on rat extermination, including those from the United States Public Health Service, the United States Fish and Wild Life Service, the Federal Department of Agriculture and others, consider this anti-coagulant rat poison, the safest and most effective rat poison for use in residence buildings.

In general, infested buildings will require three poisoned rat bait applications in the first month and one application a month after that.

Poisoning rats alone will not get rid of them. Therefore, the rat killing drive will be coupled to a clean-up campaign. Tenant cooperation will be as vital a part of this clean-up program as the spreading of rat poison.

Tenant education will be carried on by a small community organizing staff. These community workers will establish contact with the tenants of each building, will enlist the help of neighborhood and community groups and organizations and stage community meetings. While educational efforts will be concentrated on the tenants and buildings where the Department will be doing the actual rat poisoning, the efforts will not be confined to the tenants of such buildings. These educational programs will be block-wide and reach all the families in the community. In both the rat poisoning and educational phases of the program, the Health Department will work closely with the Department of Sanitation, the Welfare Department and the Board of Education and other City agencies. The Fire Department has already pointed out to Dr. James that killing rats will reduce the number of fires that occur because many fires are caused by rats.

# # #

For Immediate Release
Wednesday, January 22, 1964

At least 416,000 New York City households are using 30 percent or more of their incomes to pay rent to their landlords. The removal or weakening of rent controls would be a disaster for them and a burden for all but a small minority of the City's families. Loopholes in the present rent regulations are working hardships on a large percentage of low and middle income families. The housing situation in New York demands that lease increases be sharply controlled and some rents rolled back - by city takeover of property if necessary. More low-rent housing must be built. These are the conclusions of a detailed analysis of census data on rents, incomes and housing prepared by Walter Thabit, a city planner, for Organized Tenants, Inc., Congress of Racial Equality, Metropolitan Committee on Planning, and The Committee for the Preservation of Rent Control, and other tenant groups.

The vacancy rates do not show any evidence of what landlords claim to be the end of the housing emergency. Low vacancy rates, the legal basis for continuing control, are found for every type of apartment at every rent level; and the lowest rates, or the least apartments available, occur in the lowest rental categories.

The squeeze on tenants in low-income and minority groups is shown statistically to be especially severe. The proportion of whites protected by rent control is 76 percent while only 69 percent of non-whites live in controlled apartments. Rent control coverage declined from 94 percent of all renters in 1950 to 75 percent of all renters in 1960.

In controlled housing, 26.4 percent of all Negroes pay more than 35 percent of their incomes for rent as compared with 15.6 percent for whites and 20 percent for Puerto Ricans. In uncontrolled housing, 43 percent of Puerto Ricans, 32.7 percent of Negroes and 18.4 percent of whites pay more than 35 percent. In Single Room Occupancies (SRO) Puerto Ricans are even more disadvantaged; 49 percent pay more than 35 percent, as do 34.7 percent of Negroes and 29.6 percent of whites.

Sixty percent of SRO renters are found to be paying more in excess of rents legally registered. Analysis of the vacancies that do exist shows that the kind of housing tenants need at rents they can afford is simply not available.

Despite control, median rent in the city has increased substantially since 1950 through provision in the law permitting raises and through illegal overcharges (in 25 percent of the apartments). While incomes rose also, almost a quarter of all households were still found to be paying over 40 percent of their income for rent in 1960. (Those members of this low-income group who live in rent controlled units pay about 33 percent of their incomes for rent.)

Rent control has held rents and the ratio of rent to income down in the City but the distribution of its effects--diagnosed in detail in the Thabit report--have been such that many, perhaps most, families paid more of their income to the landlord in 1960 than in 1950.

Large families do benefit from rent control. Forty-six percent of families of four or more pay less than 15 percent of income for rent under controls compared with 25.8 percent not controlled. By contrast

8.7 percent in controlled, 16.7 percent in uncontrolled and 59.5 percent in SRO's pay more than 35 percent of income for rent. Families of 6 or more are somewhat less protected than families of four or more.

Vacant apartments are found in large numbers only in one or two room units (in Manhattan 56 percent of the vacancies have no bedrooms) and at high rents. The city is losing its large apartments. Starting with 525,000 in 1940, these have declined to 473,000 in 1950 and to 449,000 units in 1960. As family size grows larger, the percentage of families occupying quarters at more than 1.01 persons per room--the legal health limit--rises astronomically. In four person families the percentage is 22.0, in five person families 53.8 percent, and in six or more person familes, the percentage hits 81.7.

The rent control law provides that if a category of housing is to be decontrolled, the required vacancy rate must be reached within the controlled segment of that category. Controlled units as a whole have the extraordinarily low rate of 0.8 percent vacant, uncontrolled units, despite overbuilding in the last two years, have a vacancy rate of 4.2 (three-quarters of which rent for more than $100 per month).

Only SRO's, the last port of call for distressed families, with units substandard by definition, and rents that are illegally high in 60 percent of the cases, have a vacancy rate above the 5 percent maximum (8.2 percent).

Heavily represented in the 416,000 households paying more than 30 percent of income for rent are aged persons, minorities, and large families. Under rent control their lot is hard enough, in uncontrolled and

SRO units, it appears to be almost impossible. These are the disadvantaged--there is still no place for them to move; they still need a decent place to live at rents they can afford.

The over-advantaged, those whom landlords claim are getting a "free ride" under rent control, are shown to constitute a small and steadily diminishing minority of tenants. The Thabit report urges landlords and tenants to unite in pressing the government for more units of low rent public housing, so that controls might work equitably for both parties in privately rented apartments.

FEB 18 1964

file

Emergency Committee for More Low-Rent Housing

organized by

CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.

Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018

LOngacre 3-5990

EXECUTIVE DIRECTOR
Jane McCarthy

CHAIRMAN
Paul T. O'Keefe

ACTION FLASH NO. 4

PUBLIC HOUSING CONSTRUCTION WILL HALT UNLESS FUNDS ARE APPROPRIATED NOW

1964

80,000 families are on the waiting list for public housing.

200,000 families in New York City cannot afford to move from their present substandard housing

February

Federal housing bills are in subcommittee

Hearings on the bills will be held this month

Expected early adjournment may sidetrack legislation

Strong citizen support for public housing must be voiced NOW if progress is to be made in clearing slum conditions. The shortage of decent low-income units must not be allowed to grow more acute.

We must demonstrate to our elected officials the wide popular support and vital need for legislation in this session. The Congress must be persuaded of the urgency of housing legislation.

WRITE

1. Letters to Senators Jacob K. Javits and Kenneth B. Keating, and to members of the House of Representatives from your district. See attached list for New York City Representatives.
2. Send copies of your letters to Sen. John Sparkman, Chairman of the Senate Subcommittee on Housing, and Rep. Albert Rains, Chairman of the House Subcommittee on Housing.
3. Take action immediately both as individuals and through your organizations.
4. We would appreciate learning what action your organization takes in this urgent crisis. If possible send us copies of letters you have written.

2/14/64

Funds for the work of the ECMLRH were made possible by the generosity of
Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps-Stokes Fund

EMERGENCY COMMITTEE FOR MORE LOW-RENT HOUSING

20 West 40th Street LO 3-5990

KEY CONGRESSMEN

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(House of Representatives, Washington 25 D.C.)

Manhattan
John V. Lindsay
Adam C. Powell, Jr.
Leonard Farbstein
William F. Ryan

Bronx
James G. Healey
Jacob H. Gilbert
Charles A. Buckley
Paul A. Fino

Queens
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Hugh L. Carey
John M. Murphy

MEMBERS OF THE HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON HOUSING, HOUSE COMMITTEE ON BANKING & CURRENCY

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Thomas L. Ashley (Ohio)
William B. Widnall (N.J.)
Robert G.Stephens,Jr.(Ga.)
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Henry B. Gonzalez (Tex.)
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MEMBERS OF THE SENATE SUBCOMMITTEE ON HOUSING, SENATE COMMITTEE ON BANKING & CURRENCY

(U.S. Senate, Washington 25, D.C.)

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Edward V. Long (Mo.)
Edmund S. Muskie (Maine)
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Paul H. Douglas (Ill.)
John G. Tower (Tex.)

Jacob K. Javits (N. Y.)

Emergency Committee for More Low-Rent Housing

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EXECUTIVE DIRECTOR
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MAR 5 1964

file

ACTION FLASH NO. 5

A bleak picture from Washington

"WHERE ARE THE FRIENDS OF PUBLIC HOUSING?"

In Washington, this question is being asked again and again.

The voices of those who support public housing must make themselves heard. All our resources must be mobilized for the low-rent housing program. The advocates of low-rent housing must energetically demonstrate the unprecedented need for decent living quarters.

Make no mistake,

The all too articulate opponents of public housing are insistent and forceful in their harangue against public housing. Edwin P. Neilan, President of the U. S. Chamber of Commerce stated in January that:

> "The corrupters (urban renewal and public housing officials) mask themselves as humanitarians and civic improvers; the truth is they are political pigs who have pushed their snouts into the public trough and are gorging themselves on human misery. . . Both urban renewal and public housing programs will outrun their authorizations this year, and the Congress will have to determine the future course of these programs during this session. Let us assist them in making a correct determination to terminate these political payoffs."

The Chamber of Commerce is confident public housing can be defeated this year. It is up to you to prove them wrong.

Every letter, telegram and telephone call will count.

Now that the Congressional hearings have been completed a barrage of favorable publicity must be directed to the members of Congress. Write now -- as individuals and through your organizations. The future of the public housing program is in your hands.

March 3, 1964.

EMERGENCY COMMITTEE FOR MORE LOW-RENT HOUSING
20 West 40 St LO 3-5990
New York, N.Y. 10018

LEGISLATIVE PROGRESS REPORT

Federal Program

House of Representatives (H.R. 9751) The Crucial Fight Will Be Here.
The subcommittee is now preparing the bill for study by the full committee. It will then be scheduled by the Rules Committee for introduction to the Floor of the House. It is estimated that 20 Republican votes will be needed for passage. At this writing we can count on only 4 Republican votes.

Expected Strategy: Rep. William B. Widnall (R., N.J.), ranking minority member of the House Subcommittee on Housing, is expected to offer a substitute bill, or a motion to recommit the Administration's bill. The Widnall bill (H.R.9771) is totally inadequate. It would, in fact, probably mean no new low-rent housing for New York City since the bill's provision for 30,000 units would limit low-income housing to the leasing of existing privately-owned housing. The vote to recommit the bill or to substitute the Widnall bill is crucial. IF SUCH A MOTION SHOULD CARRY, THE ADMINISTRATION BILL WOULD BE DEFEATED.

Senate (S.2468) Southern senators may alter their position.
The bill is now being revised in subcommittee. The leadership of the Senate will schedule its introduction to the Floor of the Senate. While passage of the housing bill is expected one imponderable is the reaction of the southern senators who have long favored progressive housing legislation. It is thought that opposition may develop from this quarter due to the integration movement.

State Program (S.3326)

A crisis of considerable importance has developed in Albany over the state housing bill. The Mitchell housing bill (S. 3326) contains two separate proposals: 1) the $165 million bond issue, and 2) authorization for subsidizing low-income families in middle-income projects.

While widespread support can be mustered for the bond issue the provision to house low-income families in middle-income projects is widely opposed and threatens to defeat the bond issue provision.

THE MOST IMPORTANT ACTION TO BE TAKEN AT THIS TIME: Write, wire and telephone your state legislators to seek separation of the bond issue and the middle-income housing provision. Speaker of the Assembly, Joseph F. Carlino and the Majority Leader of the Senate, Walter J. Mahoney must be shown overwhelming evidence of support for the bond issue.

MAR 18 1964

Jo
Send to N.Y. area
local chapters

file

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organized by

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Paul T. O'Keefe

ACTION FLASH NO. 6

March 17, 1964

CRISIS IN ALBANY

A. 5012 NEEDS HELP

Word from Albany

The Assembly housing bill (Curran A. 5012) is in serious trouble.

The housing bill has been reported out of committee and has met only lukewarm support among both Democrats and Republicans. The bill may never even be put to a vote unless we demonstrate our emphatic support.

Telegrams MUST be written

The following telegram was sent by Citizens' Housing and Planning Council to:
Hon. Anthony J. Travia, minority leader of the Assembly
Hon. Joseph Zaretzki, minority leader of the Senate
Hon. Joseph F. Carlino, speaker of the Assembly
Hon. Walter J. Mahoney, speaker of the Senate

"AM APPEALING TO YOU TO USE YOUR UTMOST STATESMANSHIP AND FORCE TO INSURE PASSAGE OF LOW RENT HOUSING BOND AUTHORIZATION APPARENTLY STALLED IN STATE ASSEMBLY (SENATE) STOP ONE HUNDRED SIXTY FIVE MILLION DOLLAR LOAN TO BE REPAID OVER LONG PERIOD OF YEARS OFFERS MINIMUM HOPE TO PEOPLE NOW SUFFERING IN HEATLESS DILAPIDATED TENEMENTS SEVENTY YEARS OLD STOP NEW YORKS EXAMPLE TO NATION OF CONCERN FOR DECENT HOMES FOR LOW INCOME FAMILIES MUST NOT BE DISSIPATED STOP CERTAIN WE CAN COUNT ON YOUR SUPPORT PASSAGE BILL A 5012 (S.3326)"

NO State [illegible] will be available for low-rent housing without this measure

We [illegible] YOU to help us win this bill for the people of New York.

[illegible]emember: 100,000 New York City families on the waiting list for public housing
350,000 dwelling units in this city were built before 1901
20% of all New York City housing is substandard.

Funds for the work of the ECMLRH were made possible by the generosity of
Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps-Stokes Fund

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file

March 26, 1964

HOUSING CLEARS ITS FIRST HURDLE

Passage of the State housing bill in the Assembly this week by a vote of 81 to 65 certainly demonstrates the influence of alert and active citizens and civic organizations. We feel sure that the flood of messages directed to the Governor and Assemblymen pleading for the bill's passage were an effective force and materially aided enactment of housing legislation.

The cooperating organizations and individuals who participated in this effort are to be congratulated for their effective and vigorous contribution.

A LONG WAY TO THE FINISH LINE

Now that the proposition has a secure spot on the November ballot we must direct our efforts to its approval by the electorate, and this approval is far from certain. Editorially, the barrage of criticism against public housing has already begun. These attacks will increase in frequency and fervor and they must not go unanswered.

The friends of public housing will have to be heard over and over again if we are to secure the housing units so desperately needed for low-income families. Those of us who understand the urgency of the housing problem must explain this need to persons who have never seen a slum or, indeed, a housing project. We hope you will continue to exert your influence in the community on behalf of the low-rent housing program. A campaign of major portions lies ahead and we will continue to need your cooperation and support.

P.S. The Speakers' Bureau of the Emergency Committee is well underway. This is a vital part of our education drive and we hope you will take advantage of the service in planning programs for your organization.

Funds for the work of the ECMLRH were made possible by the generosity of
Mrs. Robert A. Bernhard, a legacy from Loula D. Lasker, and the Phelps-Stokes Fund

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URBAN LEAGUE OF GREATER NEW YORK

CITY-WIDE HOUSING COMMITTEE
MEETING

MAR 18 1964

file

National Urban League Building
14 East 48th Street, New York City
Wednesday, ~~March 18, 1964~~ - 2:45 P.M.
FEB 19 1964

MINUTES

Sidney Rivkin, Presiding

PRESENT: Paget Alves, Edward Babb, Doris Beausoleil, Dr. Algernon Black, Michael Coffey, Elaine Dowe, Margaret Fisher, Phyllis Haber, Madrid Hamilton, Robert Jones, Laila Long, T. J. Palmer, Barbara Reach, Ralph Rosas, Laura Valdes, Preston Wilcox, James Scheuer
STAFF: Barbara Morrison, Johnny Parham, Joan Rigney, Rita Smoliens
GUESTS: Velma Banks, James Drazen, Bruce Gould, Dick Logan, Fred Rosenberg,

ACTION TAKEN:

Accepted: Report from the Public Housing subcommittee.

Statement on Rent Strike (Approved in Principle).

Report from the February 15th Conference of the Community Council on Housing.

Report on the City-Wide Housing Workshop to be held April 25th.

Agreed: That the reports of the rehabilitation subcommittees be mailed to members of the City-Wide Committee prior to consideration and action by the committee.

That a communication be sent in support of State legislation on public housing money bills; that discussion of administrative aspects of public housing legislation be postponed until the March meeting.

That a subcommittee consider the specific suggestions contained in the report of the Code Enforcement panel from the February 15th Conference of the Community Council on Housing.

That the Urban League's position on the site for the Community College in Brooklyn be in opposition to the Manhattan Beach and Stillwell Avenue sties.

That a letter of congratulations be sent to the City Commission on Human Rights for the agreement reached with the Civil Rights organizations permitting them to receive complaints for processing by the City Commission on Human Rights of discrimination in housing.

SUMMARY OF DISCUSSION:

Report on Public Housing:

Mr. Ralph Rosas presented the report of the Subcommittee on Public Housing. The report contained the suggestion that on the State level the Urban League - 1) Commend the Delaney Commission report, although viewing it as a minimum program; 2) Oppose the policy of restricted housing advocated by the State Housing Commissioner. The report regards the federal housing program as still minimal and calls attention to the slow headway being made in integration of public housing.

On "Unmet Housing Needs", the report recommends that the Urban League continue to press for solutions and that the Housing Committee explore new and additional possibilities of better meeting the low rent housing needs of New York City.

It was agreed that the section concerning the money provisions be handled immediately and discussion of administrative procedures be postponed until next meeting. It was agreed that a communication be sent from the Urban League in support of legislation on money bills.

Decontrol of $250 and over apartments:

Mr. James Scheuer reported on the decontrol bill passed by the City Council which decontrols apartments for family units under four. He suggested that the Urban League might make a nominal protest since the law does not protect one parent with two children or parents with one child. He suggested, however, that the bill does have relation to occupancy which is as good as controlling the number of rooms. It was agreed that the City-Wide Committee might more profitably address itself to other pressing housing issues.of general concern.

Report on the Housing Workshop:

The City-Wide Housing Workshop will be held on April 25th at the Ethical Culture Society, 2 West 64th Street, Mr. Rivkin reviewed the schedule of the Workshop. Committee members were asked to submit to the Urban League any mailing lists their organizations have available and suggestions for panel consultants.

Presentation of Rent Strike Statement:

A statement supporting the principal of the rent strike was submitted for adoption by the City-Wide Committee.

Mr. Logan, representing Joe Walker of Local #1199, said that the idea of the rent strike is not to withhold rent but for the tenants to express their concern through social action, and that there is nothing illegal about withholding rent, where serious violations have not been repaired.

Dr. Black emphasized the responsibility of the whole City for the enforcement of the City laws, He emphasized the point that the protest is not a small group of people fighting against rats. He suggested, and it was generally agreed, that the statement be strengthened. Dr. Black agreed to work with Miss Smollens on strengthening the statement. Mr. Bruce Gould agreed to serve as consultant on the legal aspects of rent strike.

Report on February 15th Conference Sponsored by the Community Council on Housing:

Two panels were held at the Conference - Public Housing and Code Enforcement. The goal of the sponsoring group is to spread the rent strike to include 1,000 buildings. The group plans to participate in the March on Albany on March 10th. Mr. Logan gave the report from the Code Enforcement panel. It was suggested that a subcommittee consider the specific suggestions contained in the report.

Report on Urban League Cooperation with City Commission on Human Rights

Mr. Jim Drazen reported for Jack Wood on the agreement between the Commission and ten civil rights groups. Under this agreement, the Urban League staff in Central Manhattan and Bronx, Brooklyn and Queens are permitted to receive complaints for processing by City Commission on Human Rights of discrimination in housing. It was agreed that a letter of congratulations be sent to the City Commission on taking this step.

Report on the Site for Community College:

Mr. Fred Rosenberg of the City Planning Commission outlined the advantages and disadvantages of several proposed sites for the new Kingsborough Community College. It was agreed that the Manhattan Beach site be opposed because of distance and poor transit facilities. Distance and an extra fare would inhibit Negro and Puerto Rican enrollment, especially of evening students. The community is not in need of the economic advantages the college would bring. Other sites, such as Fulton Park, would help to promote integration and upgrade the surrounding neighborhood.

It was agreed that the City-Wide Housing Committee would oppose the Manhattan Beach and the Stillwell Avenue sites at the February 27th hearing. The Brooklyn branch of the Urban League will appear at the hearing in opposition to Manhattan Beach and in favor of the Fulton Park site.

Report on Meeting with Milton Mollen:

Mr. Rivkin reported that the meeting centered around what the Urban League was doing in the area of housing and how the Housing and Redevelopment Board could help. HRB staff agreed that the Urban League would receive advance notice on middle-income housing opening up. HRB also stated that turn-over apartments were being used to promote integrated housing. HRB encouraged the Urban League to pursue; 1) establishing a housing registry of persons seeking housing, and 2) channeling volunteer support and assistance to HRB, specifically for the St. Nicholas Park area. They also discussed the establishment of local rehabilitation offices which they hope to open in the five rehabilitation areas in the near future.

Rehabilitation Reports:

A. - Report on Codes was presented by Mr. Percy Ifill, in the absence of Rev. James Gusweller.

B. - Report on Financing was presented by Mr. Robert Jones, for Mr. William Hudgins, Chairman.

C. - Report on Social Aspects, presented by Mr. Preston Wilcox, Chairman.

It was agreed that these reports be mimeographed for distribution to, and study by, the members of the City-Wide Committee prior to action on the specific recommendations.

ADJOURNMENT FOLLOWED.

Recorded by,
BARBARA MORRISON
Community Organizer, ULGNY

ADDENDUM

NEXT MEETING: Wednesday, March 18th, 1964 at 2:45 P.M. at the National Urban League Building.

Broadcast 8 times March 22-23, 1964

LOW INCOME HOUSING

A one hundred and sixty-five million dollar bond issue for low income housing is desperately needed by families living in the poverty-drenched slums of New York City.

Last week, however, the Assembly ganged up on the bond issue, just because Governor Rockefeller wanted it.

But there is still hope for the low income housing bill.

There are indications that the Assembly may trade with the Governor, agreeing to revive the housing measure in exchange for the Governor's signature on a weak ethics bill.

The public wants more low income housing. The public also wants a strong code of ethics for our state lawmakers.

The Assembly should not use the housing bill as a legislative blackjack on the Governor.

And cheap politics should not condemn the city's slum dwellers to still another year of life in the housing that haunts New York.

(298)

Broadcast 8 times March 16-17, 1964

LEGISLATIVE ETHICS (a)

In 1955, State Senator MacNeil Mitchell, a Manhattan Republican, and Assemblyman Alfred Lama, a Brooklyn Democrat, sponsored a great housing law intended to meet the state's critical housing shortage.

But since that time, Mr. Mitchell, a lawyer, and Mr. Lama, an architect, have collected hundreds of thousands of dollars in fees by representing clients before the very state agency created by their law.

Such profiteering is, without question, wrong.

A special committee on ethics wants to outlaw this kind of moonlighting.

But the Legislature has served notice it will fight hard to protect its conflict-of-interest privileges.

You can help raise the Legislature's ethical standards. Write to your Assemblyman and Senator now. Tell them you won't vote for them if they take money to argue private law cases before state agencies they can influence.

(295)

MONDAY, MAY 4, 1964

PROJECT TO RENEW SLUMS EXPANDED

2 Renovated Tenements on Lower East Side Donated for Study of Costs

RESIDENTS COMPLAIN

Opposition Voiced to Rises in Rent and Methods of Working on Buildings

By **LAWRENCE O'KANE**

An experiment to determine the cost of rehabilitating slum housing, which encountered tenant resistance, is being expanded to determine the cost of operating the remodeled structures.

The Citizens Housing and Planning Council announced yesterday that Laurance S. Rockefeller had given the council two Lower East Side tenements that had been remodled in the experiment financed by a loan from Mr. Rockefeller.

The buildings—at 92 Ridge Street and 186 East Second Street—will be used for additional research "to determine the costs, the problems and the investment returns involved in owning and managing rehabilitated buildings," Charles Ascher, president of the council said.

The buildings were purchased and renovated by the Conservation, Rehabilitation and Renewal Foundation, a group set up for the purpose, with $250,000 lent by Mr. Rockefeller, who is the Governor's brother.

Expenses Studied

The object was to determine if old-law tenements could be renovated by private investors without exorbitant profits or rents, and without moving the tenants.

Roger Starr, former contractor and executive director of the council, was named chairman of the foundation.

But the work was accompanied by complaints. One tenant accused the landlord of stealing his furniture. Others complained of a lack of heat and hot water (an oil burner was being installed, Mr. Starr explained). Other tenants complained that repairmen were marring their furniture with paint and plaster.

Social workers from Mobilization for Youth, decided to organize the tenants and helped them file petitions for reductions of rent, which were $20 a month in the Ridge Street building and $37.50 in the Second Street building. One tenant filed suit for $10,000 for alleged injuries during the renovation.

Value Emphasized

Despite their troubles, the civic leaders believe valuable information has come from the experiment. But it will take several years of operation to know if the new rentals will yield the 8 to 10 per cent profit that is considered necessary to attract private capital.

Work in the buildings was completed for $3,500 an apartment. The average rent was increased to $56 a month in the Ridge Street building and to $80 a month in the Second Street building.

A massive program of rehabitation, as contrasted with demolition and rebuilding, is the city's most recent weapon against slums. Five areas containing 47,400 dwelling units are to be rehabilitated at an estimated cost of $100 million.

But little is known as to how much it would cost private landlords to renovate the buildings and what the resulting rent increases should be.

file

THE HOUSING EXECUTIVE COMMITTEE AND THE HOUSING POLICY BOARD OF THE CITY OF NEW YORK

Both the Housing Executive Committee and the Housing Policy Board were established by Executive Order of Mayor Wagner in May, 1962.

The Committee and the Board are charged with making recommendations to the Mayor on means of expediting, coordinating, and implementing the City's housing program.

The Housing Executive Committee, which serves as the Executive Committee of the Housing Policy Board, is charged with accelerating the progress of the City's housing program, coordinating that program, and furnishing coordinated implementation of it in all its component parts, subject to the specific and over-all direction of the Mayor. The Housing Executive Committee, composed of the heads of the City's housing agencies and the Executive Assistant to the Mayor, meets weekly, and has the power to act for the Housing Policy Board.

The Housing Policy Board is made up of all members of the Housing Executive Committee, the heads of other City agencies which have a concern in housing matters, and the members of the Housing and Redevelopment Board and the New York City Housing Authority.

MEMBERS OF THE HOUSING EXECUTIVE COMMITTEE:

MILTON MOLLEN, CHAIRMAN - Chairman, Housing & Redevelopment Board
JULIUS C.C. EDELSTEIN - Executive Assistant to the Mayor
HERMAN BADILLO - Commissioner of Relocation
WILLIAM F. R. BALLARD - Chairman, City Planning Commission
HAROLD BIRNS - Commissioner of Buildings
JAMES R. DUMPSON - Commissioner of Welfare
MRS. HORTENSE W. GABEL - City Rent and Rehabilitation Administrator
FRANK L. LAZARUS - Commissioner of Real Estate
WILLIAM REID - Chairman, City Housing Authority

MEMBERS OF THE HOUSING POLICY BOARD:

MILTON MOLLEN, Chairman
ALL MEMBERS OF THE HOUSING EXECUTIVE COMMITTEE
BERNARD E. DONOVAN, Executive Deputy Superintendent of Schools
HERBERT B. EVANS, Member, Housing & Redevelopment Board
WALTER S. FRIED, Member, Housing & Redevelopment Board
GEORGE JAMES, M.D., Commissioner of Health
MADISON S. JONES, Executive Director, Commission on Human Rights
FRANK J. LUCIA, Commissioner of Sanitation
FRANCIS V. MADIGAN, Member, City Housing Authority
MICHAEL J. MURPHY, Police Commissioner
IRA S. ROBBINS, Member, City Housing Authority
ARTHUR J. ROGERS, Executive Director, Youth Board
RAY E. TRUSSEL, M.D., Commissioner of Hospitals

Lecture #4
Madison S. Jones
Director, City Commission on Human Rights

Basic Problems of the Urban Center

Jones stated that the main reason for the flight to the suburbs, which is causing the city to become a depressed center, with mostly minority population, is antipathy to race mixing. CCHR attempts to work with the problems and allleviate the situations.

CCHR was formed in 1950, but it had its beginning back in 1944 when the "second Harlem riots" took place. Mayor LaGuardia at this time appointed a mayor's commission, a lay study group, to investigate the riots, and when they reported back, the Mayor's Committee on Unity was formed. Most civil rights commission are study groups, and so was this group until 1955 when the Commission on Intergroup Relations was formed by local law 55, which declares in part that prejudice, intolerance, bigotry and disorder are a menace to the rights and priveleges of the citizens of a city, and that this commission would bring about understanding and respect, and would eliminate prejudice, intolerance, etc. In other words, the Commission was a recognized body formed to deal with the problems of prejudice.

New York City was the first to pass a housing law, and housing is the largest of the operations of the Commission now. The combination of the punitive approach, plus "cooperation courses" brings relatively good success. This education program is carried on with the Real Estate "fraternity" itself, and most of the people involved are cooperative, especially since they know that CCHR has a "club" and will use it when necessary. CCHR handles complaints for all minority groups: one complaint now in process is in behalf of a man attempting to buy a coop apartment, who has been refused because of religion.

The New York City law covers 95% of the housing. In addition to processing complaints, the commission can initiate its own complaints. The process for a complaint is the loding of the complaint, the investigation, conciliation (most cases are settled at this level in an across the table conference with the offender). If the case is not settle at conciliation, it can be brought to a public hearing. If the landlord will still not comply, the case can be brought to the NY Supreme Court and they will order a "cease and desist" order. A more recent law enables to commission to request a "freeze" of the apartment after the conciliatory stage, which can be reached in two to three days. As is pointed out in the progress report on CCHR, "the Local Law's most glaring weakness is (the) inability to secure the housing accommodation in question for the particular aggrieved complainant." Freezing the apartment can fill this gap, however, Jones said that the true solution would be when the commsssion can issue its own freeze order through its own legal department, as the State Commisssion can.

Jones went on to point out that all the planning commssions on which he sits, do not seem to be asking themselves the question, will this be open housing. The West Side Urban Renewal (to which Milgram made an unsuccessful bid) can be an example of open housing brought into city planning. There must be a strict enforcement of the housing law; and strict policing of the renting. Jones mentioned that some of the reconverted brownstones which are already occupied have a good racial balance.

In the recent block-busing case on Long Island, CCHR investigated and punished the offenders. In these neighborhoods, there had been no pronounced flight, but block-busters came into the area and precipated panic selling. Buying homes at $11,000 (Offerring cash) they would put in a few perfunctory repairs and sell the homes for $19,000. These block busters were not licensed brokers, but were "wheelers and dealers." They would get customers to buy with a 2nd mortgage -- the first having been for $8500 and the second for $11,000. This process would put the people buying these homes up to their necks in debt; they would be forced to split up the houses, to increase the density of the area, and the neighborhood would become an "incipient slum." In many cases the VA and the FHA said that those buying "counldn't qualify" for loans.

The New York Real Estate Board testified against the block-busters during the hearings, and the Commission has meetings set up with the banks, to discuss their policies of loans. These complaints about the block-busters which brought CCHR to the area, were referred by community inquiry, which illustrates the fact that there is indigenous leadership, but that it needs to be strengthened. CCHR is always available for assistance.

What is needed in New York City is a strong law against blockbusters; there is presently a state law, and a bill has been introduced in the City Council.

Jones remarked that until there is open occupancy in housing, there won't be complete integration in schooling. At present the Commission is involved with the Board of Education, asking that they follow a three-point program that 1) new school sites be selected where all groups will attend, and where they will be attractive to all groups

2) bussing be continued as a means for transporting students from over-crowded, segregated schools, to non-segregated and adequate schools.

3) whole-hearted attempts be made to solicit teachers from all sources to that the teaching staff in the schools will reflect a racial balance.

Jones noted that in the school system, one is dealing with, in addition to the public, all ranges of thought within the school system itself. Some teachers and school officials are sympathetic to integration, some are not, with all ranges of sympathy between.

In the Commission's employment activities, there is the realization that the economic life of the minority group decides to a great extent the mobility and opportunity in the housing market. The Commission is presently undertaking a "policing program" in regard to the contractual obligations between the city and business firms who handle about $500,000,000 of city business. These contractors will be investigated; if their employment policies are not open, the commission will ask that the contract be voided and the contractor be placed on a "black list" for future contracts.

This policy extends for prime and sub-contractors. For instance, if a company has a sibsidiary in North Carolina, or sub-contracts to some Southern company, the Southern company must have equal employment policies or they will not be eligible to receive the city's business.

Inquiries have gone out to about 2,000 employers, and volumes of mail received, -- some angry, some questioning, but as Jones points out, the pocketbook has been touched, and this is a most sensitive area. They will soon be investigating the apprenticeship training programs in the unions (which can lead to "double trouble" -- with a union, and an employer.)

The Commission also is conducting a consumer education program. Comparative shoppers are surveying the area. It has been found that the ghettos often have shoddy goods in the stores. For instance, one of the shoppers found that a 1 lb can of pepper, priced at $1.39 in a Harlem store. When questioned, the manager sold the can for 99¢, but the price has not been changed on the cans.

The Commission is also doing a survey of ethnic groups in the New York City civil service at the request of the Mayor.

In conclusion to his prepared statement, Jones stated that the concept of the Open City must be stressed, that in all areas pressure must be continuous in order to bring this ideal city into being. It must be remembered that the obstacle as well as the moving force, is people, that it is the people who must change, and effect that desired state.

Questions and answers?

In regard to the West Side project, how will it be integrated?

Well, if open occupancy is stressed it will be integrated. As the plan stands now, there is, in additional to planned racial integration, planned economic integration. This is being done by having various income level developments, and also by means of "skewered rents." These skewered rents enable low-income families to live in the same building as middle-income families, by means of subsidies in certain apartments. Jones pointed out here what had been previously brought out in other discussions: that new housing without subsidy, is becoming impossible to build for less than $45-$50 per room.

It was brought out by a questions, that the Bronx, currently a "transition area" is a contradiction to the idea that Negroes won't buy away from the fringes of the ghetto, though Jones admitted it was an atypical situation. When speaking of new housing which was opened as far away from Harlem as Luna Park, he pointed out that Luna Park was a huge development, which was an additional drawback. The huge developments being built are overpowering, unattractive, and there are simply too many people (and they may remind people of the projects?) -- for example, the proposed buildings on the Polo Grounds are supposed to be 30 stories high. (NOTE: in early plans of the West Side project, the development were supposed to be 5 to 6 stories high, and most are not larger than 65 units.). Another drawback to integration in new construction is that people attending a pre-construction meetings, seeing it predominantly one race will tend to be frightened away. Many Negroes, as well as whites, do not want to buy into a building that will be all Negro or Puerto Rican. And in face of all this, Milgram mentioned his belief that whites who believe the stereotypes do so simply from lack of contact with Negroes or other minorities to which Jones concurred.

Jones expressed his hope that Harlem could be made a place where everyone wants to live. Taken as a while, like the West Side, and dealt with block by block, it could become a new and desirable neighborhood. The location is ideal, being close to subway transportation, and about ½ hour from any point in Manhattan. The upper reaches, around 131st street, with continued improvement, may yet become integrated of their own accord. Jones would like to see "industrial parks" built, surrounded by the "cultural amenities" necessary for a good community. There was a proposal to do this with 110th street, across the top of Central Park, but as always, "planning takes time" and nothing has come of it.

The Lost People of the City

In Bedford-Stuyvesant, when some sections were relocated, there were those with which nothing could be done. These people did not want to move, and couldn't be "rehabilitated," and finally, disappeared. But this problem remains, for these poeple, or those like them, will continue to appear at every clearance project, attempts will be made to deal with them, and they will again disappear -- like an invisible portion of the city's population.

The migrations into the cities which add to the displaced population, are mostly from agricultural places, and are still continuing. These people have no preparation for life in a large city, and the city must meet the responsibility in giving active services to aid these people in adjusting to city life, and in finding proper employment and housing.

And then there are the juvenile delinquents. When questioned on "ethnic antagonism" Jones replied that most gangs are integrated, and fights are between neighborhoods; there is little racial antipathy. For the most part, the work with these youngsters is done by the Youth Board and few of these problems are dealt with by CCHR. However, CCHR does employ high school dropouts in their office, on a work-school basis, than often enables some of them to eventually complete their education and go on to college.

An overview of the situation indicates that there are simply no responsible elements of the traditional community leadership to carry on the fight, which is why the bulk of the work load is on those small groups, like CCHR, CORE and others, to stop the rigidity of the class and race structure. A church official has stated that there is "nothing the white churces can do except weep." Politicians, like the Borough President in the Rockaways, when faced with a near violent situation, and having mouthed promises to do something about "the deprivations of people's rights" when approached by a community group, is vague, evasive, and not open to suggestions which might avert the impending violence of hot summer weather and wretched and over-crowded conditions. Labor unions, who might feasibly buy land in the suburbs, for open occupancy coopeand developments, thus equalizing somewhat the housing pressure of the city, and breaking the white noose of the suburbs. But the unions as well, don't want to stick their necks out, and risk responsibility. The officials of the traditional leading elements of the city refuse to look ahead, to make sensible plans for now, and for the future. The hope for success then, depends on pressure from united community groups; from cohesive grass roots support.

NEW YORK CITY HOUSING AU

INTERDEPARTMENTAL COMMITTEES DIRECTLY CON

School - Housing Facilities

New York City Housing Authority
Board of Education
City Planning Commission
(School Planning)
Budget Director
Department of Real Estate

* Public Improvements
for Housing Develop

New York City Housi
Department of Highw
Department of Publi
Department of Water
Gas & Electricity
Topographical Burea
Department of Parks

OTHER INTERDEPARTMENTAL COMMITTEES INVOLV

Executive Committee and Mayor's
Housing Policy Board

Housing and Redevelopment Board
New York City Housing Authority
City Planning Commission
Department of Real Estate
Department of Relocation
City Rent & Rehabilitation Administration
Department of Buildings
Department of Health
Department of Welfare
Commission on Human Rights

* Committee Flexible. Other agencies participate as individua

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Developments

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f Highways
f Public Works
f Water Supply
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l Bureau, Borough President
f Parks

Coordinating Committee.

New York City Housing Authority
City Planning Commission
  Executive Members and
  advisory staff

INVOLVED IN HOUSING PLANNING GENERALLY

Housing Legislation & Procedures

City Rent & Rehabilitation Administration
Department of Buildings
Department of Health
New York City Housing Authority
Department of Real Estate
Housing & Redevelopment Board
Department of Relocation
Office of City Administrator
Legislative Assistant to the Mayor
Department of Welfare
City Planning Commission
Legislative Counsel to the President of the City Council
Law Department

ividual situations demand.

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlandt 7-6270

FOR IMMEDIATE RELEASE

ATTN: Marvin Rich and James Peck

CORE CONTINGENTS SWELL PUERTO RICAN MARCH

New York City, March 2--Contingents from CORE groups throughout the New York area, swelled the ranks of a Puerto Rican-initiated silent march on March 1 to protest school segregation. National CORE's contribution was the printing of 100,000 leaflets in English and Spanish.

The demonstration was the first nonviolent action of this type to be organized by the Puerto Rican community. Over 2,000 persons -- many of them youths participated. Placards were both in English and Spanish. Some of the placards called for more Puerto Rican teachers. Others urged appointment of a Puerto Rican to the Board of Education.

After circling City Hall Park several times, the marchers walked across Brooklyn Bridge and to the Board of Education. There, they listened to brief speeches by Gilberto Gerena-Valentin of the National Association for Puerto Rican Civil Rights, and Robert Gore of CORE and other Puerto Rican and Negro civil rights leaders.

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Theo Bowler

REAL ESTATE BROKER

WO 6-0884

115 MAIN STREET
NEW CANAAN, CONN.

Mr. Horace Bowler – builder –
often have houses which will be
sold on an interracial basis.

Norm Hill should ~~bear~~ keep this in
mind in developing coordinated housing
program

$19,600 — up

within an hour's trip from N.Y.C.

Hsing NYC

STATEMENT BY MADISON S. JONES, EXECUTIVE DIRECTOR OF THE CITY COMMISSION ON HUMAN RIGHTS OF NEW YORK AT THE PUBLIC HEARING OF THE NEW YORK CITY PLANNING COMMISSION ON THE DESIGNATION OF FIVE NEIGHBORHOOD AREAS FOR REHABILITATION

September 23, 1963

Mr. Chairman and members of the New York City Planning Commission, my name is Madison Jones. I appear before you as Executive Director of the New York City Commission on Human Rights, and I am pleased to have this opportunity to present the views of my agency with respect to the over-all five program proposal.

The City Commission on Human Rights, as you know, is charged by law and by executive direction to concern itself with all programs and activities in New York City which affect the civil rights and opportunities of its residents. This series of public hearings beginning today to consider the designation of five key neighborhood areas for major rehabilitation treatment is an integral part of the City's over-all Housing program. That program has broad implications for the housing opportunities and environment of the City's residents, and vitally concerns the City Commission on Human Rights.

It is in this context, therefore, that the New York City Commission on Human Rights presents not only its position regarding the need for and desirability of rehabilitation treatment in these five areas, but also, offers its views respecting the close relationship between sound Urban Renewal programming and meaningful progress toward a truly Open City.

The City of New York is committed to a comprehensive housing program involving not only new construction and the clearance of run-down buildings, but also the rehabilitation of structurally sound properties which can be recovered and made into decent, desirable dwelling units.

It also is a matter of public record that approximately one-third of the city's housing supply is contained in buildings which were constructed over a half a century ago and are now rapidly deteriorating. These properties, many of which are in the areas now under consideration, house a total population of three million people. These residents, substantial numbers of whom represent minority families, have a right to expect that the City of New York will keep its commitment by devising imaginative programs which will result not only in the physical rehabilitation of their homes but the social uplift of their neighborhood communities as well.

The rehabilitation concept of Urban Renewal is an exciting and humane means by which the City can keep this commitment and meet these physical and social needs. The five neighborhood areas for which rehabilitation is now proposed, desperately need this kind of treatment and we therefore strongly support the Planning Commission proposal to provide these services.

The support of the City Commission on Human Rights for these proposals, however, is predicated on City-wide recognition of a body of principles and values which extend far beyond the physical boundaries of these five neighborhoods.

The City of New York has set for itself the goal of a completely open city where every one of its residents without exception will enjoy the dignity and full equality of opportunity that is his inherent right. With the benefit of sound laws and administration support we are progressing toward this goal. But the responsibility of government extends beyond the mere enactment of laws and the establishment of desirable goals. Government, in addition, must also play a positive role in this important process by taking affirmative action to give both meaning and immediacy to the goals of dignity and true equality.

The concept of Urban Renewal and Rehabilitation as viewed in full perspective by the City Commission on Human, is a dramatically useful and effective tool to achieve these goals. For through Urban Renewal, the turbulence of displacement can serve constructively not only to broaden and expand the housing opportuntities and horizons of our families, but also to extend the benefits of racially and economically diversified patterns throughout the entire City; the achievement of racial integration in our schools can be accelerated by the neighborhood communities we re-new or create; and the rich labor resources of our minority families can be utilized and promoted with stepped-up construction programs providing more jobs and new employment opportunities.

These are the principles, and values to which the City Commission on Human Rights is deeply committed and if given widespread private and public support, will secure the meaningful achievement of a truly open city.

The rehabilitation programs proposed for these five neighborhood areas are a vital beginning and we urge their prompt designation by the Planning Commission with due consideration to the following recommendations:

The New York City Commission on Human Rights in supplement to its support for the rehabilitation proposals further recommends:

1. The need for close coordination of all municipal and other governmental agencies involved in this program effort in cooperation with the City Commission on Human Rights to guard against any possible racial or economic exploitation to tenant families and property owners.
2. A vigorous effort to expedite the preparation of neighborhood plans for these five areas and thus reduce the period between the formal designation by New York City and the subsequent approval by the Federal government. In the judgment of the Commission, it is vital to the success of this and subsequent other rehabilitation programs that this planning period, which often extends beyond two years, be sharply reduced.
3. The creation of an Emergency Committee on Rehabilitation broadly representative of government, industry and civic leadership--the Committee would undertake the review and formulation of legislative needs to provide the City of New York with financial and other tools necessary to engage

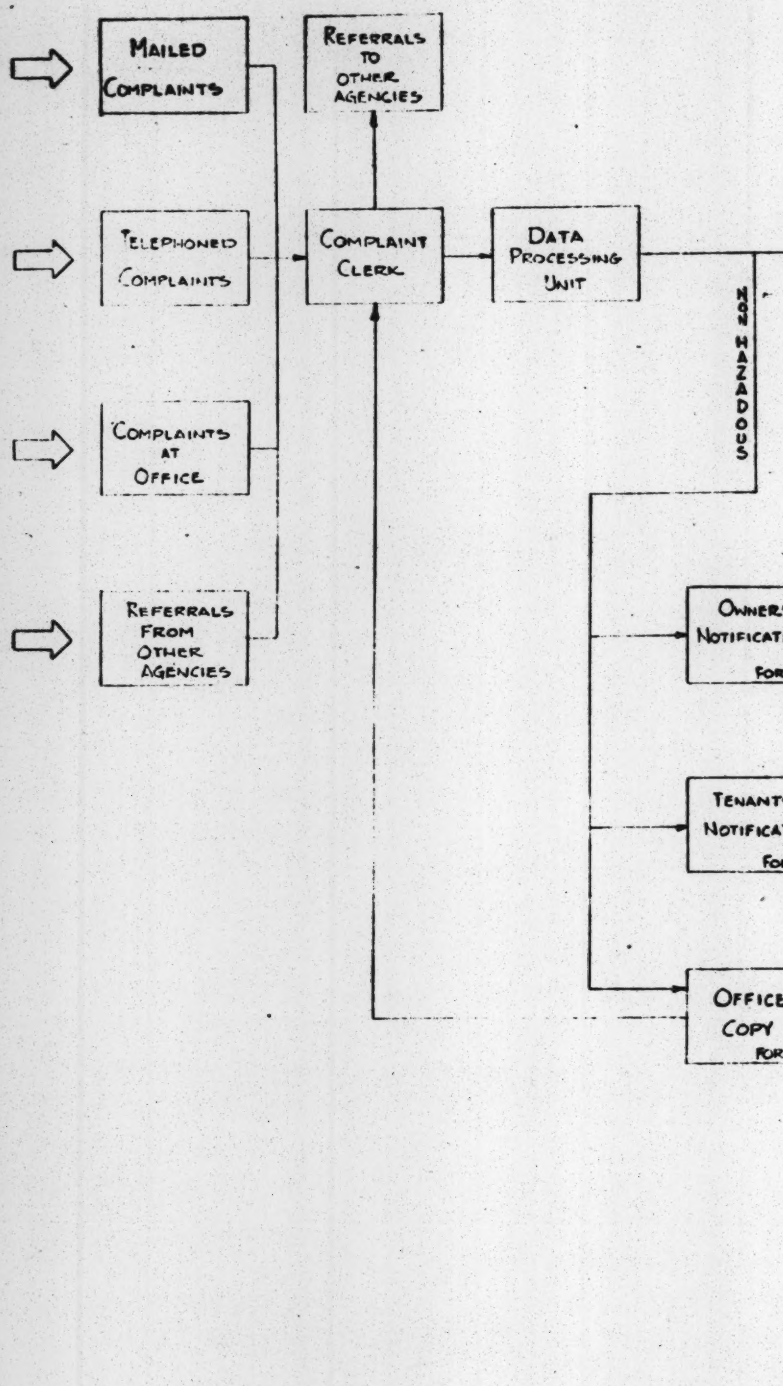
more directly and effectively in the rehabilitation process.

4. The development of a new and enlightened approach to the problem of temporary relocation - while recognizing at the same time that some displacement from certain of these sites, to standard and desirable housing elsewhere in the City can serve usefully to enhance the City's goal of racial and economic diversification throughout all New York.

5. The initiation of pilot rehabilitation programs in each of the five areas with the direction and the financial support of the City government in order to develop and demonstrate effective means of performing property rehabilitation with a minimal resultant increase in rents.

Slums

THE CITY OF
DEPARTMENT OF
MULTIPLE DWELLING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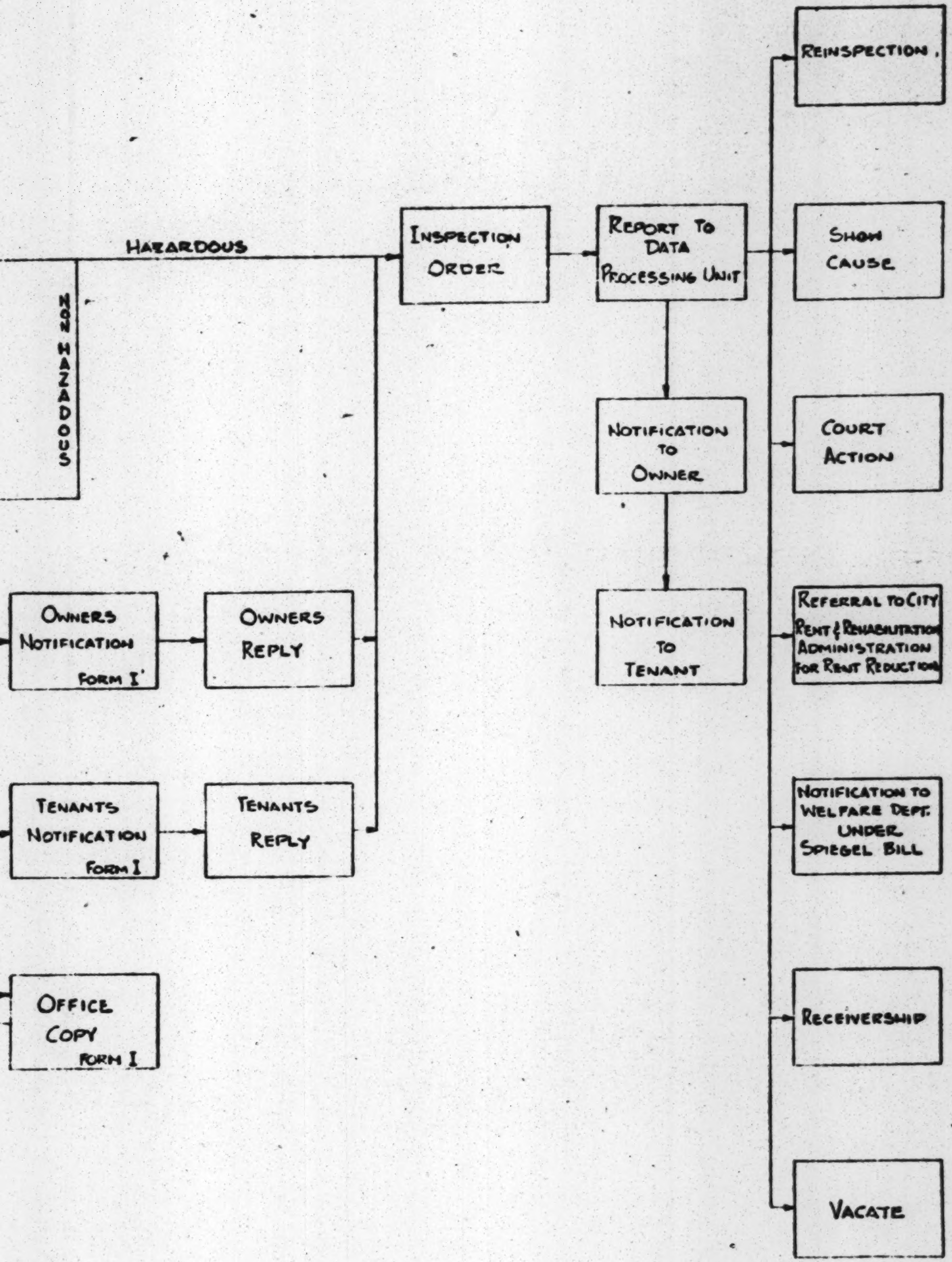
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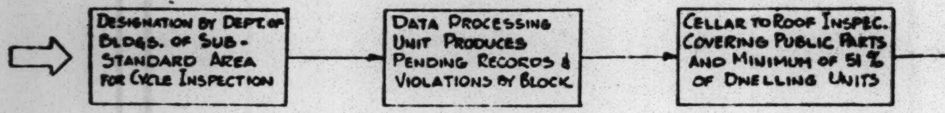
Inspection Order
Report to Data Processing Unit
Notification to Owner
Notification to Tenant
Reinspection
Show Cause
Court Action
Referral to City Rent & Rehabilitation Administration for Rent Reduction
Notification to Welfare Dept. under Spiegel Bill
Receivership
Vacate
Owners Notification Form I
Owners Reply
Tenants Notification Form I
Tenants Reply
Office Copy Form I

P.A.L. 11-26-63

THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS
MULTIPLE DWELLING CYCL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Bedford-Stuyvesant
South Jamaica
S. Bronx
Lo. E. Side

New York
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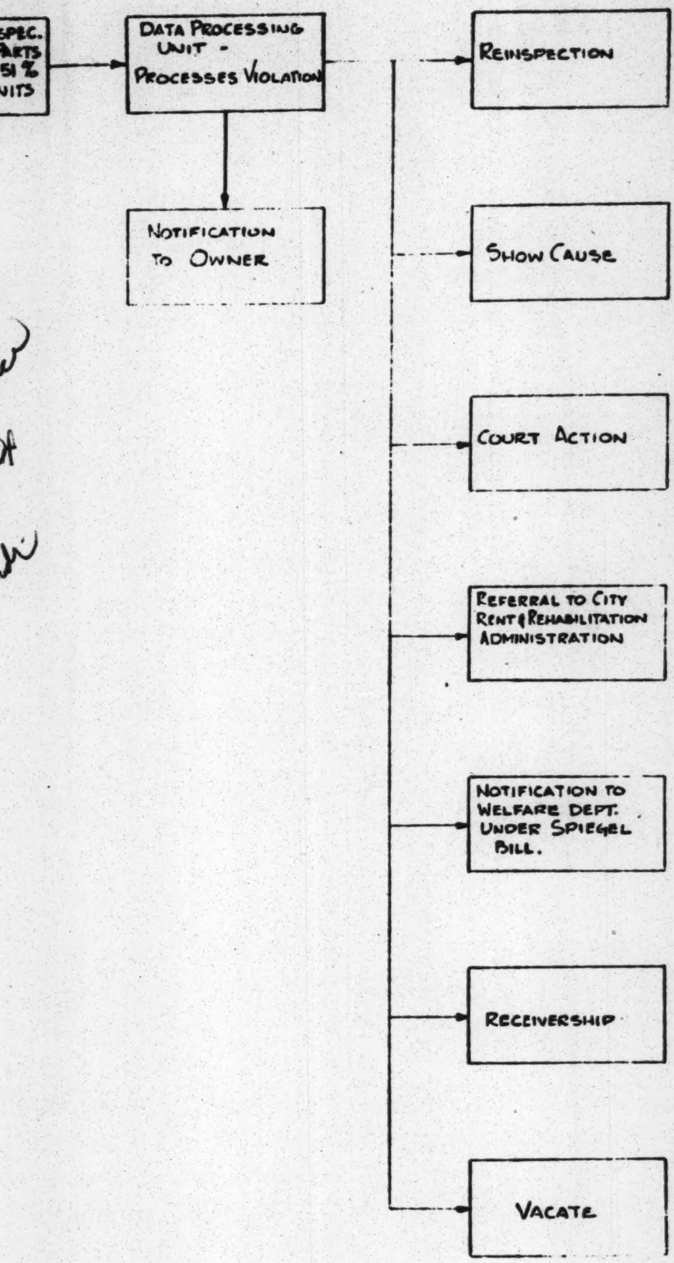
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Notification to Welfare Dept. Under Spiegel Bill.
Receivership
Vacate

P.A.I. 12-2-63

~~Hoffman~~

JUL 10 1964

Program Dept.

FOR RELEASE
THURSDAY
July 9, 1964 A.M.

CITY RENT AND REHABILITATION ADMINISTRATION
280 Broadway, New York 7, New York
566-5264

The Federal Housing Administration, in cooperation with the Urban Renewal Administration, is joining with the City of New York in an experiment to determine whether and under what conditions old and new law tenements can be rehabilitated for low income tenants, with the aid of FHA insured loans.

The experiment, which will involve from 30 to 40 projects of one or more structures, was announced jointly (today) by Milton Mollen, Chairman of the New York City Housing and Redevelopment Board, Mrs. Hortense W. Gabel, New York City Rent and Rehabilitation Administrator, and by FHA Commissioner P. N. Brownstein and URA Commissioner William L. Slayton.

The undertaking was strongly endorsed by Mayor Robert F. Wagner who said, "If this experiment succeeds, we can look forward with confidence to improving the housing conditions of many thousands of low and moderate income families. At the very least, the experiment will enable us to judge more accurately the tools that will be needed for an effective rehabilitation housing program."

Mrs. Gabel will have principal responsibility for carrying out the experiment on behalf of the City of New York. Her activities will be closely coordinated with the Housing and Redevelopment Board, the Planning Commission, the Buildings Department and other city agencies. FHA's activity in this experiment is under the direction of Ralph Morhard, Director of FHA's New York Multi-family Office.

Among other things, the experiment will aim at ascertaining:

1. types of structures which can be rehabilitated successfully through mortgage insurance.

2. levels of physical improvement which can be accomplished considering the structure's character, incomes of tenants, and requirements for mortgage insurance.

3. the extent to which rehabilitation can be achieved without moving or seriously inconveniencing the tenants.

4. the degree of physical improvement warranted for a particular building, in relation to the character of the neighborhood.

5. the extent and character of possible municipal and voluntary agency actions in the neighborhoods which may be necessary to support and sustain values created by rehabilitating individual structures.

6. the extent to which rehabilitation of single structures, clusters of buildings and the rehabilitation of buildings on an entire street can trigger upgrading of the surrounding area.

FHA will collaborate with the City in selecting a limited number of multi-family structures to be rehabilitated with an FHA insured mortgage. Some of the buildings chosen for rehabilitation will be located outside of urban renewal areas. Others will be in present or proposed urban renewal areas, including the five proposed urban renewal areas recommended for rehabilitation by the City Planning Commission. Selection of structures will be made to provide rehabilitation experience with a variety of building types and degrees of deterioration and obsolescence.

Private sponsorship to undertake rehabilitation of the buildings will be developed through the office of Mrs. Gabel. In some instances, the sponsor might be the present owner, in others it might be a limited dividend or non-profit organization, or a profit-making corporation which acquired the structure to rehabilitate it as an investment.

Many of the structures to be involved in the experiment will be "old law" and early "new law" tenements in which about two million New Yorkers now live. The feasibility from both a physical and economic standpoint of rehabilitating these structures up to an acceptable standard without gutting has often been questioned. The objective of this experiment is to learn by doing and thus to furnish a realistic answer to this major question.

Mr. Morhard explained that the program will be carried out under FHA's Experimental Housing Program provided by Section 233 of the National Housing Act. Evaluation of the results of the experiment will be made by FHA and an independent assessment also will be made by the City of New York.

This is the second federally supported experimental program to determine the feasibility of rehabilitation of old and early new law tenements for low income families. Last fall the Housing and Home Finance Agency approved a grant of $230,000 to the City Rent and Rehabilitation Administration to encourage private investment in rehabilitation and to finance rent supplements for families unable to pay even minimal increases in rent. This grant was made under Section 207 of the Housing Act of 1961.

It is expected that many of the buildings financed by FHA will also be eligible for rent assistance under the HHFA-RRA demonstration.

- 30 -

Housing

City Planning Commission
Community Renewal Program
Division of Community Organization Analysis

WHAT'S IT ALL ABOUT?

THE PLANNING COMMISSION'S

-- REHABILITATION STUDY --

-- RECOMMENDATIONS FOR ACTION --

-- PROPOSALS FOR PLANNING --

THE REHABILITATION STUDY

A year long study has been completed to find out whether buildings could be rehabilitated and local neighborhoods improved for the people living there now.

Why was a study made: Hundreds of thousands of families in New York City live in buildings which are wearing out. Many low-income families in the older sections of the City live in apartments which have standards of the 19th century -- such as the absence of a private toilet in the apartment. Speedy population changes in some neighborhoods have outdistanced the services of community facilities and have created fear in the older and newer residents that their neighborhoods will become worse. These neighborhoods and their buildings will continue to provide shelter and a living environment to millions of citizens for many years to come. Is it possible to rehabilitate these buildings and improve these neighborhoods for the people living there now?

What were the findings of the study: While there are many obstacles to overcome and new programs to be developed, planning for the rehabilitation of buildings and the conservation of neighborhoods can be undertaken for the people living there now. While many families are able and willing to pay for such improvements, families with aging heads, families with low income, families with special problems will need assistance to remain in refurbished quarters. The Planning Commission is recommending that the City undertake planning to achieve these purposes.

RECOMMENDATIONS FOR ACTION

An Area Development Program: In order to begin the upgrading of the neighborhood immediately, as soon as an area is recommended for renewal planning for rehabilitation by the Planning Commission, a local office should be opened in the neighborhood, properly staffed to promote all private and public programs which may be undertaken without Federal aid. These would include such actions as helping local citizens participate in planning, improving local municipal services, stimulating volunteer programs to meet local needs, assisting the leadership of health, education and welfare agencies to examine how local needs may be met more adequately, conducting various educational programs for tenants and property owners etc. This will enable action to begin right now to upgrade the area instead of waiting until the planning funds are obtained from the Federal Government.

The Development of a Broad Rehabilitation Program: To develop a program of rehabilitation and conservation for the people who live in neighborhoods now, the Planning Commission is recommending that the City, State and Federal governments, as well as private citizens and organizations undertake steps to create new tools and programs. These include many necessary actions -- from developing with the Federal Government standards for the rehabilitation of tenement and apartment buildings so that low cost federally insured mortgages may be available, creating new lending programs at below market interest rates for whole areas where low-income people live, to the careful follow-up of the rent subsidy experiment being undertaken with Federal aid by the Rent and Rehabilitation Administration since efforts along these lines are necessary to insure decent housing in decent neighborhoods for those who cannot afford to support the costs of rehabilitation.

THE PROPOSALS ON WHICH THE PLANNING COMMISSION HAS SCHEDULED HEARINGS ON SEPTEMBER 23RD AND SEPTEMBER 24th?

Public hearings have been scheduled on five areas:

September 23rd

St. Nicholas Park Area (not before 10:00 A.M.)

Cooper Square Area (not before 1:00 P.M.)

September 24th

Children's Museum Area (not before 10:00 A.M.)

Bronx Park West Area (not before 1:00 P.M.)

Corona-East Elmhurst Area (not before 3:00 P.M.)

The Planning Commission is considering whether:

1. these Areas should be designated for planning; and
2. the general policies which should guide this planning.

Such action by the Planning Commission is necessary before the City may apply to the Federal Government for funds in order to do the detailed planning. To assist in making these decisions concerning the five Areas, the Planning Commission wants to hear directly from citizens of the City. The Public Hearing is a formal means for people to express their points of view and to make suggestions concerning matters which they believe should be taken into account by the Commission in arriving at its decisions.

The Planning Commission is proposing that the five areas should be designated as suitable for renewal planning now because the solution to many of the problems of rehabilitation and conservation of communities for the people who live there now must be faced in the local neighborhood. Progress in overcoming the obstacles will be achieved through actual working experience. The Planning Commission is considering whether the City, its citizens and its agencies should begin coping with these problems in order to develop solutions.

The Planning Commission proposes planning policy and direction and defines the boundaries of areas in which these should be applied. The Planning Commission does not develop detailed plans. The Planning Commission is recommending Rehabilitation and Conservation for the five Areas. In rehabilitation planning each building must be examined, each community facility must be studied. In rehabilitation planning each family has to be dealt with sensitively with attention to individual differences. In rehabilitation planning, those buildings which cannot be rehabilitated must be identified and the use of the land thus made available decided on so that the neighborhood may be improved and a positive program for rehousing developed.

The scheduled hearings are to help decide whether the City of New York and its citizens should undertake grappling with these problems in order to develop the means by which buildings may be rehabilitated and neighborhoods conserved for the people living there now. There is no detailed plan for the Areas. Designation by the Planning Commission is the first step to enable planning to be undertaken.

FOR FURTHER INFORMATION, WRITE:

Community Organization Section
Community Renewal Program, Room 701
2 Lafayette Street
New York 7, N.Y.

OR CALL:

WOrth 4-5656, Extension 593

Hill
file
"Rent Controls"
Housing
NYC

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

JAN 8 1964

December
16th
1963

The Council
City Hall
New York 7, New York

Gentlemen:

Pursuant to Section Y51-16.0 of the City Rent and Rehabilitation Law I am transmitting herewith a report of the results of a survey which I have caused to be made of the supply of housing accommodations within the City, the condition of such accommodations and the need for continuing the regulation and control of residential rents and evictions within the City. I am also enclosing a copy of a letter to me from Mrs. Hortense W. Gabel, City Rent and Rehabilitation Administrator, forwarding the survey results.

Very truly yours,

ROBERT F. WAGNER
Mayor

THE CITY OF NEW YORK
CITY RENT AND REHABILITATION ADMINISTRATION
280 BROADWAY
NEW YORK 7, NEW YORK

HORTENSE W. GABEL
ADMINISTRATOR

December 13, 1963

Hon. Robert F. Wagner
Mayor
City Hall
New York 7, N. Y.

Dear Mayor Wagner:

Transmitted herewith are the results of the survey made at your direction into the need for continuing rent control in New York City.

This survey was undertaken pursuant to a requirement of the State Enabling Act which transferred jurisdiction over rent control to the City, effective May 1, 1962. This law requires the City Council, following a survey by the City of the supply of accommodations and the need for rent control, to determine by February 1, 1964 whether the public emergency requiring rent controls continues to exist.

Analysis of survey data provided by the United States Bureau of the Census clearly demonstrates the need for continuing rent control in New York City. It shows that:

> The public emergency that requires rent control still continues.
>
> The critical housing shortage still exists.
>
> Without continued rent controls the existence of this housing shortage would permit the exploitation of tenants,

Unjust, unreasonable and oppressive rents have been prevented for those who live in rent controlled houses.

Reasonable rent increases have been permitted under rent control while incomes have kept pace.

The quantity of housing has increased and its quality improved in post-war years.

Only at the rent level of $250 per month or more is there evidence sufficient to justify any relaxation of rent control.

Upon the basis of the foregoing, I believe that,

a. The public emergency requiring the continuation of rent controls still exist,

b. The availability of adequate rental housing accommodations and other factors are such as to make rent control unnecessary for individual housing accommodations renting for $250 per month or more as of September 1, 1963, provided that suitable safeguards are enacted to insure the orderly transition from regulation to a normal market of free bargaining between landlord and tenant, with particular attention given to protecting families with children.

c. While the Census data indicate that the median contract rent increase between 1950 and 1960 for controlled structures of nine units or less was 65%, it is nevertheless true that more than half of these structures are occupied by their owners. This indicates that to some extent these landlords are not professional property owners. At your direction, I shall shortly establish procedures to render further assistance in hardship situations to this group. I also propose to issue very shortly Schedules of Rental Values which will provide landlords with incentives for modernization of heating plants.

My report to you which summarizes the principal Census data is enclosed.

Sincerely yours,

Hortense W. Gabel

Hortense W. Gabel
Administrator

CITY RENT AND REHABILITATION ADMINISTRATION
280 Broadway
New York 7, New York

Hortense W. Gabel
Administrator

REPORT TO MAYOR ROBERT F. WAGNER ON THE CONTROL OF RESIDENTIAL RENTS IN NEW YORK CITY

On May 1, 1962 New York City took over residential rent control after 12 years of administration by the State. Legislative mandate requires assessment of the need for the continuation of rent control. We welcome this opportunity.

Both State and City residential rent control laws declare that a public "emergency necessitated the intervention of federal, state and local government in order to prevent speculative, unwarranted and abnormal increases in rents; that there continues to exist an acute shortage of dwellings; that . . . action is necessary in order to prevent exactions of unjust, unreasonable and oppressive rents . . . and to forestall profiteering, speculation and other disruptive practices tending to produce threats to the public health; . . ."

The 1962 State laws transferring the administration of rent control to the City required that the City Council determine by February 1, 1964 whether a public emergency continued to exist. The laws specified that this determination should be made "following a survey which the City shall cause to be made of the supply of such housing accommodations and the need for continuing the regulation and control of residential rents and evictions within such city."

The City's local rent law requires the Mayor to present to the Council a report of the results of such survey and the need for the continuation of controls within the City.

To fulfill this requirement the City entered into two contracts with the United States Bureau of the Census.

The first was for a survey of housing vacancies in the Fall of 1962. The second was for special tabulations of 1960 Census data on housing conditions, rents, incomes and other tenant characteristics.

Analysis of these surveys clearly demonstrate the need for continued rent control in New York City. It shows that:

> The public emergency that requires rent control still continues.
>
> The critical housing shortage still exists.
>
> Without continued rent controls the existence of this housing shortage would permit the exploitation of tenants.
>
> Unjust, unreasonable and oppressive rents have been prevented for those who live in rent controlled houses.
>
> Reasonable rent increases have been permitted under rent control while incomes have kept pace.
>
> The quantity of housing has increased and its quality improved in post-war years.
>
> Only at the rent level of $250 per month or more is there evidence sufficient to justify any relaxation of rent control.

In 1960, 77% of the City's 2,078,000 rental units were subject to rent control; almost 18% were not controlled and an additional 5% were in public housing. Of the City's five and one half million people living in private renter units almost foure and one half million were protected by rent control.

In December 1962 the adjusted available vacancy ratio for all rental housing was 1.8%, which was the equivalent of the 1960 vacancy ratio.

Three-fourths of the 37,500 available rental vacancies were in small apartments or rooms. Only a few more than 9,000 vacant units had two bedrooms or more. Apartments covered by rent control were, of course, at a premium.

Arguments that rent control has inhibited new construction and caused the deterioration of existing buildings are refuted by Census data.

During the decade of the 1950's there was an almost unprecedented net increase of more than 250,000 homes in New York City -- almost half of them rental apartments.

The quality of New York City's rental housing in 1960 was better than that of most large cities in the United States. Of the 30 cities in the country with a population of 400,000 persons or more, only three -- Los Angles, San Diego and Baltimore -- had a lower proportion of substandard rental units, as classified by Census Bureau definitions, than New York.

In contrast to the 11% of New York City's rental housing that was substandard, 18% of Chicago's rental housing where controls lapsed a decade ago was substandard, and 29% of Cincinnati's rental housing was substandard.

During the 1950's many of New York City's rental housing units were rehabilitated. Between 40-60,000 of the apartments defined as substandard in the 1950 Census were classified as standard by 1960. The number of substandard rental units decreased during the decade by 100,000 units, from 322,000 or 16% of the total supply to 222,000 or 11%. Thus, approximately half of the improvement in the City's rental housing resulted from the upgrading of the existing stock of housing.

Considering that the great bulk of New York City's controlled apartments are more than 35 years old, it is remarkable that 95% of the controlled apartments are classified as standard. A large proportion of substandard housing was in rooming houses where, because of shared plumbing facilities or dilapidation, 97% of the rooms were substandard. These substandard rooms constitute 58% of all substandard rental units in the City.

There was also a marked decline during the decade in what the Census calls "severely crowded" units -- those dwellings with more than 1-1/2 persons per room. In 1950 there were 139,000 severely overcrowded apartments. In 1960 this figure had been reduced by more than 25% to 99,000 severely overcrowded dwellings.

It seems clear, from the census data on rents, incomes and rent-income ratios, that controls have protected most tenants against unwarranted, speculative and oppressive rents.

During the decade 1950-1960, rents in New York City went up approximately 49%. For controlled units, median gross rents increased by 43%, from $49 to $73. This was in sharp contrast with rents of decontrolled apartments and never-controlled apartments. In 1960 the median rent on never-controlled apartments was $127 and for decontrolled apartments it was $89.

Incomes of tenants have gone up approximately 52% during the 1950's. In 1949 the median income for renters was $3,300. In 1959 the median income was $5,000.

As might be expected, incomes of families in controlled housing were smaller than incomes in non-controlled housing. Thus, in 1960, 53% of the families in controlled housing had less than $6,000 income, while only 39% in non-controlled housing had incomes of less than $6,000. The median income for families protected by rent control was $5,800; that for families in non-controlled housing was $7,100.

For families with very low incomes -- under $4,000 -- rent control offered a real measure of protection. These tenants paid a median rent of $65 per month in controlled buildings, while similarly poor families in non-controlled housing paid a median rent of $95.

As incomes went up during the decade of the 1950's, rents almost kept pace. For all rental housing, the rent-income ratio declined slightly from 18.9% to 18.4%. In the controlled sector, the median rent-income ratio was 17.7%, as against a median non-controlled rent-income ratio of 20.4%. This is a true measure of the extent to which rent control has been effective in New York City.

As always, race and ethnic origin, compounded by poverty, cast an ugly shadow on the availability of housing. Because of their considerably lower incomes, rent-income ratios were higher for all minority tenants. The rent-income ratio for white renters was 18%, for non-whites it was 23% and for Puerto Ricans it was 21%. But controls helped minority tenants, the great bulk of whom live in such housing.

The median rent-income ratios of minorities in the controlled sector was 21%; for those in the non-controlled sector rent-income ratios were more than 35%. The median rent for Puerto Rican households in controlled housing was $63; in uncontrolled housing it was $83. The median rent for non-whites in controlled housing was $67; in non-controlled housing it was $94.

Rent control has become an essential protection for many older persons in New York City and the future status of rent control is closely associated with the welfare of the elderly. Households headed by persons 55 years or older represent 42% of controlled households compared to 28% of not-controlled households. This is reflected in the higher median age of household heads in the controlled sector than in the not-controlled sector -- 51 years as against 43 years.

In the highest rent sector there has been considerable easing of the market within recent years. The majority of the 8,700 housholds (as of 1960) occupying controlled apartments renting at $250 or more are in good position to bargain for shelter. Their incomes are high -- the median income is $18,500 and their households are small. It is in this highest group that we find a large number of small households occupying apartments of five rooms or more. However, this group also includes between 1,500 and 2,000 households of four persons or more, where need for larger apartments is clear.

As of December 1962, there were 2,700 vacant apartments renting at $200 or more, of which more than 60% were located in Manhattan where the bulk of controlled tenants with rents of $250 or more live.

These high income tenants, as a group, are able to compete for housing in a free market. Nevertheless, their movement into a free market must be properly safeguarded in order to enable them to arrange for new housing or negotiate continued residence in their present homes. This is particularly true of families with children.

In the last analysis, the total impact of any decontrol action in terms of family displacement and rent changes will be determined by the decisions of many people: the moderation of landlords in setting the rents of decontrolled units, the willingness and ability of decontrolled tenants to pay higher rents, the intensity of demand for larger Manhattan apartments by other households, and the capacity of the real estate industry to add to the housing supply.

Upon the basis of the foregoing it is recommended that

a. the Council find that the public emergency requiring the continuation of rent control still exists, and

b. the City Rent and Rehabilitation Law be amended to decontrol individual housing accommodations renting for $250 per month or more as of September 1, 1963, provided that suitable safeguards are enacted to insure the orderly transition from regulation to a normal market of free bargaining between landlord and tenant.

Respectfully submitted,

Hortense W. Gabel
Rent and Rehabilitation Administrator

December 13, 1963.

JAN 20 1964

SAVE AND STRENGTHEN RENT CONTROL!

GIANT DEMONSTRATION

THURSDAY - JANUARY 23rd - 10 A.M.

CITY HALL PARK - PARK ROW SIDE

TELL YOUR MEMBERS!   BRING YOUR OWN SIGNS!

① Two hearings at City Hall...

. THURSDAY, JANUARY 23rd, 11 A.M. on Renewal Rent Control Law.

. MONDAY, FEBRUARY 3rd, 10 A.M. on $250 Decontrol.

② Write Majority Leader Eric Treulich, City Hall, N.Y.C. for time to testify at both hearings - both organization spokesmen AND individuals. If you can't testify during the day, ask for evening time. Ask that a large High School Auditorium be used, not City Hall.
(If necessary to change place of demonstration, we will notify you.)

③ Demonstration leaflets for general distribution available at $6 per M. Order from SPring 7-8900 or CIrcle 7-4237.

④ Return all signed Rent Control Petitions to undersigned.

NO $250 DECONTROL...STOP SPIRALING INCREASES!

NO REPAIRS- NO RENT! IF THE LANDLORD WON'T REPAIR, THE CITY MUST!

MORATORIUM ON DEMOLITION OF STRUCTURALLY SOUND HOUSING!

METROPOLITAN COUNCIL ON HOUSING
215 West 23rd St.   New York 11   N. Y.

MC

File

from the desk of | **MATTHEW J. DOMBER**
First Deputy Administrator

March 4, 1964

MAR 5 1964

Assembly Majority Leader Joseph Carlino has now backed Senator Mahoney's proposal which will jeopardize the continuance of effective rent control. A similar threat at last year's legislative session was headed off by public outcry. Act now to make your views known before it is too late.

MJD

FOR RELEASE
WEDNESDAY PM
MARCH 4, 1964

CITY RENT AND REHABILITATION ADM.
280 Broadway, New York 7, N.Y.
566-5264

Matthew J. Domber, Acting Rent and Rehabilitation Administrator, today released the following statement:

"Senate Majority Leader Walter J. Mahoney has proposed a slash in the budget of the City Rent and Rehabilitation Administration which would seriously jeopardize continuing effective rent control for five million tenants and landlords in New York City.

"According to newspaper reports, Senator Mahoney is proposing to cut $998,000 earmarked for mandatory increments to maintain the agency at existing levels from the 1964-65 budget of the Rent and Rehabilitation Administration.

"This reckless proposal would require more than a 20% reduction in the agency's staff. It would mean a cut of approximately 200 essential employees at a time when the agency is striving to combat the spread of slums and to speed up processing of applications.

"It is a back-door method of decimating rent control, all the more inopportune in view of the finding of the New York City Council that an emergency housing shortage still exists in New York, and that retention of effective rent control is essential.

"The $998,000 figure in Governor Rockefeller's budget request to the Legislature includes no new staff or new programs. It is solely to meet operating increases mandated by law, such as mandatory Civil Service salary increments, health insurance, social security, retirement payments and rent for office space. Approximately $125,000 of the total amount is earmarked for a housing survey required every two years by State law.

"No increase in personnel is contemplated by the proposed budget. On the contrary, the 1964-65 budget provides for 26 fewer jobs than are authorized in the current budget.

"The Agency's budget is now pending before the State Legislature because the State Enabling Act transferring rent control jurisdiction to New York City states that the expenses of the program are to be paid by the State.

"The current RRA budget is $6,429,770. The proposed 1964-65 budget is $7,428,000.

"The proposed slash would be a boon to the slumlords who are now beginning to feel the effects of the RRA's pocketbook attack on slums, through rent reductions.

"This cut would adversely affect both tenants and landlords. A 20% reduction in personnel would make it impossible to maintain the present rate of processing applications and would also necessitate eliminating programs now being developed to encourage landlords to rehabilitate and improve their properties.

"It would severely limit the Agency's ability to give prompt attention to tenant complaints and to give priority to referrals of hazardous violations in our worst slum buildings by the Departments of Buildings and Health. More than 25,000 such referrals were received in 1963. In about 17,000 cases full restoration of services were obtained and in the balance, rent reductions were ordered. The ability of the Rent Administration to move swiftly in cases of rat infestation in cooperation with the extermination program of the Department of Health similarly would be affected.

"It would subject landlords filing applications for rent increases to long delays in processing and would also delay the processing of review proceedings within the Agency and in the courts.

"The net effect could well be a breakdown in the effective operation of the rent law.

"It would further make it impossible for this Agency to conduct an effective survey of vacancies and housing conditions as required by State Law.

"The interests of both landlords and tenants require that the rent control law be administered effectively and that the rights of all citizens be protected. This cannot be done without adequate budget and personnel.

"The proposed budget slash would place undue hardship on New York's tenants and landlords and would make a mockery of the powers which the State delegated to the City to effectively administer rent controls."

The New York Times.

TUESDAY, MARCH 17, 1964.

SUIT CHALLENGES CITY'S RENT LAW

Owner of Apartment House on the West Side Asserts No Emergency Exists

COUNCIL RULING SCORED

Jan. 28 Finding Described as Contrary to Facts—Due Process Is Cited

By ROBERT E. TOMASSON

The city's right to continue rent control was challenged yesterday in a suit filed in State Supreme Court.

At stake are regulated rents in an estimated total of 1.5 million apartments.

The challenge to the controls, which have been in effect here in essentially the same form 21 years, was made by Amsterdam-Manhattan, Inc., the corporate owner of a 145-unit apartment house at 175 West 73d Street.

However, the impetus for the suit came from the Metropolitan Fair Rent Committee, the city's largest organization of residential property owners, which has been their chief spokesman in connection with Federal, state and city rent controls.

The law firm of Sullivan & Cromwell represented the apartment owners in the suit.

Rent Agency Cited

The City Rent and Rehabilitation Administration was named as defendant. Mrs. Hortense Gabel, chairman of the Administration, said that the city agency had 20 days in which to answer.

The crucial and, essentially, the only issue to be decided by the state court in the action filed yesterday is whether a housing emergency exists.

Last Jan. 28, the City Council, in a resolution, declared that "a serious public emergency continues to exist and will continue to exist after March 1, 1964 in the housing of a considerable number of persons in the city."

The apartment owners charged in the complaint that the Council "acted arbitrarily and without factual basis for its declaration of the continuance of the emergency alleged in such resolution, and in disregard of the nonexistence of any such emergency."

Since the existence of a housing emergency is the basis for controls, as specified by state law, determination of the case is expected to revolve on the question of the adequacy or inadequacy of housing in the city and, if housing is found inadequate, whether or not an "emergency" exists.

Special Census Taken

A spokesman for the city said that a special census of the city in December, 1962, showed that there was a 2 per cent vacancy in all rental units in the city. According to the spokesman, this indicated a "very definite emergency."

If the state court, or a higher court, rules that no emergency exists, rent controls would be illegal, the plaintiff asserts, because they would violate not only city and state laws, but the United States Constitution as well.

Section 1 of the 14th Amendment, which was designed to protect against loss of property (rents) without due process of law is cited in the complaint.

Rent controls were started here in 1943 under Federal auspices. In 1950 administration of the law passed to the state and in May, 1962, it was taken over by the city.

THE SCOREBOARD

September, 1963 Vol. IX, No. 5

A publication of CCRMNY - The Committee on Civil Rights in
Metropolitan New York, Inc. - an organization dedicated to
equality of opportunity for all. Especially concerned with
public accommodations and housing. Address all news items
to CCRM, 225 W 57 St, Rm 403, N.Y., N.Y. 10019 CIrcle 7-6343

MARCH ON WASHINGTON

It was superb. CCRM did not participate officially for various reasons, but the staff and the Chairman Emeritus went as individuals and report that it was the most soul-stirring experience they had ever witnessed.

The speakers and singers were great, but the people were the greatest, so gentle, so dedicated, and so firm and purposeful in their beliefs. The March symbolized a revolution - a revolution quiet yet determined, one where blood is not shed by the actions of those who are repressed, but by those who cannot yet face the new world where "we shall overcome." The March leaders wanted "a great and dramatic demonstration which would go beyond the brush fires of Birmingham, Ala., and Jackson, Miss.and Cambridge, Md. and make the point that these were not isolated pockets of trouble but show cases of a nationwide condition. The answer to the question of what was accomplished cannot come immediately. What the March leaders hope is that it will have awakened millions of Americans who are vaguely aware of Negro discontent but don't know exactly who or what can be done about it... The ranking ministers of each of the nation's major faiths appeared on the speakers platform. This was a key factor. Theirs was not the fervor of a few liberal ministers, but that of the churches of the nation speaking on the rights issue for the first time. ...Walter Reuther said after the March that this 'was the beginning of a broad policing of conscience.' That was the aim - to get Americans to do more than tut-tut over the plight of Little Rock school children and to start thinking about the basic rights to which Negroes are entitled as citizens. ...The March leaders...did think that a few million Americans might change their minds about how wide-spread and compelling is the Negro cry today." (Optotowsky, N.Y. Post, 8/29/63)

Whitney Young, head of the Urban League said "I'm terribly exhilarated. This March marks both the end and the beginning. It is the end of indifference in this land to our plight. It is the beginning of a coalition of conscience among both Negroes and whites. Enough whites marched with us today to convince us that we do not stand alone. Furthermore and of the utmost importance, this March demonstrated the abiding Negro faith in democracy despite the hurts and wrongs he has suffered so long." Roy Wilkins commented "without doubt, it was the most spectacular and thrilling day of my life", and A. Phillip Randolph: "This has been the most beautiful, the most glorious day in my life."

It is up to all of us to see that the lessons of the March are not lost. A leader of a group from Westchester said "We're going back home and bend every effort to get rid of discrimination in housing, employment, and education in Upper Westchester." This is the kind of pledge the March leaders want to hear!

WHAT CAN CCRM MEMBERS DO?

CCRM asks all of you to pledge to work in its most important area in which to fight discrimination - open occupancy in housing. In addition, there are sidelines in which all of us can participate, as for instance in apartment houses where there are white elevator men only, ask your landlord or agent to consider mixed crews. Or, there are many banks where no integration of tellers has yet occurred. Write or speak to your local branch about this and include executive personnel as well, while you're at it. Or, if you are a member of a religious group, speak to your minister, priest or rabbi: ask him to address his congregation to participate actively in the battle for open occupancy by urging Negroes to go into the open housing market, by urging white members, either to speak to their landlords, or, if they are landlords or agents, to offer their properties on an open basis. Or, take on a tutorial assignment to help a child who may be backward, to keep him from becoming a drop-out, or to help a gifted child in a crowded school to assure his being prepared to enter college. Many agencies are organizing and training qualified people to help in this way. Or, if you are an employer, contact Mobilization For Youth, OR.7-0400, ext. 221, which is soliciting participation from interested employers to carry out on-the-job training for unemployed youths. Get on your mark, get set, GO!

CCRM'S THEATRE BENEFIT

Both the play and the date have been changed - more than once. But this is, we hope, the final word: Preview of "The Ballad of the Sad Cafe", adapted by Edward Albee from the book by Carson McCullers and directed by Alan Schneider of "Virginia Woolf" fame, at the Martin Beck Theatre. And the date is to be October 29, 1963. Prices from $30 to $6. We need a sell-out to keep our office going. So pick up your invitation and send us your orders.

CCRM MEMBERSHIP CAMPAIGN

This has been quiet during the summer; please bestir yourselves now. We need 300 new members, as well as your own renewals. Every time someone is delinquent, it means another mailing from the CCRM office and that costs money and valuable time. Our Public Relations Committee is planning spot announcements and speeches, beginning in October to help CCRM become better known. Take advantage of these to interest your friends.

CCRM'S SUMMER

Very busy on housing calls and distribution of materials in answer to requests. 2 PASE meetings, one for seekers, and one for checkers. 2 apts secured, 2 co-ops. Conferences with members of State Division of Housing and members of West Side Civil Rights Committee.

CCRM'S NEEDS

Above all, volunteers - daytime preferably - and typewriters in good condition. And finally - Contributions!

GOOD NEWS FROM U.S.O.

The USO recently issued a policy statement in which it flatly stated that it "will not sponsor, operate or finance anything other than integrated USO facilities in any community after 1963." The USO announced this new policy in spite of the fact that it knew when it did so that it involved radical changes in personnel of the armed forces attending its USO clubs in 20 communities in the South located chiefly in Florida, Georgia, Texas, North Carolina, South Carolina and Virginia.

INTEGRATION IN ADVERTISING

Changes in advertising patterns are beginning to be seen. The N.Y. Telephone Co. used a picture of a Negro entering a street phone booth with whites in the background; Lever Bros., in selling "Whisk" on TV showed a white boy sliding into 3rd base in a Little League game and a colored boy on the base; Art Linkletter interviewed a Negro housewife about "All". The Times of Aug. 7 mentioned two billboard advertisements for the Boston Gas Co. showing

Negro and white children playing together on a slide. The President of Boston Gas, Earl H. Eacker, asked to comment on the innovation said, "...Boston Gas Company has Negroes both as customers and employees. White and Negro children play together. As a matter of fact, I see them splashing together in the frog pond when I cross the Boston Common. ... The ad simply recognizes a fact." Narragansett Beer ran a contest in which Negroes were among the contestants and Negroes were shown in the ads. And the Times of Aug 23 reported that the Colgate-Palmolive Company, whose ads were prepared by the Ted Bates Co., would release several commercials within the next two weeks with a number of Negro models.

SCHOLARSHIP OPPORTUNITIES National Council of Negro Women has announced an Essay Contest for high school students on the theme "What the Life & Works of Mary McLoed Bethune Mean to Me." First prize of $2500 contributed by Hofheimer Foundation to be used at college of winner's choice. Details from Roslyn Cheagle, NCNW national headquarters, 131 Vermont Ave, N.W., Washington 5, D.C. Details of Opportunity Fellowship Program for members of minority groups for graduate and professional study for 1964 can be obtained from the John Whitney Foundation, 111 W 50th St, N.Y., N.Y.10020. Courier, July 27, 1963 lists innumerable Scholarships available and not always taken advantage of by members of minority groups; as General Motors which awards annually 400 four-year scholarships from $200 to $2000 a year. Applicants must be secondary school seniors who are citizens. Write to General Motors Corp, Detroit 2, Michigan. Courier list available at CCRM office or send for copy of Undergraduate College Scholarships, Office of Education, Washington 25, D.C.

JOB OPPORTUNITIES Civil Service Examination in Grand Rapids Michigan, for Human Relations Assistant. Rate of pay $5356-$6864 per year. Application must be in by September 23. For details, call CCRM office. New York City Civil Service Commission announces jobs openings: Assistant Acc't, $5450-$6890. Applications to be in by Sept. 24; X-Ray technicians, laboratory aids, social investigator trainees, etc. Contact Dept. of Personnel, 96 Duane St, N.Y.C. Atomic Energy Commission offering jobs as reactor, industrial, electronic engineers, physicists, auditors to 3 year experienced qualified people at salaries from $5540-$12,845. Write Martin Stahl, Personnel Officer, U.S. Atomic Energy Commission, N.Y. Operations Office, 376 Hudson St, N.Y., N.Y. 10014.

A THOUGHT FOR OUR TIME Saturday Review presents the rare exception to the usual bombast of commencement addresses "from the address of President Leroy Martin of the University of Chattanooga, a previously all-white private institution which this year is admitting Negro students for the first time, ...delivered to graduating seniors at the commencement exercises June 3rd: 'As you go out into the world today you will have to face the problem of the white and the black. It is my hope that you will be part of the solution and not part of the problem.'"

ONE TEACHER AND SIT-INS Remember the Englewood, N.J. sit-ins, children who entered the Cleveland School as "unauthorized visitors"? The Board of Education had ruled that the children could remain in the classrooms, but they were banned from receiving homework assignments or participating in lessons. But in the third grade instruction was given. Miss Schelling, their teacher, reported to an audience of teachers and administrators in a workshop on desegregation at Teacher's College, Columbia University: "I had a decision to make. Should I teach them or let them sit passively and take no part? I felt I had a responsibility to myself, and as a citizen of the U.S., to do all I could for these children. I've been teaching for nine years. I've taught love and understanding to each class I ever had. I feel it's as important as any academic credo. If I had ignored these children, the damage to the white children would have been just as irreparable. I would have contradicted by my actions everything I stood for. It was the first time in

my life I was ever put on the spot to prove what I stood for." She said school desegregation, when it comes, puts the teacher to the test. "If you haven't learned to love your fellow man," she said, "now is the time to re-examine your thinking."

A BISHOP'S WORRIES

Baltimore, Maryland. Bishop Charles F. Golden, head of the Nashville-Birmingham Area of the Methodist Church, in a sermon at Metropolitan Methodist church here stated his views on clerical activity in the registration of Negroes in the South: "Someone asked me if I were not worried about my ministers who are in jail in Mississippi. I replied, 'No - I am worried about those who are not in jail in Mississippi.' No Christian minister in the deep South can afford to stand by and be unconcerned in this struggle for human dignity and our constitutional rights."

BIRMINGHAM AT NEWPORT

Duke Ellington contributed a first at the Newport, R.I. Jazz Festival. With his rhythm section supplying a light lilting beat, Ellington half-talked and half-sang original stanzas like: "King fit the battle of Alabam, Alabam, Alabam, King fit the battle of Alabam, and the Bull got nasty, ghastly, nasty. The Bull turned hoses on children and people, children and people, children and people, The Bull turned hoses on children and people and the water came splashing, dashing, crashing." Then, after several more stanzas, he concluded with: "Little babies fit the battle of police dogs, police dogs, police dogs, Little babies fit the battle of police dogs and the dogs came growling, howling, growling. The dog looked the baby right square in the eye, and said 'bye-bye-scram.' The baby looked the dog right back in the eye, but didn't cry or lam. And when the dog saw the baby wasn't afraid, he turned to his Uncle Bull and said. The baby looks like he don't give a damn, you sure we still in Alabam?"

CCRM'S HOUSING SERVICE

Having problems with run-arounds, etc.? Call CCRM; make an appointment to talk things over to facilitate your finding an apartment. If you are interested in a co-op or a subsidized rental, call for a copy of CCRM's Summer 1963 Housing Bulletin which includes detailed information not listed here.

WAITING LISTS

Call CCRM to get on waiting list of established Bronx co-op with turnover in 3 rm apts. And Manhattan low middle income co-op also occupied. And Brooklyn co-op - occupancy in about 1 year.

RE-SALES AND RENTALS

Two vacancies (4 rm apts) at 1270 Fifth Av. Total dp $2300-$2400, total cc $150-$155. Call Mr. Trent at Wm. A. White - MU.2-2300. Apt. available in Clayton Apts, 135 St & Lenox Av, for 1 or 2 yr rental. Call CCRM for details.

NEW CO-OPS

MANHATTAN: Esplanade Gardens, 145-149 Sts, 7th & Lenox Avs, dp $316, cc $27 - call Mr. Luciani, MU.5-7500. York Hill II, 88 St, between 2nd & 3rd Avs, dp $600, cc $27.83, ready in 2 yrs. Call CCRM for details. BRONX: Boulevard Towers, Bruckner Blvd, Pugsley, Quimby, Olmstead Avs, dp approx $550, cc approx $26-27. Detailed information, PL.2-2850 after Oct. 21st.

CO-OP AVAILABILITIES

MANHATTAN: Chatham Towers, Park Row, Pearl & Worth Sts, already occupied, dp approx $1000 cc approx $40. To get name on waiting list for cancellation, call BE.3-4800. Riverview Towers, Riverside Dr, 139-140 Sts. Construction starting early Sept, 1,2,3, bdrms. Total dp $2200-2600, total cc $116-142. Call AD.4-8551. West Side Renewal Area, See Summer Bulletin for details of Mitchell-Lama co-ops, middle income rentals will be about $28.50-$29.50 per rm, & $50-$60 in the fully tax-paying units. Call CCRM in about a month for further details.

BRONX: Bronxwood Towers, E. 223 St, Bussing & Bronxwood Avs. Oct. occupancy, only $6\frac{1}{2}$ rms left. Total dp $3300-$3400, total cc $159-161. Call KI.7-1400. Chatterton Terrace, Pugsley, Blackrock, Chatterton Avs, 1 bdrms only w/balcony. Total dp $2040, total cc $105-$110. Under construction. Call KI.7-8500. Oak Towers, Oak Drive & Cruger Av. Construction about to start, ready in 15 mos. 1-3 bdrms, total dp $1565-$2440, cc per rm $27.50 w/balconies. Call JU.8-2484.

LONG ISLAND: Neptune Towers, Neptune Blvd & Boardwalk. Already occupied. 1 & 2 bdrms avail. Total dp $2085-$3600, total cc $144-$238, incl. g&e.

SUBSIDIZED RENTALS

BRONX: Arlyne Gardens, Bruckner & Chatterton Av, occ. Sept. 1963. Taking names now. Write Arlyne Gardens, Inc, 36 W 60 St, N.Y.,N.Y. 10023. Average rental, $30-$35 per rm.

BROOKLYN: Brightwater Towers, Surf Av, W.5 & W.8 Sts, ready early 1965, rental about $30 per rm, 1-3 bdrms, w/terraces. Call HI.9-8200 to get on list.

WESTCHESTER: Phillipse Towers, Riverdale Av, below Prospect & Vark Sts, ready August, 1964. Approx. $27 per rm w/terraces. 1-3 bdrms. Call (914) YO.5-1150.

HAVE YOU HEARD THAT?

...Helen & Richard Fein have a second daughter, born July 22, 1963.

...Tom Sims is now with McCann Erickson, as a member of the Marketing Plans Board.

...Junius Edwards, now with Ted Bates & Co, managed to get himself a fine case of pneumonia on the day that his book, "If We Must Die" reached the book shops.

...Maude Veal was married on July 3rd to Augustus G. Jenkins.

...Dorothy Height has been named by the National Board of the YWCA to direct a new two year action program to accelerate full integration in the YWCA.

...Lester B. Granger, currently Edgar B. Stern Visiting Professor at Dillard University in New Orleans, has been elected to the Board of the Lenox Hill Hospital.

...Jack Wood, formerly NAACP Housing Secretary is now head of the housing division of CCHR. Ted Brown will be its labor & employment Divisions head.

...Anne Montero is Assistant to Madison Jones, Executive Director of CCHR, and Frank Montero is now a special assistant on the American Mission to the U.N.

...Dr. Herman H. Long has been named President of Talladega College, Ala.

...the N.Y. Courier has published a 23 page Centennial Edition and Ebony has published a special commemorative issue (both at CCRM office). "Crisis", June-July, 1963 (copy at CCRM office) carries U.S. News & World Report interview with Roy Wilkins on "What The American Negro Wants".

...a school child and her mother have issued a "Deerfield Coloring" book with humor and dignity. For a copy send $2 to Issues, Box 321, Highland Park, Illinois.

USE LETTER ON BACK PAGE TO ENROLL NEW CCRM MEMBERS

COMMITTEE ON CIVIL RIGHTS IN
METROPOLITAN NEW YORK, INC.
225 West 57th Street, Room 403
New York 19, N.Y.
Return Requested

NEW YORK, N.Y.
1963

SEP 26 1963

Mrs. Marcia McKenna
C O R E
38 Park Row
New York 38, New York

DEAR FRIEND:

I am writing you on behalf of a Committee which means a great deal to me - the Committee on Civil Rights in Metropolitan New York. It is a volunteer interracial group in which many of us have worked together for a number of years. These days our aim is to reach the goal of open occupancy in housing for all. I think you will be interested to become a member and receive our entertaining and informative bi-monthly SCOREBOARD. And you may want to work on our Partnership Apartment Seeking Exchange (PASE) as a minority apartment-seeker or as a white volunteer. Or you may just want the fun of working on one of our committees and meeting some really great people. So - do join!

Cordially,

Contributing-$5 ☐; Sustaining-$10 ☐; Patrons-$50 ☐
(Contributions, tax-deductible, should be payable to CCRM)

Name ____________________

Address ____________________ Boro __________ Zone ________

COMMITTEE ON CIVIL RIGHTS IN METROPOLITAN NEW YORK, INC.
225 WEST 57th STREET, NEW YORK 19, NEW YORK

THE SCOREBOARD

March, 1964 Vol. X, No.2

A publication of CCRMNY - The Committee on Civil Rights in Metropolitan New York, Inc. - an organization dedicated to equality of opportunity for all. Especially concerned with public accommodations and housing. Address all news items to CCRM, 225 W 57 St, Rm 403, N.Y., N.Y. 10019 CIrcle 7-6343

BROTHERHOOD 1964

Here we are in Brotherhood time again. Our question asked in THE SCOREBOARD of March, 1961 is still not answered, "Brotherhood Weekly or Yearly?" Why not Brotherhood Year or Years until we begin to understand the meaning of Brotherhood. Mr. Simple, (Langston Hughes' friend) has this to say: "Oh, my brother, where are you during Brotherhood Week? I thought maybe in this Centennial Year of freedom and disintegration - I mean desegregation - Harlem would be full of brothers day and night seeking to take my hand. But I have not seen a one of you up Harlem way after dark. By day, yes, because you-all own so many stores in Harlem. But, oh, my brothers, you have not even given me a token present across any counter all week long, and prices is still as high as ever, and higher than midtown where some few things is ten cents, but in Harlem, they is 12. Always that penny or two higher on groceries in Harlem, and my wages is always a dollar or two shorter downtown. Why is that among brothers? Why is colored wages always lower and colored prices always higher in this U.S.A., I ask you? That is hardly the brotherhood way. Share and share alike ought to be the plan, and equal prices for every man, black or white, Jewish or Gentile, Catholic or Protestant, Muslims, Gypsies or Chinese. Also Puerto Ricans - who buy on credit a lot which means their prices is doubled by the time they get through paying all them carrying charges. The Puerto Rican race problem is all mixed up with carrying charges - so is mine. Interest and credit, till by the time you have paid for a ten-dollar lamp shade, it has cost you twenty-five. How can a brother do that to a brother, particularly during Brotherhood Week? Do brothers run credit stores? Or is brotherhood just to be in churches, not in stores? 'Let Us Break Bread together,' which is hardly a good song for Brotherhood Week, jokers singing it different. They was singing, 'Let us take bread together,' which is hardly a good song for Brotherhood Week, particularly coming from Negroes. It will make white folks mad."

CCRM PARTY

Save Friday evening, April 17th for our Annual Party at the Hotel Commodore. Hope all of you can be with us that evening to help with the fun' raising. Tickets will go on sale Thursday, March 19th - $4.00 a person, including table seating. So - start organizing your tables now. Bring prizes for the Wheel of Fortune to the office; your white elephant may well turn out to be another's dream.

CCRM MEMBERSHIP DRIVE

Have you noticed the letter on the back of THE SCOREBOARD? Do you remember that we have decided to have a continuing year 'round membership drive? Please use the letter and ask a friend to join and if you need more, call the office. And don't forget to renew your own membership when it comes due!

CCRM REPORTS

CCRM is among those groups which the N.Y.C. Commission on Human Rights has designated to accept verified housing complaints for the Commission. If an apartment seeker, whether working with a checker or not, runs into resistance, a complaint can be filed with us. This should speed up our entire process and make it possible to obtain more apartments. Call our office for details.

CCRM has 12 PASE teams in the field - that should make 12 apartments secured or 12 complaints filed. CCRM welcomes more apartment seekers, more checkers. CCRM is greedy - greedy to see more and more people in apartments in non-ghetto neighborhoods. The more people who come out and look and apply, the more quickly the barriers will fall. We stress again that apartment hunting is a tedious, wearing job. You may not find what you want on a first try, regardless of discrimination. It's doubly difficult of course if you see what you want and then have to fight for it. But do keep on, even if it means filing complaints several times. Remember you can file the complaint at CCRM's office now. We want to win this fight; we need you to help us!

URBAN LEAGUE SPONSORED WORKSHOP

Save April 25th and come to an all day Workshop sponsored by the City Wide Housing Committee of the Urban League, at the Ethical Culture Society, 2 West 64th Street to discuss opening up new areas to set up many Fair Housing Committees throughout the city to scout out available apartments and to use their influence to change landlord's practices; other panels on the complaint process, government housing, urban renewal and code enforcement and violations. For details, call Urban League, Miss Barbara Morrison, AU.6-8000.

PUBLIC INTEREST AND PRIVATE RIGHTS

"The interest of the innkeeper is purely personal. Leaving racial prejudice to one side, he is concerned with the financial returns of his own business. But larger issues ride upon his decision to expel a black man from his premises. The indignity and affront and humiliation endured by hundreds; the denial of service to those seeking food and refreshment in an age when everyone travels or dines out and the restaurant or motel or hotel is an essential of civilized living; the negation in the eyes and estimation of visitors from foreign lands of all of our sacred pretensions of equality; the embarrassing and tragic moment when white and Negro friends must go separate ways to dine; the moving and mentally disturbing discovery by Negro children that, because they are black, they are outcasts - all of these must beat upon the consciences of courts and be weighed in the balance against the acquisitive motives of one man behind a cash register. To operate his inn some agency of government has issued a license. Another has built in front of his place of business a road or sidewalk which brings him customers. Police and firemen protect his property. Medical examiners inspect his premises and employees, and issue certificates showing the grade of sanitation. At every turn he is the beneficiary of governmental action. For the services rendered him by government every citizen has been taxed - including Negro citizens. Surely no liberal construction is required to conclude that his business is affected with a public interest and is sustained and fostered by state action." - from Marion Wright's "The Sit-In Movement: Progress Report and Prognosis" in the Spring issue of the Wayne Law Review.

WANNA START A FREEDOM SCHOOL?

Consult Mrs. Leonard Harper, 569 Cross Street, Westbury, L.I. She is a Community Church member who has started a Saturday Freedom school at Malverne, L.I. It is a new kind of enrichment program for Negro kids who need a positive self-image and sometimes remedial academic help. 135 children are enrolled and are being taught by volunteer teachers, social workers, college students, etc. If you can't start a group of your own, perhaps you'd like to send a few dollars to help Mrs. Harper build up a Freedom School library. Write to Ucan Freedom School, c/o Mrs. Leonard Harper, 569 Cross St, Westbury.

TWO SIDES OF A COIN

Two excerpts from the January issue of the Newark Human Rights Commission: the first a poem: "MIXED DOUBLES A net./ Two couples playing./ A ball ponging/ Back and forth -/ On one side/ Negroes,/ On one side/ Whites;/ The net does not separate them/ And can be leaped in a single/ Bound." (Alan Caruba, 1964) "Our next quotation comes straight out of life from the lips of a robed Klansman addressing a crowd outside St. Augustine, Florida. It is last September and the fiery cross has burned itself out, but not the speaker who shouted:'Some of the Niggers say, "We want to go to your churches." There ain't but one manly, Christian thing to do when they try, and that is to meet 'em at the churchhouse door with a baseball bat and to beat their brains out.'"

PRINCE EDWARD COUNTY, VA. FREE SCHOOL ASSOCIATION

This school, in existence since Sept. 16, 1963, was created through a grant from the Ford Foundation and other groups, so that the 1600 Negro children with no schools to go to since the public schools were closed, could have schooling once more. Dr. Niel Sullivan, superintendent of schools at East Williston, L.I., took a year's leave of absence to head up the Free School Association. He recently brought a busload of his pupils to visit with the Williston School children and tour New York City. Dr. Sullivan stressed the eagerness of these children to learn. The Board of Trustees is made up of six eminent Virginians, headed by Colgate W. Darden, one-time Virginia Governor and former president of the University of Virginia; 75% of the teaching staff of 91 plus six administrators is Negro, consisting mainly of teachers from the South but with many from N.Y., Mass, & the Peace Corps; all have college degrees - something Virginia doesn't require for teacher certification - and 25% have masters' degrees. But he told of a negative side of the picture - that its entire budget ($600,000 of which went to teachers) will have been exhausted and the school will have to close unless the U.S. Supreme Court rules that the County private schools are illegal.

REMEMBER THE ALBANY, GA. CHURCH BURNINGS?

Those churches burned down in 1962; Jackie Robinson and others started a fund to rebuild them. They are in construction now but are $20,000 short of their goal. Send tax-deductible contributions to Mt. Olive Baptist Church Rebuilding Fund, c/o Jackie Robinson, 425 Lex-

Plaza, 3rd Av & 106 St, 2 bdrm apts, total dp $2400, total cc $109, EN.9-1300. Inwood Towers, Fairview, St. Nicholas Avs, 1 studio apt left, total dp $1850, total cc $89, EN.2-8900. Litho City, 60-70 Sts, West Side Hwy, co-ops, rentals, cc or rental $26-$36, write Amal. Lithographers, Local 1, 113 University Pl, N.Y. 10003 to get on list. Overlook Co-op Apts, 45 Overlook Terr, ready in about 1½ yrs, 3½-5½, air-conditioned, some terraces, dp about $680, cc about $40, incl. g & e, call LO.8-2680, Sat & Sun, 10 a.m. to 4 p.m. Riverview Towers, W 139-140 Sts, Riverside Dr, ready Spring '65, only 1 bdrm apts left, total dp $2200-$2500, cc $116-$135 per mo, call AD.4-8551. University Village, Bleecker, Houston, W. Bdwy, 1-3 bdrms, dp $650, cc $29, to get on list write Martin Siegel, University Village, 100 Washington Sq. E. York Hill II, 88 St, 2-3rd Avs, dp $600, cc $28, ready in 2 yrs, for details, call CCRM.

BRONX: Boulevard Towers, Bruckner Blvd, Pugsley, Quimby Avs, dp $550, cc $27, names being taken, call PL.2-2850. Bronxwood Tower, E 233 St, Bronxwood & Bussing Avs, ready now, 6½ rms only, total dp $3400, total cc $157-$161, KI.7-1400. Concourse Village, 150-161 Sts, Sheridan, Morris Avs, occupancy to start Dec, '64, 3-6 rms, dp $700, cc $27, 843 Sheridan Av, WY.3-9000. Jamie Towers, Seward, Randall, Pugsley Avs, 1-3 bdrms, dp under $600, cc under $30. Scott Towers, Paul Av, W. 205 St, efficiency-6½, dp $520, cc $27. For Jamie & Scott Towers, send name, size apt desired to Apt. Development Sales, 843 Sheridan Av, Bronx. Kingsbridge Terrace, Kingsbridge Terr, W 229 St, ready Feb '65, 4-6½ rms, dp $525, cc $28, KI.7-8500. Marlborough Towers, Randall, Zerega, CiceroAvs, dp $450, cc not avail, get on list for application, PL.1-0500. Mayflower Terrace, Mayflower & Westchester Avs, ready in 2 yrs, 1 bdrms only, total dp $1300-$1760, cc per mo, $95-$124, EN.2-8900. Noble Mansion, Noble Av & Mansion St, 3½-6½ rms, dp $500, cc $26, write Arthur Coller, 140 Beekman St, NYC to get on list. Oak Towers, Cruger Av, Oak Dr, ready Dec '64, 1-3 bdrms, dp $675, cc $28, TW.8-2484. Orloff Towers, Bailey, Orloff Avs, ready Fall'64, dp $510, cc $26, 1 bdrm apts only, BU.4-8500. Waldo Apts, W 238 St, Waldo, Irwin Avs, ready summer '65, dp $525, cc $28-$30, KI.7-8500.

BROOKLYN: Sam Burt Houses, Bayview Av, W 35 St, Coney Is, 3-6½, dp $600, cc $26.18, write Nathan Klein, Abbot & Adams, 292 Madison Av, to get on list. Cadman Plaza, Bklyn Heights, 3 sections: (1) Cadplaz, 2½-6½, dp $800, cc $39-$45, TW.8-2484; (2) Whitman Close, 2½-5½, dp $700, cc $35; (3) Cadman Plaza North, 3½-5½, dp $500, cc $29, applications for (2) & (3) from S. Pierre Bonan, 420 Lexington Av, N.Y. 17, Lindsay Park, studio-3 bdrms, dp $430, cc $22, ST.2-9000. Rutland Towers, E 92 St, Rutland Rd, ready June '64, studio-3 bdrms, total dp $990-$3500, cc $35 per rm, PR.3-3000. Trump Village, Brighton Beach, 3½-6½, dp $400, cc $27, ES.2-3700. University Terrace, St. James Pl, Lafayette Av, 1-3 bdrms, dp $500, cc $22, UL.7-4410.

QUEENS: Hanover Court, 57 Av, 92 St, Forest Hills, ready Dec '64, 1-3 bdrms, dp $450, cc $35, TW.8-2484. Dayton Beach Pk, Rockaway Bch Blvd, Bch 74-90 Sts, studio-3 bdrms, dp $500, cc $25, NE.4-6784. Forest Pk Crescent, Union Tnpke, Forest Pk, 4-6½, dp $500, cc $27, OL.8-5678. Rochdale Village,Jamaica, 2-6½, dp $400,cc $21, OR.7-5666.

WESTCHESTER: High Meadow, S. Highland Av, Rt. 9, Briarcliff, 1-3 bdrm duplex apts, total dp $690-$1190, cc $106-$200 per mo, (914)WI.1-6208. Sunnyside Manor, Pier St, Sunnyside Dr, Yonkers, ready July '64, 1 bdrm apts, total dp $1883, cc $87 per mo, (914)GR.6-9670.

SUBSIDIZED RENTAL APTS.

Many of these rentals, covered by Mitchell-Lama provisions, set income limits. MANHATTAN: Special for Senior Citizens 65 + : Mt. Morris Park, 15-21 E 124 St, ready soon, effic-2 bdrms, from $82-$133, MO.6-7860.

BRONX: Adelphi House, W 174 St, Undercliff Av, ready Spring '64, 3½-6½, $30 per rm, MU.8-4804. Arlyne Gardens, Bruckner Blvd, Chatterton Av, ready June '64, 2-3 bdrms, $30-$35 per rm, write Arlyn Gardens, Inc, 36 W 60 St, NY. Carol Gardens, Leland, Theriot, Story Avs, 1-3 bdrms, terraces, $28 per rm, write Arthur Coller, 140 Beekman St, to get name on list. (1) Bruckner Tower, Bruckner Blvd, Bolton, Story Avs, 2½-6½; (2) Corlear Gardens, W 231 St, Tibbet Av, 3-6½; (3) The Lindville, Bronx Blvd, E 213 St, 3½-6½; 1),2),3) above will be under $30 per rm, to get on list for any one, write First Nat'l Realty Corp, 845 3 Av, NY. Mark Terrace, Bollen Av, Boston Rd, ready late '64, $30 per rm, MU.7-4055. Morris Heights, Sedgwick, W Tremont Avs, 3½-6½, $29 per rm, ready late '64, MU.8-4804. Trio Apts. E 174 St, Croes, Metcalf Avs, 1-3 Bdrms, $28 per rm, write Trio Apts, 36 W 60 St, NY. Wickham Terrace, Burke, Brunner Avs, 1-3 bdrms, $28 per rm, PL.2-4700. Winthrop House, White Pl. Rd, Astor Av, 1-3 bdrms, $30 per rm, write Rose Assoc. 529 5 Av.

BROOKLYN: Brightwater Towers, W 5-8 Sts, Surf Av, 1-3 bdrms, terraces, $30 per rm, ES.3-7558. Contello Towers III, Cropsey Av, Bay 44 St, 4-6½, $30 per rm, ES.3-7558. Fairfield Towers, Van Siclen, Flatlands & Cozine Avs, 1-3 bdrms, $28 per rm, AX.7-9000. Lindsay Pk. $27 per rm, ST.2-9000. Trump Village, Ocean Pkwy, W Brighton, $30 per rm, write Trump Village, 3050 Ocean Pkwy, Bklyn, NY. University Towers, Willoughby St, Ashland Pl, 3½-6½, $38-$40 per rm, UL.2-7439. Willoughby Walk, Hall St, Classon Av, 2-5½, $30 per rm, OX.7-8880.

QUEENS: Surfside Park, Rockaway Pkwy, Beach 102-108 Sts, 2-6 rms, $32 per rm, NE.4-0121.

WESTCHESTER: Phillipse Towers, Riverdale Av, betw. Prospect & Vark Sts, ready August, '64, 1-3 bdrms, $27 per rm, call (914)YO.5-1150.

ington Avenue, New York, New York.

MORE STRAWS IN THE WIND

N.Y. Times, 1/6/64: Fifteen Negroes have been registered to vote in Tensas Parish. They are the first Negroes to register in the parish since reconstruction. The parish is the last in Louisiana to enroll Negro voters. There was said to be no attempt, official or otherwisw, to prevent the Negroes from registering. P.J. Ellis, one of the 15 Negroes who signed up said: "They (registration officials) couldn't have been nicer."

Tribune, 2/23/64: The Hotchkiss School, a prep school for boys, will bring some 100 promising boys - largely urban Negroes - to its campus in Lakeville, Conn., next summer to help them prepare for college. The boys selected will attend an eight-week session for three successive summers, before the ninth, tenth and eleventh grades.

The Wall Street Journal reports from Los Angeles that the Ivy League Men's colleges and their sister colleges finding few Negro enrollments, have commissioned a man to scout Eastern Urban Centers and Southern states for Negro Seniors with academic ability. Some colleges are trying to develop more qualified Negro applicants by encouraging them early in their high school careers. Admissions officers from seven Southern California colleges will visit four predominantly Negro Los Angeles high schools this spring mainly to try convincing Negro 9th and 10th graders that scholarship money is plentiful for students with high marks. Princeton, Dartmouth College and Oberlin College are setting up summer sessions for selected students in the early stages of secondary education; the students are from low income families and most will be Negroes. The programs, operating under $150,000 Rockefeller Foundation grants, will test whether intensive study can help students overcome inadequate educational backgrounds and prepare for college.

SCHOLARSHIP AND TRAINING OPPORTUNITIES

American Friends Service Committee looking for non-ghetto homes for Negro teachers who come north for graduate work in summer sessions. Write Gene Angstadt, Program Sec'y, A.F.S.C., 2 W. 20th St., N.Y., N.Y. 10011. Encampment for Citizenship, 2 W. 64th St., offering scholarships for specially qualified young men and women 18-23 years of age to participate in their summer program, Puerto Rico, New York City, or Washington, D.C. Fourth Free Secretarial Training Program sponsored by industry and National Urban League registration to close on May 15th, for course to start July 1, 1964. For details, call PL.1-0300. 21st Annual Institute of Race Relations to be held from June 29 - July 11, at Fisk U., still directed by Dr. Herman Long soon to be president of Talladega College, Ala. For details, write Institute of Race Relations, Fisk, U., Nashville, Tenn. 37203. Air Patrol Recruits for civil air patrol, Auxiliary of U.S. Air Force, cadets and senior members. Teenagers can get special training in aero-space education, citizenship and leadership training, to be assigned to squadrons near their homes and can compete for scholarships, encampments at Air Force Bases, International Cadet Exchange Program, and Jet Orientation courses. Apply Brooklyn Public Library, Grand Army Plaza, Brooklyn, N.Y. 11238.

JOB OPPORTUNITIES

Youth Board jobs available for social workers in case work or community organization with MAS. in social work. Salary, $6,200-$9,600. Write Mrs. Angela Sigward, N.Y.C. Youth Board, 79 Madison Ave, N.Y., N.Y. 10016. Patrolmen in Police Dept. from age 20-29. For details, write Application Bureau, Personnel Dept., 96 Duane St. Nursing Careers: (1) need for nurses described by Mrs. Alida C. Darley, Supt. of Nurses, Harlem Hospital. She urges interested people to contact her at 136th St, and Lenox Av, New York 10037. (2) Registered nurses men or women, between ages of 21 & 35, interested in Commissions in Air Force, contact Captain Deptula, 346 Broadway, New York 10013, RE.2-8000. World's Fair Jobs: Need for hostesses and guides. Contact Mr. Charles Fields, Brooklyn Labor Office, 1178 Fulton St., Brooklyn, N.Y.

THE JOKE ON GOV. WALLACE

Ala. Gov. George C. Wallace...without knowing it...has aided the very cause he is fighting and a civil rights organization his state has outlawed. Roosevelt S. Zanders, manager of R. Zanders Auto Rental Service, Inc. this week disclosed that the $95 fee Gov. Wallace paid for his service was applied to Mr. Zanders' $500 NAACP Life Membership. Turning the money over to the NAACP was the only pleasure he had derived from doing business with Gov. Wallace.

A SOUTHERNER SPEAKS

President Johnson, speaking to a group engaged with what is known as "plans for progress" in the field of equal opportunity, said: "One of the great women that I know lives in my home, whose advice I probably value more than anybody's except my mother and wife, a college person, highly trained. If she had a title, I guess you would call her chief of staff of my operation. She finds that when she comes from Texas to Washington, she can't go to a bathroom without taking three or four hours out of a drive to try to locate one...She finds that she never knows when she goes into a cafe whether she can get a cup of coffee or not - not because of lack of dignity, because she is possessed with more of it than the President; not because of lack of money, because she is thrifty, frugal, has invested it, has savings; not because of lack of ability, because she commands the respect of people who have the power to get the best. But it is all because of color and because of tradition, because of custom. You would not want that to happen to your mother, your wife or daughter..." According to a White House spokesman, the President was speaking of his revered family cook, Mrs. Zephyr Wright.

Adler

58

HEARD FROM ANOTHER SOUTHERNER The Southern Regional Council has issued a report on the story of direct action in the Negro revolt from 1960 to the present (copy available at the office). In the introduction, the Council commented: "The Negro revolt has no precedent in American History. It involves ten percent of the nation's population. Yet it is a revolution in which the rebels carry no arms, throw up no street barricades, liquidate no rulers, and, with remarkably few exceptions so far, initiate no violence. It has as a rally song an old Baptist hymn, once described as 'a now mournful, now serene piece called "We Shall Overcome."' The Negroes still have not overcome the ignorance, intolerance, and injustice which have oppressed them for generations. Their 'Crusade for freedom' has yet to reach the promised land. But a major fraction, and a growing one, of some 18 million Negro Americans have reached the end of patience with the white man's pace of social change. The concept of using non-violent means to achieve justifiable ends did not, of course, originate with the Negro American. Perhaps it is as old as Moses' struggle with the Egyptian Pharoah, and it embraces the same deep justifications: On the one hand, an outraged sense of justice and a constant reliance on God's leadership; on the other hand, realization that non-violence is the only practical protest available to a minority far weaker than the dominant powers of society. But further than this the parallel does not go. The Hebrews wanted out. Negro Americans want in. ...'But why,' many Americans ask, 'why direct action? Why sit-ins. marches, and demonstrations? Why not negotiations instead?' Martin Luther King, Jr., in his April, 1963, LETTER FROM BIRMINGHAM CITY JAIL, answered: 'You are exactly right in your call for negotiation. Indeed, this is the purpose of direct action. Non-violent direct action seeks to create such a crisis and establish such creative tension that a community that has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored.'"

Following the introduction, the author describes the Sit-In Movement, Freedom Rides, the Ballot, the stories of Albany, Ga., Birmingham, Civil Disobedience & the Law. In evaluating the results of direct action, the authors offer various approaches such as the need to select an appropriate form of action to fit the circumstances, or as a tactical weapon in a large-scale war, or the gradual involvement not only of government, but national and local private business, the white church, and individual leaders at all levels of society. This action, the council states, has stimulated polls so that one can see direct action through public opinion. "It implies the evolved meaning of 'all, now' that the Negro no longer seeks an accommodation with prejudice but an end of it." The Council concludes that "an end of segregation and discrimination will not mean the end of Negro problems...because such needs are not confined to Negroes. ...In such matters as unemployment and the deprivations of poverty, the goals of the Negro movement are obviously needed also for a large segment of the population that is not Negro. By the end of 1963, observers were pointing out the logic of broadening the base of the movement to include all those whose needs are urgent. One practical result of this would be to minimize white resentment based on economic fear - an old, potently manipulated factor in southern race relations spread now to other parts of the country. Thus it may well be that in finding a solution for the American dilemma, the nation will find a new opportunity for greatness for all of its people. In the process of freeing themselves, Negro Americans may bring about 'a new birth of freedom' for all Americans. This gets close to the concept of direct action that seems most important, most pertinent in the crisis-pressured processes by which a whole nation reaches out for consensus againts prejudice."...The direct action movement..."speaks to the deepest and highest moral and political commitments and achievments of mankind. It is drastic; it may seem to some unnecessarily so. But its existence its spontaneous rise, development, and refusal to die, although so much tries to end its existence - is evidence of necessity. This is a kind of necessity in the souls of individual human beings which makes nations great, or which, opposed, destroys nations. Against it, so far in human history, nothing has been able permanently to prevail. The grandeur of this human effort overcomes the doubt and despair, fear and pessimism which the awful implications of our time in history arouse in the heart. And perhaps beyond all the words, all the analyses, beyond even the conscious awareness of individual participants, it is this grandeur permeating the drive of direct action that is the key to a real understanding of what it means, and why it must in America succeed to the full."

QUEENS VILLAGE HOUSING GROUP A Queens Village group, sponsored by tri-faith spiritual leaders, is presenting a program for open occupancy for its community of over 1,000 families in a 20 block area. It is stressing the importance of getting to know new neighbors; it has halted panic sales, kept some of the original owners from moving away and has successfully integrated at least one block without panic.

COMMITTEE ON CIVIL RIGHTS IN METROPOLITAN NEW YORK, INC.
225 WEST 57th STREET - NEW YORK, NEW YORK 10019 - CI.7-6343

SPRING 1964 HOUSING BULLETIN

A seasonal bulletin of CCRMNY, a voluntary citizens' organization dedicated to equality of opportunity for all, with special emphasis on open occupancy in housing. For details of CCRM's program or for consultation on your housing needs, call CCRM - CIrcle 7-6343.

DISCRIMINATION OR VIOLATIONS

If you are encountering discrimination in your search for an apartment, call CCRM and use our PASE service which teams a white volunteer and a Negro apartment seeker who work together until an apartment is secured. If you are encountering housing violations, phone WMCA's CALL FOR ACTION, PL.3-4400, Mon. - Fri., 11 a.m. to 1 p.m.

SPECIAL HOUSING OFFERS

FOR SALE: Great Neck, L.I., 3 bdrm, den & playroom, split-level house, excellent school system - approx. $25,000; call owner, (516)HU.2-2483. Brooklyn, 2 story,7 rm,1 family attached house, Park Place, $15,500 - small cash down-payment, call owner at UL.7-2451.
RENTAL: Bronx, 3 bdrm apt. in 3 fam. house, $150 per mo, near N.Y.U. Call CCRM for details. For homes in other areas: Bergen County, N.J., call Mrs. Strickholm, Dumont Fair Housing Committee, (201)DU.4-4274; Westchester, house or apartment hunting, call the Westchester Urban League, (914) WH.9-1174; Long Island, call Mrs. Dodson, L.I. Council for Integrated Housing, (516)PU.6-9871; for groups in other areas call the Assoc. of Fair Housing Committees, JU.6-3460.

HOW ABOUT GOING TO BKLYN OR QUEENS?

The N.Y. State Committee Against Discrimination in Housing is embarking on a program to interest Negroes and Puerto Ricans in moving to areas such as Astoria, Glen Oaks & Bellerose in Queens, & Bensonhurst & Sheepshead Bay in Brooklyn, areas where there are likely to be available apts. - 3 rms from $100 & 4 rms from $140. They are organizing neighborhood groups who will welcome newcomers. For details call Betty Hoeber or Sally Olds, JU.6-3460.

CO-OP WAITING LISTS

Call CCRM to get on waiting lists of: (1) established Bronx co-op with turnover in 3 rm apts; (2) occupied low-middle income Manhattan co-op; (3) Brooklyn co-op ready for occupancy in about one year. SPECIAL: All non-profit co-ops supervised by the N.Y.C. Housing & Redevelopment Board are required to submit their waiting lists to the Board to insure that integration is being achieved. If you are interested in any of the older co-ops, get in touch with us about where to apply.

CO-OPS NON-PROFIT

Most of the co-ops listed below set income limits. The general rule is: yearly income may not exceed 6x the annual rental for a 3 (or less) person family or 7x for a 4 (or more) person family. State subsidized co-ops now arrange for a minimum $200 down payment, the balance in a loan. Code for listings which follow: dp = down payment per room; cc = carrying charges (rent) per room. Please let us know if you sign up for any of the following co-ops or rentals.

MANHATTAN: Gouverneur Gardens, FDR Drive, Montgomery, Henry, Jackson Sts, ready now, 1-2 bdrms, dp $600, cc $26; Village View, E. 2-6 Sts, First Av, Av. A, ready Spring '64, 2 bdrms, dp $600, cc $25.50; Chatham Towers, Park Row, Pearl, Worth Sts, ready 18 months, 1-3 bdrms, dp $1300, cc $40. For above 3 call BE.3-4800. Columbia Houses, Stanton, Columbia, Delancy Sts, 2½-5½, dp $650, cc $28, names being taken for applications, write Abbott & Adams, 292 Madison Av. West Side Urban Renewal Area, 87-97 Sts, Amsterdam Av-Central Park West: First area, 93-97 Sts, now relocating site occupants, includes middle income rentals, $23-$30 per rm. For specific information call CCRM. Following five co-ops planned for area may be contacted directly: Columbus Park, Columbus Av, 93 St, 2-3 bdrms, dp $650, cc $25, apply Mon eves, 7-9 p.m., 2572 Bdwy (near 97 St). Goddard-Riverside, Amsterdam Av, 94 St, ready late '65, dp $550, cc $24, 3-4 bdrms, (4 bdrm apts with double terraces & 2 baths from $181 to $262 cc per month), RI.9-3920. Old Ridge, 93-94 Sts, Amsterdam, Columbus Avs - 30 apts in rehabilitated brownstones, some floor thru, ready in 1 year, 1-2 bdrms, dp $3,000 per fl, cc varies, call Mrs. Hunt, TR.7-1923, 1:30-9:30 p.m. Riverside Neighborhood Assembly, 96 St, Amsterdam, Columbus Avs, ready 2½ yrs, 3½,4½,6 rms, dp $500-$700, cc $24-$30, write, R.N.A., 300 W. 96 St. Strykers Bay, Columbus Av, 93 St, ready 2 yrs, 2-4 bdrms, dp $450, cc $21-$23, UN.6-9870 or write Strykers Bay Hsg. Corp., 554 Columbus Av, New York. Esplanade Gardens, 145-149 Sts, Lenox-7th Avs, dp $316, cc $27, taking names for applications, write Cauldwell-Wingate Co, 120 E 41 St. Franklin

THAT MONTH'S SECURITY DEPOSIT

Bills are being introduced into the State legislature with the approval of the Bar Association to mandate landlords to keep security deposits in a separate interest-bearing bank account and to pass interest on to the tenants.

FOR RELOCATEES

A booklet "Relocation Key" has been issued, describing rights and Benefits for tenants about to be relocated. Write to Department of Relocation, 2 Lafayette Street, New York, New York 10007.

THE CITY GETS FOUR ARMORIES

The city has recovered four armories, including the one on 94th St, & Park Av, which will be ideal for a combined school and middle income housing development. The second one is at 34th St, & Park Av, and the other two small ones in Brooklyn, both in residential neighborhoods, probably good for vest pocket housing projects.

HAVE YOU HEARD THAT?

...Esther Griffing was married to Mr. Charles E. Joseph in January.

...Reberta Fludd Ellis & husband Donald are parents of a son, born October 26, 1963.

...Evelyn Cunningham Haynes was named Woman of the Year by the State Beauty Culturists Association.

...Marietta Tree received an honorary Doctor of Laws degree from the University of Pennsylvania.

...Martha S. Lewis has been named Deputy Director of the Department of Social & Community Services of the New York City Housing Authority.

...Elmer A. Carter & Ben McLaurin have been elected to the Board of Directors of the International Rescue Committee.

...James Baldwin & Ralph Ellison were elected members of the National Institute of Arts & Letters.

...Doris Wannerstrom & Charles Wilson were part of a panel at the Community Church Sunday Forum on February 9th, on "Nice White Neighborhoods or Closed White Ghettos?" Charles Wilson wrote an article in the January, 1964 "Liberator" on the "Myth of Negro Progress".

...Claire Selltiz has been appointed an Associate Professor of Psychology at C.C.N.Y., as of September, 1964.

...American Friends Service Committee has developed a color slide series to illustrate work of fair housing committees and to aid in the general search for houses. Contact A.F.S.C., 160 North 15th St, Philadelphia Pa. 19102. No charge for inspection; Purchase price is low.

...Sara Slack & Jean Wade of Amsterdam News and Annabel Harrison of Johnson publications have been elected to membership in Advertising Women of New York.

...Israel A. Laster collaborated with Gordon J. Klopf to write a book on "Integrating the Urban School" at $1.95 a copy, and discounts for quantity. Order from Bureau of Publication, Teachers' College, 525 W. 120th St., New York 10027.

...Milton R. Konvitz has written an authoritative book on cases of Freedom of Religion, Speech, Press, Assembly "First Amendment Freedoms", $9.75 a copy, Cornell U. Press, 124 Roberts Place, Ithaca, New York.

REMEMBER TO ORDER YOUR

TICKETS FOR CCRM PARTY

HOTEL COMMODORE

FRIDAY, APRIL 17th

TICKETS ON SALE MARCH 19TH

COMMITTEE ON CIVIL RIGHTS IN
METROPOLITAN NEW YORK, INC.
225 West 57th Street, Room 403
New York 19, N.Y.
Return Requested

NEW YORK, N.Y.
1964

BUILD YOUR FUTURE
WISE
U.S. SA DS

4c U.S. POSTAGE

MAR 13 1964

Mrs. Marcia McKenna
C O R E
38 Park Row
New York 38, New York

DEAR FRIEND:

I am writing you on behalf of a Committee which means a great deal to me - the Committee on Civil Rights in Metropolitan New York. It is a volunteer interracial group in which many of us have worked together for a number of years. These days our aim is to reach the goal of open occupancy in housing for all. I think you will be interested to become a member and receive our entertaining and informative bi-monthly SCOREBOARD. And you may want to work on our Partnership Apartment Seeking Exchange (PASE) as a minority apartment-seeker or as a white volunteer. Or you may just want the fun of working on one of our committees and meeting some really great people. So - do join!

Cordially,

Contributing-$5 ☐; Sustaining-$10 ☐; Patrons-$50 ☐
(Contributions, tax-deductible, should be payable to CCRM)

NAME ______________________________

ADDRESS ______________ BORO __________ ZONE ________

REFERRED BY ______________________________

COMMITTEE ON CIVIL RIGHTS IN METROPOLITAN NEW YORK, INC.
225 WEST 57th STREET, NEW YORK 19, NEW YORK

February 7, 1964

TO: Mark and Jo Dodson
FROM: Norman Hill
RE: CORE POLICY STATEMENT FOR TESTIMONY IN ALBANY

One of the prime obstacles to a racially open housing market and freedom of residence has been the conscious cooperation between builders, lenders and real estate salesmen to prevent Negroes and other minorities from buying or renting except in areas specified arbitrarily by there interests.

Among the most sordid of the various techniques practiced by real estate speculators is that of blockbusting -- the ese of deception and manipulation along with the spread of fear and anxiety to induce panic selling by white homeowners of their property which is then resold at exorbitant prices to minorities desperate for a place to live.

The Congress of Racial Equality is unalterably opposed to "blockbusting," not only because it flows from and feed upon racial discrimination, but because it is indicative of the failure of the real estate industry to exercise its influence to insure that its members conduct their business in a socially responsible and moral manner. We believe that the state of New York has an obligation to pass stringent legislation against real estate speculators who engate in blockbusting and lending agencies which refuse to serve the whole market, but also to launch a campaign to eliminate the adverse set of social and economic circumstances which thwart most minority families in their efforts to obtain decent housing -- namely, the ignorance and prejudice (latent and overt) of white residents which make them panic when a Negro family moves into a neighborhood.

Finally, CORE feels that ~~the~~ New York State must in this session of the legislature allocate substantial funds to vastly expand the low and moderate priced housing supply and thereby eliminate the basis for irresponsible and anti-social practices of real estate speculators.

Send the draft to Mark & Jo Dodson indicating that this policy statement for CORE ~~#~~ testimony in Albany.

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TRENDS TOWARD OP

In Low-Rent Housing Programs of the

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As of March
(Based on latest information

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Housing and Home
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ARD OPEN OCCUPANCY

of the Public Housing Administration

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March 31, 1963
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d Home Finance Agency
OUSING ADMINISTRATION

p Relations Branch

TRENDS TO

The information presented in this volume reflects programs of the Public Housing Administration that are open to all applicants without regard to race, color, or national origin. The policies governing the operation of these projects are the result of three kinds of action -- legislative, administrative, or judicial. This volume, as have previous issues of Trends, records units in these projects occupied by Negroes, not by all nonwhites. The tables on pages iv to vii summarize the data; the listings following them are alphabetical by State and locality.

Projects committed to open occupancy are in 441 localities this year, a gain of 10 percent since March 1962. In addition, there are 11 localities included in the study in which public housing developments are open without any formal commitment on the part of the authorities. This brings the total localities to 452, or 39 percent of the 1,153 localities operating public low-rent housing provided with federal funds.

Legislative action has been effected, generally, on the State level. Fifteen States prohibit discrimination in public housing by law. This is 33 percent of the 45 States and the District of Columbia that are part of the PHA program. Trends as of March 1962 listed 17 States in this category. This year both Hawaii and the District of Columbia are excluded from this listing. Neither one can be said to have State laws but both have a single Local Housing Authority whose policies are applicable to all projects within the jurisdiction.

The decade since the first issue of Trends in 1952 has witnessed a great advance in the number of States that by law prohibit housing discrimination. New York was the pioneer, passing its first law in 1939. Massachusetts followed suit in

1948; Connecticut, Pennsylvania, and Wisconsin in 1949. Similar laws were passed by State legislatures in New Jersey in 1950, and in Rhode Island and Michigan in 1952. Since that time Minnesota (in 1955), Oregon (in 1957), California and Colorado (in 1959), Indiana and New Hampshire (in 1961) and Alaska (in 1962) have passed laws affecting discrimination in housing.

In all of these States, except Rhode Island and Michigan, the law covers housing other than publicly aided low-rent programs. The tendency in the majority of the States is to establish a specialized enforcement agency responsible for conciliation of disputes, and providing for appeal to the courts either to enforce the agency's order or to have its order set aside. These agencies or commissions also have broad educational programs designed to obtain voluntary compliance.

Eight cities have fair housing laws. They include Hartford, Connecticut; Chicago, Illinois; Boston, Massachusetts; Pontiac, Michigan; New York, New York; Cleveland, Ohio; and Pittsburgh and Erie, Pennsylvania. Chicago and Cleveland are the only cities with fair housing ordinances that are not situated in States prohibiting housing discrimination by law. In Toledo, Ohio, the City Council passed an ordinance in 1954 by which it entered into a written agreement with the Local Housing Authority to observe open occupancy as ordered by the federal court the previous year. Toledo is included in this volume as subject to judicial action, which preceded any other commitments by authorities in that city, at least so far as public low-rent housing is concerned. Two of the cities with fair housing laws are not included in Trends. They are Pontiac and Pittsburgh, neither of which reports occupancy by race.

These legislative actions, on both the State and municipal level, account for 340 (or 75 percent) of the 452 localities tabulated in this volume -- about the same proportion as last year. Of these 340 localities, 282 have also taken local administrative action to commit the low-rent program to open occupancy. These commitments take the form of Local Housing Authority resolutions or written policy statements submitted with the development documents for each project.

There are a total of 376 localities that have taken this sort of administrative action; 282 in States with laws proscribing discrimination and 94 in States where no laws are effective. Representative of a Local Housing Authority resolution is that issued in Wilmington, Delaware in 1953, which states in part "...that dwelling accommodations shall be allocated on the basis of need and meeting all other eligibility requirements without regard to race, religious principles, color, or national origin, or ancestry of the applicants."

The federal courts have rejected segregation in public housing programs in nine cities -- Detroit, Hamtramck, and Benton Harbor, Michigan; Toledo and Columbus, Ohio; St. Louis, Missouri; Evansville, Indiana; Louisville, Kentucky; and San Francisco, California. State courts in California and New Jersey have acted similarly (Sacramento and Elizabeth). In all these cases, the courts -- both federal and state -- have held that a local authority which segregates is violating the 14th Amendment to the Constitution.

The following tables represent, in a sense, the application of the formal commitments to open occupancy discussed above. In addition, they include 11 localities that practice open occupancy without benefit of written, formal policy.

Four of these localities are in Illinois, one is in Missouri, three are in Ohio, one in Texas, and two in Washington.

The occupancy statistics and patterns relate to projects which have gone beyond initial operating period. They compare Negro occupancy to white and/or other nonwhite occupancy. The presentation differs somewhat from earlier issues of Trends.

No effort has been made to quote from applicable policy statements. Under the column headed Basis of Local Policy, "City" refers to City Council ordinances or resolutions; "LHA" refers to Local Housing Authority written policies, whether these are county or municipal bodies.

Under Patterns of Occupancy, "Open" includes projects formerly carried as "No Pattern" as well as "Completely Integrated." The reader will note that a project listed under this pattern may be one in which a single unit is occupied by members of the Negro minority group or in which one white family occupies a unit in an otherwise all-Negro project. The pattern of open occupancy, as used by the PHA, is established without any reference to the numerical relationship of units occupied by various racial or ethnic groups. It is based entirely on a minimum arbitrary figure of Negro occupancy to avoid the appearance of judging the performance of a Local Housing Authority pursuant to its policy, recognizing that in many areas of the country, the market for low-rent housing among Negro populations is either very small or nonexistent. The reader is cautioned, therefore, to make no judgment as to intent because a single project in a locality is either all-white, predominantly white, predominantly Negro or all-Negro. Obviously the existence in the same locality of two projects, one all Negro-occupied and the other with no Negro occupancy, for example, would argue that the demands of the market are being satisfied on a separate basis, regardless of policy.

The Pattern of Occupancy column headed "Other" includes projects with a white section and a Negro section located on different sites with one project number covering both sections. For all practical purposes these are segregated projects. The "Other" pattern also includes those projects where Negro occupancy is restricted to specific portions of the project grounds, or to specific buildings. Such patterns of occupancy imply a conscious limit on the assignment of units to Negro families -- limits responsive to forces unrelated to housing needs or market demands.

For the first time, the PHA presents the number of units occupied by Negroes in open projects in each State and locality covered by the study. Tables 3 and 4 summarize these data.

An examination of both Tables 1 and 2 would appear to indicate a significant increase between 1962 and 1963 in the number of projects that are completely integrated. This increase is due mainly to the different treatment of the data this year. "Completely Integrated" now includes those projects and units formerly classified as exhibiting no pattern. Furthermore, in 1962, projects combined for purposes of management and reporting were not broken into their component numbers of open and segregated developments. All projects within the management combination, therefore, were listed as "Other." This year they appear as separate projects, with applicable occupancy patterns for each.

Finally, this issue of Trends reflects no data on projects covered by Executive Order 11063, issued by the President on November 20, 1962, and providing for equal opportunity in federally assisted housing. Projects subject to an equal opportunity provision as a contractual obligation on the part of the Local Housing Authority, as a result of the Order, have not reached occupancy stage. A few Local Housing Authorities have reaffirmed their own policies in light of the Presidential Order. They make no difference in the compilation of the data presented hereafter, except to add one locality in Illinois to those previously covered.

Table 1. **All Occupied Projects and Projects wit**

Year 1/	Total low-rent projects with occupancy	Pr	
		Total	
		Number	Percent all project
1952..................	1,075	516	48.0
1953..................	1,322	685	51.8
1954..................	1,587	885	55.8
1955..................	1,948	1,090	56.0
1956..................	2,028	1,151	56.8
1957..................	2,049	1,189	58.0
1958..................	2,082	1,226	58.9
1959..................	2,303	1,337	58.1
1960..................	2,473	1,474	59.6
1961..................	2,658	1,616	60.8
1962..................	2,859	1,758	61.5
1963..................	3,028	1,849	61.1

1/ As of March 31, except 1952 for which data are as of Septemb

HHFA-PHA
Program Planning Division
Statistics Branch

with Negro Occupancy, 1952-1963

Projects with Negro Occupancy			
	Completely integrated		
ent of ll jects	Number	Percent of those with Negro occupancy	Percent of all projects
8.0	98	19.0	9.1
1.8	153	22.3	11.6
5.8	214	24.2	13.5
6.0	290	26.6	14.9
6.8	348	30.2	17.2
8.0	411	34.6	20.1
8.9	423	34.5	20.3
8.1	448	33.5	19.5
9.6	492	33.4	19.9
0.8	517	32.0	19.5
1.5	564	32.1	19.7
1.1	675	36.5	22.3

ptember 30.

Table 2. All Occupied Units and U

Year 1/	Number of low-rent dwelling units occupied
1952	217,119
1953	249,535
1954	308,434
1955	345,674
1956	375,803
1957	391,352
1958	403,623
1959	419,192
1960	437,116
1961	452,687
1962	472,916
1963	491,783

1/ As of March 31, except 1952 for which data

2/ Beginning with 1960, excludes an unknown nu
reporting race data.

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Statistics Branch

s and Units with Negro Occupancy, 1952-1963

Dwelling units occupied by Negro families			
Total		In completely integrated projects	
Number 2/	Percent of all occupied	Number 2/	Percent of all Negro occupancy
82,354	37.9	13,827	16.8
92,396	37.0	17,367	18.8
115,794	37.5	23,488	20.3
133,805	38.7	35,958	26.9
159,290	42.4	49,072	30.8
170,482	43.6	56,142	32.9
179,379	44.4	63,180	35.2
189,502	45.2	64,988	34.3
201,271	46.0	71,327	35.4
211,840	46.8	75,032	35.4
220,789	46.7	77,094	34.9
233,270	48.4	98,445	42.2

a data are as of September 30.
hown number of units occupied by Negro families in projects not

Table 3. Comparison of study coverage with total program by units available in projects past

March 31, 1963

States included	Total units	Localities included	Open occupancy		Site and limitations	
			Number	Percent	Number	Pe
Total program (46)...	499,541	1,283	225,180	46	21,477	
Study coverage (34)..	306,773	452	225,180	73	5,156	
Alaska....................	325	4	275	85	---	
Arizona...................	2,425	14	1,625	67	103	
California................	25,438	91	23,035	91	---	
Colorado..................	3,496	2	3,496	100	---	
Connecticut...............	10,266	17	9,490	92	---	
Delaware..................	1,161	1	1,161	100	---	
District of Columbia......	7,789	1	4,307	55	---	
Hawaii....................	1,915	2	1,543	81	---	
Illinois..................	32,757	33	21,180	65	606	
Indiana...................	4,803	13	1,088	23	278	
Kansas....................	390	1	390	100	---	
Kentucky..................	4,993	1	1,923	39	---	
Maine.....................	235	2	199	85	---	
Maryland..................	10,078	4	3,866	38	158	
Massachusetts.............	19,060	27	12,145	64	774	
Michigan..................	3/ 10,279	18	7,258	71	100	
Minnesota.................	3,670	8	3,108	85	---	
Missouri..................	9,188	4	5,519	60	---	
Montana...................	540	4	250	46	---	
Nebraska..................	1,824	2	697	38	1,077	
Nevada....................	490	2	490	100	---	
New Hampshire.............	1,050	4	526	50	---	
New Jersey................	28,428	43	23,204	82	218	
New Mexico................	148	2	148	100	---	
New York..................	4/ 55,824	24	53,662	96	80	
North Dakota..............	60	1	---	---	---	
Ohio......................	19,470	13	11,105	57	250	
Oregon....................	1,230	13	724	59	---	
Pennsylvania..............	6/ 29,271	65	18,567	63	1,486	
Rhode Island..............	4,856	4	4,292	88	---	
Texas.....................	5,698	5	1,462	26	26	
Washington................	6,729	21	6,145	91	---	
West Virginia.............	341	1	301	88	---	
Wisconsin.................	2,546	5	1,999	79	---	

1/ Units in projects combined for reporting have been distributed according to the racial occu
2/ Units in projects with a white section and a Negro section located on different sites with
projects that have certain limitations on Negro occupancy.
3/ Excludes 400 units for which no racial data are given.
4/ Excludes 1,937 units for which no racial data are given.
5/ Less than 0.5 percent.
6/ Excludes 8,010 units for which no racial data are given.

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Statistics Branch

ojects past the initial operating period 1/

1963

Site and imitations 2/		All Negro occupancy		No Negro occupancy	
mber	Percent	Number	Percent	Number	Percent
,477	4	128,722	26	113,815	23
,156	2	40,848	13	35,589	12
---	---	---	---	50	15
103	4	346	14	351	14
---	---	321	1	2,082	8
---	---	---	---	---	---
---	---	501	5	275	3
---	---	---	---	---	---
---	---	3,482	45	---	---
---	---	---	---	372	19
606	2	9,373	29	1,598	5
278	6	2,007	42	1,430	30
---	---	---	---	---	---
---	---	2,006	40	1,064	21
---	---	---	---	36	15
158	2	4,169	41	1,885	19
774	4	306	2	5,835	31
100	1	2,577	25	344	3
---	---	---	---	562	15
---	---	2,984	32	685	7
---	---	---	---	290	54
077	59	---	---	50	3
---	---	---	---	---	---
---	---	---	---	524	50
218	1	1,914	7	3,092	11
---	---	---	---	---	---
80	(5)	1,049	2	1,033	2
---	---	---	---	60	100
250	1	4,780	25	3,335	17
---	---	---	---	506	41
486	5	3,656	12	5,562	19
---	---	---	---	564	12
26	(5)	1,337	23	2,873	50
---	---	---	---	584	9
---	---	40	12	---	---
---	---	---	---	547	21

racial occupancy of the individual project.
sites with one project number covering both sections and in

Table 4. Comparison of study coverage with total pro

States included	Total projects 1/	Localities included
Total program (46)...	3,028	1,283
Study coverage (34)..	1,153	452
Alaska....................	4	4
Arizona...................	25	14
California................	171	91
Colorado..................	16	2
Connecticut...............	41	17
Delaware..................	5	1
District of Columbia.......	28	1
Hawaii....................	11	2
Illinois..................	79	33
Indiana...................	26	13
Kansas....................	1	1
Kentucky..................	9	1
Maine.....................	2	2
Maryland..................	27	4
Massachusetts.............	69	27
Michigan..................	3/ 37	18
Minnesota.................	21	8
Missouri..................	18	4
Montana...................	6	4
Nebraska..................	7	2
Nevada....................	5	2
New Hampshire.............	8	4
New Jersey................	132	43
New Mexico................	2	2
New York..................	4/ 84	24
North Dakota..............	1	1
Ohio......................	59	13
Oregon....................	16	13
Pennsylvania..............	5/ 152	65
Rhode Island..............	17	4
Texas.....................	28	5
Washington................	33	21
West Virginia.............	2	1
Wisconsin.................	11	5

1/ Projects combined in reporting have been distribut
in New York, 10 in Pennsylvania and 1 in Michigan
2/ Projects with a white section and a Negro section
projects that have certain limitations on occupanc
3/ Excludes 1 project for which no racial data are gi
4/ Excludes 5 projects for which no racial data are g
5/ Excludes 10 projects for which no racial data are

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Program Planning Division
Statistics Branch

n total program by projects past the initial operating period 1/

March 31, 1963

calities ncluded	Open occupancy		Site and limitations 2/		All Negro occupancy		No Negro occupancy	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
,283	675	22	305	10	869	29	1,163	39
452	675	59	31	3	146	13	301	26
4	3	75	---	---	---	---	1	25
14	14	56	2	8	2	8	7	28
91	112	65	---	---	5	3	54	32
2	16	100	---	---	---	---	---	---
17	35	85	---	---	2	5	4	10
1	5	100	---	---	---	---	---	---
1	16	57	---	---	12	43	---	---
2	7	64	---	---	---	---	4	36
33	36	46	3	4	18	23	22	28
13	6	23	1	4	10	38	9	35
1	1	100	---	---	---	---	---	---
1	3	33	---	---	4	44	2	22
2	1	50	---	---	---	---	1	50
4	8	30	2	7	12	44	5	19
27	42	61	1	1	1	1	25	36
18	16	43	1	3	9	24	11	30
8	12	57	---	---	---	---	9	43
4	10	56	---	---	6	33	2	11
4	2	33	---	---	---	---	4	67
2	3	43	3	43	---	---	1	14
2	5	100	---	---	---	---	---	---
4	3	38	---	---	---	---	5	62
43	90	68	2	2	14	11	26	20
2	2	100	---	---	---	---	---	---
24	68	81	1	1	3	4	12	14
1	---	---	---	---	---	---	1	100
13	33	56	2	3	16	27	8	14
13	5	31	---	---	---	---	11	69
65	78	51	12	8	23	15	39	26
4	14	82	---	---	---	---	3	18
5	6	21	1	4	8	29	13	46
21	17	52	---	---	---	---	16	48
1	1	50	---	---	1	50	---	---
5	5	45	---	---	---	---	6	55

distributed according to ther individual racial occupancy patterns. Excluded are 5 projects
Michigan for which no racial designation is given.
o section located on different sites with one project number covering both sections and
n occupancy.
ata are given.
data are given.
data are given.

TRENDS TOWAR
a
March

ALASKA (State Law)

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb
	City	LHA	Court	None		Open
TOTALS 4	--	4	--	--	4	3
Anchorage		x			1	1
Fairbanks		x			1	1
Juneau		x			1	1
Ketchikan		x			1	--

IDS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
n	Other	All-Negro	No Negro Occupancy			
	--	--	1	325	31	31
	--	--	--	150	20	20
	--	--	--	75	10	10
	--	--	--	50	1	1
--	--	--	1	50	--	--

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Ot
TOTALS	14	--	14	--	--	25	14	
Avondale			x			1	1	
Buckeye			x			1	1	
Eloy			x			1	--	
Flagstaff			x			3	3	
Glendale			x			2	1	
Maricopa			x			1	--	
Mesa			x			2	--	
Peoria			x			1	--	
Phoenix			x			8	5	
Phoenix (Maricopa Co.)			x			1	1	
Stanfield			x			1	--	
Tolleson			x			1	--	
Tucson			x			1	1	
Winslow			x			1	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

ARIZONA

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
2	2	7	2,398	758	389
--	--	--	28	5	5
--	--	--	18	2	2
--	--	1	31	--	--
--	--	--	124	64	64
--	--	1	122	2	2
--	--	1	16	--	--
2	--	--	101	29	--
--	--	1	29	--	--
--	2	1	1,393	596	256
--	--	--	299	35	35
--	--	1	30	--	--
--	--	1	20	--	--
--	--	--	157	22	22
--	--	--	30	3	3

TRENDS TOWARD
as
March 3

CALIFORNIA (State Law)

	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
Locality	City	LHA	Court	None		Open	Ot
TOTALS 91	--	82	2	7	171	112	
Antioch		x			1	--	
Arvin		x			1	1	
Bakersfield		x			3	1	
Barstow		x			1	1	
Beaumont		x			1	--	
Benicia				x	1	1	
Biggs		x			1	--	
Brawley		x			1	1	
Brawley (Imperial County)		x			1	1	
Brentwood		x			1	--	
Broderick		x			1	1	
Calexico				x	2	--	
Calexico (Imperial County)		x			1	--	
Calipatria		x			1	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	5	54	25,220	11,284	10,963
--	--	1	37	--	--
--	--	--	50	3	3
--	1	1	294	227	177
--	--	--	60	4	4
--	--	1	11	--	--
--	--	--	75	7	7
--	--	1	10	--	--
--	--	--	149	33	33
--	--	--	25	3	3
--	--	1	44	--	--
--	--	--	50	1	1
--	--	2	75	--	--
--	--	1	25	--	--
--	--	--	20	5	5

TRE

Locality	Basis of Local Policy				Total Occupied Projects
	City	LHA	Court	None	
Ceres		x			1
Chico		x			1
Chino		x			1
Colton		x			1
Cutler		x			2
Delano		x			1
East Los Angeles		x			1
El Centro		x			1
Espart		x			1
Eureka		x			1
Firebaugh		x			2
Fowler		x			1
Fresno		x			12
Gonzales		x			1
Gridley		x			2
Guadalupe		x			2
Highway City		x			1

TRENDS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

CALIFORNIA (Continued)

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Open	Other	All-Negro	No Negro Occupancy			
--	--	--	1	18	--	--
1	--	--	--	100	7	7
--	--	--	1	50	--	--
1	--	--	--	84	8	8
--	--	--	2	30	--	--
1	--	--	--	62	14	14
1	--	--	--	484	16	16
1	--	--	--	50	30	30
--	--	--	1	16	--	--
1	--	--	--	100	7	7
2	--	--	--	89	7	7
1	--	--	--	19	8	8
12	--	--	--	955	379	379
--	--	--	1	20	--	--
1	--	--	1	30	1	1
--	--	--	2	36	--	--
--	--	--	1	23	--	--

TRENDS TOWARD
as
March

CALIFORNIA (Continued)

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	O
Holtville		x			1	--	
Huron		x			1	--	
Imperial		x			1	--	
Indio		x			1	1	
Kerman		x			1	--	
Knights Landing		x			1	--	
Live Oak		x			1	--	
Lomita		x			1	--	
Lompoc		x			1	1	
Los Angeles		x			21	21	
Los Banos		x			1	--	
Marin City		x			1	1	
Martinez		x			1	--	
Mendota		x			1	--	
Merced		x			1	1	
Modesto		x			1	1	
Needles		x			1	1	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
n	Other	All-Negro	No Negro Occupancy			
-	--	--	1	30	--	--
-	--	--	1	24	--	--
-	--	--	1	12	--	--
1	--	--	--	20	14	14
-	--	--	1	39	--	--
-	--	--	1	10	--	--
-	--	--	1	30	--	--
-	--	--	1	301	--	--
1	--	--	--	50	7	7
1	--	--	--	8,448	5,202	5,202
-	--	--	1	20	--	--
1	--	--	--	300	258	258
-	--	--	1	52	--	--
-	--	--	1	24	--	--
1	--	--	--	140	23	23
1	--	--	--	150	14	14
1	--	--	--	39	2	2

TRENDS TOWARD
as
March 3

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
New London.		x			1	--	
Newman		x			1	--	
No. Long Beach		x			1	1	
No. Richmond		x			3	--	
Oakdale		x			1	--	
Oakland		x			6	5	
Oakley		x			1	--	
Orange Cove		x			1	--	
Oxnard		x			3	3	
Paso Robles		x			1	1	
Patterson		x			1	--	
Pittsburgh		x			1	--	
Pittsburgh West		x			1	1	
Port Chicago		x			1	--	
Port Hueneme		x			1	--	
Redlands		x			4	4	
Reedley		x			1	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

CALIFORNIA (Continued)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	1	20	--	--
--	--	1	16	--	--
--	--	--	711	17	17
--	3	--	225	225	--
--	--	1	26	--	--
--	1	--	1,037	687	641
--	--	1	30	--	--
--	--	1	19	--	--
--	--	--	430	66	66
--	--	--	149	21	21
--	--	1	20	--	--
--	--	1	86	--	--
--	--	--	175	165	165
--	--	1	24	--	--
--	--	1	30	--	--
--	--	--	188	17	17
--	--	1	19	--	--

TRENDS TOWARD
as
March

CALIFORNIA (Continued)

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
Richmond		x			3	3	
Riverbank		x			1	--	
Sacramento			x		3	3	
Sacramento County		x			3	3	
Salinas		x			1	1	
San Bernardino		x			2	2	
San Buenaventura		x			1	1	
San Francisco			x		18	17	
Sanger		x			1	--	
San Joaquin		x			1	--	
San Pablo		x			1	1	
Selma		x			1	---	
Shafter		x			1	--	
Soledad				x	1	--	
South San Francisco				x	1	--	
Stockton		x			3	3	
Thornton		x			1	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	499	98	98
--	--	1	29	--	--
--	--	--	760	107	107
--	--	--	268	95	95
--	--	--	100	13	13
--	--	--	553	260	260
--	--	--	80	19	19
--	--	1	5,096	2,850	2,850
--	--	1	35	--	--
--	--	1	26	--	--
--	--	--	100	6	6
--	--	1	25	--	--
--	--	1	35	--	--
--	--	1	26	--	--
--	--	1	40	--	--
--	--	--	897	317	317
--	--	1	50	--	--

TRENDS TOWARD
as
March

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	C
Tracy		x			3	2	
Turlock		x			1	--	
Upland				x	1	--	
Ventura		x			1	1	
Wasco				x	1	--	
Westmoreland				x	1	1	
Winters Area		x			2	--	
Woodland		x			2	2	
Yolo		x			1	--	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

CALIFORNIA (Continued)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	1	160	18	18
--	--	1	30	--	--
--	--	1	98	--	--
--	--	--	100	16	16
--	--	1	20	--	--
--	--	--	12	1	1
--	--	2	56	--	--
--	--	--	131	6	6
--	--	1	9	--	--

TRENDS TOWARD
as
March

COLORADO (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	O
TOTALS	2	--	2	--	--	16	16	
Denver			x			14	14	
Pueblo			x			2	2	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
	Other	All-Negro	No Negro Occupancy			
6	--	--	--	3,427	876	876
4	--	--	--	3,164	845	845
2	--	--	--	263	31	31

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	O
TOTALS	17	1	15	--	1	41	35	
Bridgeport			x			6	6	
Bristol			x			1	1	
Danbury			x			1	1	
East Hartford			x			2	1	
Greenwich			x			2	2	
Hartford		x				6	4	
Manchester			x			1	--	
Meriden			x			1	1	
Middletown					x	1	1	
New Britain			x			3	3	
New Haven			x			6	6	
Norwalk			x			3	3	
Norwich			x			2	--	
Putnam			x			1	1	
Stamford			x			3	3	
Waterbury			x			1	1	
Willimantic			x			1	1	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

CONNECTICUT (State Law)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	2	4	10,117	4,173	3,675
--	--	--	2,602	1,064	1,064
--	--	--	199	20	20
--	--	--	146	34	34
--	--	1	150	9	9
--	--	--	160	21	21
--	2	--	2,461	1,213	715
--	--	1	100	--	--
--	--	--	139	20	20
--	--	--	187	39	39
--	--	--	560	84	84
--	--	--	1,622	925	925
--	--	--	408	251	251
--	--	2	121	--	--
--	--	--	124	2	2
--	--	--	661	199	199
--	--	--	377	287	287
--	--	--	100	5	5

TRENDS TOWARD
as
March

DELAWARE

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	O
TOTALS	--	1	--	--	5	5	
Wilmington		x			5	5	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	1,156	994	994
--	--	--	1,156	994	994

TRENDS TOWARD
as
March 3

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Ot
TOTALS	1	--	1	--	--	28	16	
Washington, D. C.			x			28	16	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

DISTRICT OF COLUMBIA

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
	Other	All-Negro	No Negro Occupancy			
6	--	12	--	7,750	7,422	3,940
6	--	12	--	7,750	7,422	3,940

TRENDS TOWARD OPEN OCC
as of
March 31, 1963

HAWAII

Locality	Basis of Local Policy				Total Occupied Projects	Patterns of O (by number of occu	
	City	LHA	Court	None		Open	Other
TOTALS 2	--	2	--	--	11	7	--
Hilo		x			3	1	--
Honolulu		x			8	6	--

OPEN OCCUPANCY
of
1, 1963

erns of Occupancy r of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe: in Open Projects
her	All-Negro	No Negro Occupancy			
--	--	4	1,911	9	9
--	--	2	230	1	1
--	--	2	1,681	8	8

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	O
TOTALS	33	1	26	--	6	79	36	
Alton			x			1	--	
Athens H. A.			x			1	--	
Benld H. A.			x			1	--	
Bloomington					x	1	1	
Bunker Hill			x			1	--	
Carlinville			x			1	--	
Carterville			x			1	--	
Chester			x			1	--	
Chicago		x				32	21	
Chicago Heights			x			3	2	
Clinton H. A.			x			1	--	
Decatur					x	1	1	
East Chicago			x			1	1	
East Moline					x	4	-	
East St. Louis					x	6	1	
Gillespie H. A.			x			1	--	
Girard H. A.			x			1	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

ILLINOIS

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
3	18	22	32,627	26,928	17,380
--	1	--	100	87	--
--	--	1	16	--	--
--	--	1	12	--	--
--	--	--	200	37	37
--	--	1	6	--	--
--	--	1	46	--	--
--	--	1	35	--	--
--	--	1	60	--	--
--	10	1	26,742	24,382	16,434
--	1	--	172	158	143
--	--	1	75	--	--
--	--	--	370	68	68
--	--	--	98	96	96
1	1	2	183	34	--
--	3	2	1,686	1,161	143
--	--	1	20	--	--
--	--	1	20	--	--

TRENDS TOWARD OPEN OCC
as of
March 31, 1963

ILLINOIS (Continued)

Locality	Basis of Local Policy				Total Occupied Projects	Patterns of ((by number of occu	
	City	LHA	Court	None		Open	Other
Herrin H. A.		x			1	--	--
Hillsboro		x			1	1	--
Hurst H. A.		x			1	--	--
Johnston City		x			1	--	--
Joliet				x	2	2	--
Lincoln H. A.		x			1	1	--
Litchfield H. A.		x			1	1	--
Marion		x			1	--	1
No. Chicago				x	1	--	--
Peoria		x			5	2	1
Petersburgh H. A.		x			1	--	--
Robbins H. A. of Cooke Co.		x			1	--	--
Sparta H. A.		x			1	1	--
Staunton		x			1	--	--
Summit H. A.		x			1	1	--
Virden		x			1	--	--

OPEN OCCUPANCY
of
1, 1963

erns of Occupancy r of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
her	All-Negro	No Negro Occupancy			
--	--	1	100	--	--
--	--	--	50	6	6
--	--	1	12	--	--
--	--	1	26	--	--
--	--	--	119	103	103
--	--	--	100	1	1
--	--	--	75	1	1
1	--	--	80	16	--
--	1	--	125	125	--
1	--	2	1,834	517	312
--	--	1	40	--	--
--	1	--	100	100	--
--	--	--	26	3	3
--	--	1	24	--	--
--	--	--	35	33	33
--	--	1	40	--	--

TRENDS TOWARD
as
March 3

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
TOTALS 13	--	4	1	8	26	6	
Center TWP-HA (Delaware County)				x	1	--	
Evansville			x		4	2	
Fort Wayne				x	1	--	
Gary				x	5	2	
Hammond				x	1	--	
Indianapolis				x	1	--	
Kokomo				x	2	--	
Michigan City		x			1	--	
Muncie		x			2	1	
New Albany				x	5	--	
South Bend		x			1	1	
Tell City		x			1	--	
Vincennes				x	1	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

INDIANA (State Law)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
1	10	9	4,786	2,494	373
--	--	1	106	--	--
--	2	--	591	310	10
--	--	1	72	--	--
--	3	--	1,285	964	160
--	--	1	394	--	--
--	1	--	748	748	--
--	1	1	199	24	--
--	1	--	64	64	--
1	--	--	355	191	76
--	2	3	621	66	—
--	--	--	234	127	127
--	--	1	34	--	--
--	--	1	83	--	--

TRENDS TOWARD
as
March

KANSAS

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
TOTALS	--	1	--	--	1	1	
Kansas City		x			1	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe: in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	389	385	385
--	--	--	389	385	385

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	C
TOTALS	1	--	--	1	--	9	3	-
Louisville				x		9	3	

NDS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

KENTUCKY

Patterns of Occupancy (by number of occupied projects)						
en	Other	All-Negro	No Negro Occupancy	Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
	--	4	2	4,968	2,529	539
	--	4	2	4,968	2,529	539

TRENDS TOWARD
as
March 3

MAINE

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Ot
TOTALS	2	--	2	--	--	2	1	
Fort Fairfield			x			1	--	
Portland			x			1	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	1	234	3	3
--	--	1	36	--	--
--	--	--	198	3	3

TRENDS TOWARD
as
March 3

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
TOTALS 4	--	4	--	--	27	8	
Baltimore		x			19	7	-
Cumberland		x			3	--	
Frederick		x			4	--	
Rockville		x			1	1	-

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

MARYLAND

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
2	12	5	9,992	7,336	3,144
--	9	3	9,437	7,078	3,080
1	1	1	235	42	--
1	2	1	255	152	--
--	--	--	65	64	64

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

MASSACHUSETTS (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
		City	LHA	Court	None		Open	Other	Al
TOTALS	27	1	23	--	3	69	42	1	
Boston		x				20	12	1	
Brockton			x			1	1	--	
Brookline					x	1	--	--	
Cambridge			x			4	4	--	
Chelsea			x			2	1	---	
Chicopee			x			1	--	--	
Clinton			x			1	1	--	
Fall River			x			3	3	--	
Framingham			x			1	1	--	
Gloucester			x			1	--	--	
Holyoke			x			5	3	--	
Lawrence			x			3	2	--	
Lowell			x			3	1	--	
Lynn			x			1	1	--	
Malden					x	1	1	--	
Medford			x			1	1	--	

N OCCUPANCY

1963

s of Occupancy f occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
All-Negro	No Negro Occupancy			
1	25	18,826	2,623	2,000
1	6	10,326	2,120	1,497
--	--	100	8	8
--	1	98	--	--
--	--	893	111	111
--	1	191	1	1
--	1	150	--	--
--	--	98	10	10
--	--	873	23	23
--	--	125	2	2
--	1	98	--	--
--	2	634	22	22
--	1	631	5	5
--	2	1,064	2	2
--	--	297	43	43
--	--	250	9	9
--	--	150	1	1

TRENDS TOWARD
as
March

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
New Bedford		x			4	4	
Newburyport		x			1	--	
North Adams		x			1	1	
Northampton		x			1	--	
Pittsfield				x	1	--	
Quincy		x			1	--	
Revere		x			2	--	
Somerville		x			3	2	
Taunton		x			1	1	
Woburn		x			1	1	
Worcester		x			4	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

MASSACHUSETTS (Continued)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	893	225	225
--	--	1	50	--	--
--	--	--	124	3	3
--	--	1	49	--	--
--	--	1	77	--	--
--	--	1	180	--	--
--	--	2	149	--	--
--	--	1	357	3	3
--	--	--	119	14	14
--	--	--	100	1	1
--	--	3	750	20	20

TRENDS TOWARD
as
March 3

MICHIGAN (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Ot
TOTALS	18	—	11	3	4	37	16	
Albion					x	1	1	—
Alpena					x	2	—	—
Baraga			x			1	—	—
Belding			x			1	—	—
Benton Harbor				x		2	1	—
Bessemer			x			2	—	—
Bronson					x	1	—	—
Cheboygan			x			1	—	—
Detroit				x		12	7	—
Ecorse			x			2	2	—
Hamtramck				x		1	1	—
Inkster			x			2	1	—
Mount Clemens			x			1	1	—
River Rouge			x			3	—	
Saginaw			x			2	2	—
South Lyon			x			1	—	—

TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
1	9	11	10,010	5,781	3,286
—	—	—	100	83	83
—	—	2	72	—	—
—	—	1	10	—	—
—	—	1	20	—	—
—	1	—	180	90	4
—	—	2	58	—	—
—	—	1	30	—	—
—	—	1	40	—	—
—	5	—	7,890	4,377	2,385
—	—	—	200	192	192
—	—	—	286	118	118
—	1	—	299	297	99
—	—	—	100	80	80
1	1	1	200	119	—
—	—	—	365	325	325
—	—	1	20	—	—

TRENDS TOWAR
a
March

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	C
Wayne		x			1	--	
Ypsilanti				x	1	--	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

MICHIGAN (Continued)

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe: in Open Projects
n	Other	All-Negro	No Negro Occupancy			
	--	--	1	40	--	--
	--	1	--	100	100	--

TRENDS TOWARI
as
March

MINNESOTA (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	O
TOTALS	8	--	6	--	2	21	12	
Chisholm					x	3	--	
Duluth			x			1	1	
Eveleth					x	1	--	
Hibbing			x			1	--	
Minneapolis			x			8	7	
St. Paul			x			4	4	
Virginia			x			1	--	
Winona			x			2	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	9	3,657	311	311
--	--	3	70-	--	--
--	--	--	200	8	8
--	--	1	34	--	--
--	--	1	91	--	--
--	--	1	1,628	221	221
--	--	--	1,327	82	82
--	--	1	110	--	--
--	--	2	197	--	--

TRENDS TOWARD
as
March

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
TOTALS 4	--	2	1	1	18	10	
Columbia		x			3	--	
Kansas City		x			6	3	
St. Charles				x	1	1	
St. Louis			x		8	6	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

MISSOURI

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	6	2	8,674	6,293	3,608
--	3	--	194	194	--
--	1	2	2,220	1,204	769
--	--	--	48	38	38
--	2	--	6,212	4,857	2,801

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occ (by number of occupi		
		City	LHA	Court	None		Open	Other	Al
TOTALS	4	--	4	--	--	6	2	--	
Anaconda			x			2	1	--	
Fairview			x			1	--	--	
Great Falls			x			2	1	--	
Sidney			x			1	--	--	

N OCCUPANCY

1963

s of Occupancy f occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
All-Negro	No Negro Occupancy			
--	4	536	6	6
--	1	127	2	2
--	1	14	--	--
--	1	356	4	4
--	1	39	--	--

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	O
TOTALS	2	--	2	--	--	7	3	
Grand Island			x			1	--	
Omaha			x			6	3	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

NEBRASKA

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
3	--	1	1,784	781	468
1	--	--	516	67	--
2	--	1	1,268	714	468

NEVADA

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
		City	LHA	Court	None		Open	Other	Al
TOTALS	2	--	2	--	--	5	5	--	
Las Vegas			x			4	4	--	
Reno			x			1	1	--	

N OCCUPANCY

1963

s of Occupancy (f occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe: in Open Projects
All-Negro	No Negro Occupancy			
--	--	489	279	279
--	--	339	249	249
--	--	150	30	30

TRENDS TOWARD
as
March

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	O
TOTALS 4	--	4	--	--	8	3	
Dover		x			2	--	
Manchester		x			3	2	
Nashau		x			2	--	
Portsmouth		x			1	1	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

NEW HAMPSHIRE (State Law)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	5	1,048	25	25
--	--	2	224	- -	--
--	--	1	551	10	10
--	--	2	150	--	--
--	--	--	123	15	15

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

NEW JERSEY (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
		City	LHA	Court	None		Open	Other	Al
TOTALS	43	--	38	1	4	132	90	2	
Asbury Park			x			5	1	--	
Atlantic City			x			4	1	--	
Bayonne			x			6	6	--	
Beverly					x	1	1	--	
Bridgeton			x			1	1	--	
Burlington					x	1	--	1	
Camden			x			6	2	--	
Carteret			x			1	1	--	
Edison TWP			x			1	--	--	
Elizabeth				x		3	3	--	
Florence			x			1	1	--	
Franklin TWP			x			1	1	--	
Garfield			x			2	2	--	
Guttenberg			x			3	--	--	
Hackensack			x			3	3	--	
Harrison			x			2	--	--	

OCCUPANCY

963

s of Occupancy occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
All-Negro	No Negro Occupancy			
14	26	28,198	10,971	8,989
3	1	420	313	2
2	1	895	443	1
--	--	746	102	102
--	--	71	32	32
--	--	100	88	88
--	--	86	40	--
2	2	1,930	747	201
--	--	75	43	43
1	--	60	58	--
--	--	1,078	299	299
--	--	50	32	32
--	--	50	44	44
--	--	150	8	8
--	3	154	--	--
--	--	244	124	124
--	2	268	--	--

TRENDS TOWARD
as
March 3

Locality	Basis of Local Policy				Total Occupied Projects	Patte (by number	
	City	LHA	Court	None		Open	Oth
Highland Park		x			1	1	
Highlands		x			1	--	
Hightstown		x			1	1	
Hoboken		x			3	3	
Irvington		x			3	--	
Jersey City		x			9	7	
Lodi		x			1	1	
Long Branch		x			6	2	
Morristown		x			2	2	
Neptune TWP		x			1	1	
Newark		x			16	16	
New Brunswick		x			4	3	
North Bergen				x	1	--	
Orange		x			2	2	
Passaic		x			2	2	
Paterson		x			6	6	
Perth Amboy		x			4	3	
Phillipsburg		x			3	--	

TOWARD OPEN OCCUPANCY
as of
March 31, 1963

NEW JERSEY (Continued)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	24	5	5
--	--	1	30	--	--
--	--	--	42	37	37
--	--	--	902	36	36
--	--	3	234	--	--
--	2	--	3,479	1,377	1,064
--	--	--	100	3	3
1	2	1	483	180	16
--	--	--	149	123	123
--	--	--	60	58	58
--	--	--	8,907	4,523	4,523
--	1	--	541	201	143
--	--	1	172	--	--
--	--	--	277	205	205
--	--	--	500	242	242
--	--	--	1,889	717	717
--	--	1	755	100	100
--	--	3	436	--	--

TRENDS TOWARD OPEN OCCUPANC
as of
March 31, 1963

NEW JERSEY (Continued)

Locality	Basis of Local Policy				Total Occupied Projects	Patterns of Occup (by number of occupied		
	City	LHA	Court	None		Open	Other	All
Plainfield				x	2	2	--	
Princeton		x			1	--	--	
Rahway		x			1	1	--	
Red Bank		x			1	1	--	
South Amboy		x			1	--	--	
Trenton		x			9	9	--	
Union City		x			3	--	--	
West New York		x			6	3	--	
Woodbridge		x			1	1	--	

OCCUPANCY

963

of Occupancy occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
All-Negro	No Negro Occupancy			
--	--	248	192	192
1	--	50	50	--
--	--	76	18	18
--	--	40	35	35
--	1	73	--	--
--	--	1,439	482	482
--	3	355	--	--
--	3	410	12	12
--	--	150	2	2

TRENDS TOWARD
as
March 3

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Otl
TOTALS	2	--	2	--	--	2	2	
Alamogordo			x			1	1	
Clovis			x			1	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

NEW MEXICO

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	145	49	49
--	--	--	70	5	5
--	--	--	75	44	44

TRENDS TOWARD OPEN
as of
March 31, 19

NEW YORK (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Patterns (by number of	
		City	LHA	Court	None		Open	Other
TOTALS	24	1	20	--	3	84	68	1
Albany			x			3	3	--
Binghamton			x			1	1	--
Buffalo			x			10	8	--
Catskill			x			1	--	1
Cohoes			x			1	--	--
Elmira					x	1	--	--
Freeport			x			1	1	--
Herkimer			x			1	--	--
Lackawanna			x			1	1	--
Massena			x			1	1	--
Mechanicville			x			2	--	--
New York City		x				38	37	--
North Tarrytown			x			1	1	--
Plattsburg			x			3	--	--
Port Chester			x			2	2	--
Saratoga Springs			x			2	2	--
Schenectady					x	1	1	--

ARD OPEN OCCUPANCY
as of
ch 31, 1963

Patterns of Occupancy umber of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
1	3	12	55,607	22,168	21,087
--	--	--	800	145	145
--	--	--	146	14	14
--	2	--	4,169	959	491
1	--	--	77	52	--
--	--	1	116	---	--
--	--	1	141	--	--
--	--	--	100	94	94
--	--	1	50	--	--
--	--	--	268	113	113
--	--	--	101	1	1
--	--	2	96	--	--
--	1	--	46,102	19,995	19,434
--	--	--	85	47	47
--	--	3	246	--	--
--	--	--	216	68	68
--	--	--	105	4	4
--	--	--	215	5	5

TRENDS TOWARD
as
March 3

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
Syracuse		x			3	3	
Tarrytown		x			1	1	
Troy		x			3	2	
Tuckahoe		x			1	1	
Utica				x	1	1	
Watertown		x			3	2	
Watervliet		x			2	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

NEW YORK (Continued)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	--	--	1,197	511	511
--	--	--	69	42	42
--	--	1	606	38	38
--	--	--	99	72	72
--	--	--	213	2	2
--	--	1	270	6	6
--	--	2	120	--	--

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

NORTH DAKOTA

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
		City	LHA	Court	None		Open	Other	Al
TOTALS	1	--	1	--	--	1	--	--	
Williston			x			1	--	--	

OCCUPANCY

963

of Occupancy occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
	All-Negro	No Negro Occupancy			
-	--	1	60	--	--
-	--	1	60	--	--

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numb
		City	LHA	Court	None		Open
TOTALS	13	1	7	2	3	59	33
Akron					x	2	1
Cincinnati			x			9	2
Cleveland		x				12	8
Columbus				x		8	6
Dayton			x			6	3
Hamilton					x	2	2
Lincoln Heights			x			1	--
Lorain			x			2	2
Portsmouth					x	2	1
Steubenville			x			2	—
Toledo				x		9	4
Warren			x			1	1
Youngstown			x			2	2

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

OHIO

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
2	16	8	19,213	10,997	6,165
--	1	--	550	504	228
--	4	3	4,854	2,950	1,264
--	3	1	6,206	3,166	2,050
--	2	--	1,974	1,488	940
--	2	1	1,705	839	329
--	--	--	274	204	204
--	1	--	76	76	--
--	--	--	350	85	85
--	--	1	391	100	100
2	--	--	250	73	--
--	3	2	1,474	753	206
--	--	--	224	61	61
--	--	--	885	698	698

TRENDS TOWARD OPEN OCCUPAN
as of
March 31, 1963

OREGON (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
		City	LHA	Court	None		Open	Other	Al
TOTALS	13	--	11	--	2	16	5	--	
Athena (Umatilla Co.)			x			1	--	--	
Eugene-Springfield (Lane Co.)			x			1	--	--	
Florence (Lane Co.)			x			1	--	--	
Hermiston (Umatilla Co.)			x			1	--	--	
Milwaukee (Clackamas Co.)					x	1	--	--	
Newport Area (Lincoln Co.)			x			1	--	--	
Oakland (Douglas Co.)			x			1	--	--	
Oregon City (Clackamas Co.)					x	1	--	--	
Portland			x			4	4	--	
Reedsport (Douglas Co.)			x			1	--	--	
Riddle (Douglas Co.)			x			1	--	--	
Roseburg (Douglas Co.)			x			1	1	--	
Toledo (Lincoln Co.)			x			1	--	--	

N OCCUPANCY

1963

s of Occupancy f occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe
All-Negro	No Negro Occupancy			
--	11	1,210	88	88
--	1	20	--	--
--	1	150	--	--
--	1	30	--	--
--	1	16	--	--
--	1	100	--	--
--	1	29	--	--
--	1	7	--	--
--	1	100	--	--
--	--	661	87	87
--	1	14	--	--
--	1	7	--	--
--	--	59	1	1
--	1	17	--	--

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Ot
TOTALS	65	1	53	--	11	152	78	
Aliquippa (Beaver Co.)					x	3	--	
Allentown					x	2	2	
Ambridge (Beaver Co.)					x	2	1	
Beaver Falls (Beaver Co.)					x	4	--	
Bethlehem			x			5	4	
Boswell (Somerset Co.)			x			1	--	
Braddock (Allegheny Co.)			x			2	2	
Brownsville (Fayette Co.)			x			1	--	
Canonsburg (Washington Co.)			x			1	--	
Carbondale					x	1	--	
Chester			x			4	2	
Chester TWP (Delaware Co.)			x			1	--	
Clairton (Allegheny Co.)			x			2	1	
Connellsville					x	1	1	

TOWARD OPEN OCCUPANCY
as of
March 31, 1963

PENNSYLVANIA (State Law)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
12	23	39	29,055	10,746	6,858
--	1	2	254	50	—
--	--	--	425	19	19
--	--	1	172	5	5
1	1	2	336	82	--
--	--	1	1,118	84	84
--	--	1	50	--	--
--	--	--	282	116	116
1	--	--	100	10	--
1	--	--	132	34	--
--	—	1	76	--	--
--	2	--	1,333	945	227
--	1	--	200	200	--
--	1	--	278	198	50
--	--	--	100	20	20

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

PENNSYLVANIA (Continued)

Locality	Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
	City	LHA	Court	None		Open	Other	Al
Connellsville TWP (Fayette Co.)		x			1	--	--	
Danville (Montour Co.)		x			1	--	--	
Darby TWP (Delaware Co.)		x			2	--	--	
Donora (Washington Co.)		x			1	--	1	
Duquesne (Allegheny Co.)		x			2	--	--	
E. Bethlehem (Washington Co.)		x			1	--	--	
Easton		x			3	3	--	
E. Stroudsburg (Monroe Co.)		x			1	--	--	
Ellwood City (Lawrence Co.)		x			1	--	--	
Erie	x				3	2	--	
Farrell (Mercer Co.)		x			3	3	--	
Harrisburg		x			6	2	--	
Homestead (Allegheny Co.)		x			1	1	--	
Johnstown		x			4	1	--	
Loyalsock (Lycoming Co.)				x	1	--	--	

N OCCUPANCY

1963

s of Occupancy f occupied projects)		Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
All-Negro	No Negro Occupancy			
--	1	150	--	--
--	1	60	--	--
2	--	89	89	--
--	--	110	31	--
1	1	265	83	--
--	1	70	--	--
--	--	335	29	29
--	1	44	--	--
--	1	100	--	--
1	--	747	93	53
--	--	298	114	114
2	2	1,410	540	248
--	--	144	29	29
--	3	961	55	55
--	1	248	--	--

TRENDS TOWARD
as
March

Locality	Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
	City	LHA	Court	None		Open	Ot
McKeesport		x			6	2	
McKees Rocks (Allegheny Co.)		x			4	3	
Masontown (Fayette Co.)		x			1	--	
Meadville		x			1	1	
Mercer (Mercer Co.)		x			1	--	
Midland (Beaver Co.)				x	1	1	
Monessen (Westmoreland Co.)		x			1	1	
Mt. Union (Huntington Co.)		x			1	1	
New Brighton (Beaver Co.)		x			1	1	
New Castle (Lawrence Co.)		x			3	1	
No. Union (Fayette Co.)		x			1	--	
Philadelphia		x			33	25	
Pottstown (Montgomery Co.)				x	2	2	
Pymatuning (Mercer Co.)		x			1	--	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

PENNSYLVANIA (Continued)

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
Other	All-Negro	No Negro Occupancy			
--	1	3	994	284	234
1	--	--	508	77	57
--	--	1	100	--	--
--	--	--	100	10	10
--	--	1	30	--	--
--	--	--	54	26	26
--	--	--	150	5	5
--	--	--	100	20	20
--	--	--	48	10	10
2	--	--	300	54	30
1	--	--	150	16	--
--	6	2	12,014	6,825	5,088
--	--	--	206	89	89
--	--	1	70	--	--

PENNSYLVANIA (Continued)

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	O
Rankin (Allegheny Co.)		x			2	1	
Reading		x			3	2	
Redstone (Fayette Co.)		x			1	--	
Ridley (Delaware Co.)		x			1	--	
Robinson (Allegheny Co.)		x			1	--	
Scranton		x			4	4	
Sharon (Mercer Co.)		x			2	1	
Sharpsburg (Allegheny Co.)		x			1	1	
Sharpsville (Mercer Co.)		x			1	1	
S. Fayette (Allegheny Co.)		x			1	1	
So. Uniontown (Fayette Co.)		x			2	--	
Stowe (Allegheny Co.)		x			1	--	
Stroudsburg (Monroe Co.)		x			1	--	
Stroud TWP (Monroe Co.)		x			1	--	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
n	Other	All-Negro	No Negro Occupancy			
1	1	--	--	241	74	26
2	--	--	1	1,027	19	19
-	1	--	--	100	14	--
-	--	--	1	250	--	--
-	--	--	1	100	--	--
4	--	--	--	703	5	5
1	1	--	--	150	27	9
1	--	--	--	65	11	11
1	--	--	--	60	1	1
1	--	--	--	150	17	17
-	--	1	1	240	40	--
-	--	--	1	250	--	--
-	--	--	1	28	--	--
-	--	--	1	28	--	--

TRENDS TOWAR
a
March

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb
	City	LHA	Court	None		Open
Upland (Delaware Co.)		x			1	--
Upper Dublin (Montgomery Co.)				x	1	--
Washington (Wash. Co.		x			2	--
Washington TWP (Fayette Co.)		x			1	--
Wayne (Delaware Co.)		x			1	1
Williamsport (Lycoming Co.)				x	2	--
Windber (Somerset Co.)		x			1	--
York		x			3	3

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

PENNSYLVANIA (Continued)

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
n	Other	All-Negro	No Negro Occupancy			
--	--	--	1	100	--	--
--	--	1	--	50	50	--
--	--	1	1	146	46	--
--	1	--	--	80	12	--
1	--	--	--	50	24	24
--	--	1	1	112	36	--
--	--	--	1	100	--	--
3	--	--	--	314	128	128

TRENDS TOWARD OPEN OCCUPAN
as of
March 31, 1963

RHODE ISLAND (State Law)

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occu (by number of occupie		
		City	LHA	Court	None		Open	Other	Al
TOTALS	4	--	4	--	--	17	14	--	
Newport			x			4	4	--	
Pawtucket			x			2	1	--	
Providence			x			9	8	--	
Woonsocket			x			2	1	--	

N OCCUPANCY

1963

s of Occupancy f occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
	All-Negro	No Negro Occupancy			
--	--	3	4,762	805	805
	--	--	942	165	165
	--	1	535	8	8
	--	1	2,696	607	607
	--	1	589	25	25

TRENDS TOWARD C
as o
March 31

Locality		Basis of Local Policy				Total Occupied Projects	Patte (by number	
		City	LHA	Court	None		Open	Oth
TOTALS	5	—	4	—	1	28	6	
Brownwood					x	6	1	
Crystal City			x			3	1	-
McAllen			x			1	1	-
San Antonio			x			17	2	-
Taylor			x			1	1	-

TOWARD OPEN OCCUPANCY
as of
March 31, 1963

TEXAS

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
1	8	13	5,633	1,388	63
1	1	3	250	27	8
--	--	2	70	2	2
--	—	--	147	1	1
--	7	8	5,098	1,311	5
—	--	—	68	47	47

TRENDS TOWARD OPEN OCCUPA
as of
March 31, 1963

WASHINGTON

Locality		Basis of Local Policy				Total Occupied Projects	Patterns of Occ (by number of occupi	
		City	LHA	Court	None		Open	Other
TOTALS	21	--	19	--	2	33	17	--
Aberdeen (Grays Harbor Co.)			x			1	--	--
Asotin (Asotin Co.)			x			1	--	--
Auburn (King Co.)			x			2	--	--
Black Diamond (King Co.)			x			1	--	--
Bremerton					x	1	1	--
Clarkston (Asotin Co.)			x			1	--	--
Ephrata (Grant Co.)			x			1	--	--
Everett					x	2	2	--
Grand Coulee (Grant Co.)			x			1	1	--
Hoquiam (Grays Harbor Co.)			x			1	--	--
Kalama			x			1	--	--
Kelso			x			1	--	--
Moses Lake (Grant Co.)			x			1	1	--
Pasco			x			1	1	--

PEN OCCUPANCY
f
1963

rns of Occupancy (of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe: in Open Projects
r	All-Negro	No Negro Occupancy			
	--	16	6,510	939	939
	--	1	44	--	--
	--	1	10	--	--
	--	2	120	--	--
	--	1	50	--	--
	--	--	549	65	65
	--	1	39	--	--
	--	1	12	--	--
	--	--	397	23	23
	--	--	9	2	2
	--	1	49	--	--
	--	1	16	--	--
	--	1	50	--	--
	--	--	27	14	14
	--	--	112	12	12

TRENDS TOWARD
as
March

Locality	Basis of Local Policy				Total Occupied Projects	Pat (by numb	
	City	LHA	Court	None		Open	O
Port Angeles (Clallam Co.)		x			2	--	
Quincy (Grant Co.)		x			2	--	
Renton		x			1	--	
Seattle		x			5	5	
Soap Lake (Grant Co.)		x			2	1	
Tacoma		x			4	4	
White Center (King Co.)		x			1	1	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

WASHINGTON (Continued)

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroe in Open Projects
n	Other	All-Negro	No Negro Occupancy			
--	--	--	2	70	--	--
--	--	--	2	16	--	--
--	--	--	1	100	--	--
5	--	--	--	3,337	642	642
1	--	--	1	16	2	2
4	--	--	--	912	178	178
1	--	--	--	575	1	1

TRENDS TOWARD
as
March 3

WEST VIRGINIA

Locality		Basis of Local Policy				Total Occupied Projects	Patt (by numbe	
		City	LHA	Court	None		Open	Ot
TOTALS	1	--	1	--	--	2	1	
Wheeling			x			2	1	

S TOWARD OPEN OCCUPANCY
as of
March 31, 1963

Patterns of Occupancy (by number of occupied projects)			Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
Other	All-Negro	No Negro Occupancy			
--	1	--	339	42	4
--	1	--	339	42	4

TRENDS TOWARD
as
March

Locality		Basis of Local Policy				Total Occupied Projects	Pat (by numb	
		City	LHA	Court	None		Open	O
TOTALS	5	--	3	--	2	11	5	
La Crosse					x	1	--	
Menomonie					x	1	--	
Milwaukee			x			5	5	
So. Milwaukee			x			1	--	
Superior			x			3	--	

DS TOWARD OPEN OCCUPANCY
as of
March 31, 1963

WISCONSIN (State Law)

Patterns of Occupancy (by number of occupied projects)				Total Occupied Units	Units Occupied by Negroes	Units Occ. by Negroes in Open Projects
n	Other	All-Negro	No Negro Occupancy			
	--	--	6	2,532	714	714
	--	--	1	74	--	--
	--	--	1	59	--	--
	--	--	--	1,994	714	714
	--	--	1	59	--	--
	--	--	3	346	--	--

GPO 888-381

The New York Times.

THE NEW YORK TIMES, MONDAY, NOVEMBER 10, 1958.

U.S. Action Urged to End Discrimination in Housing

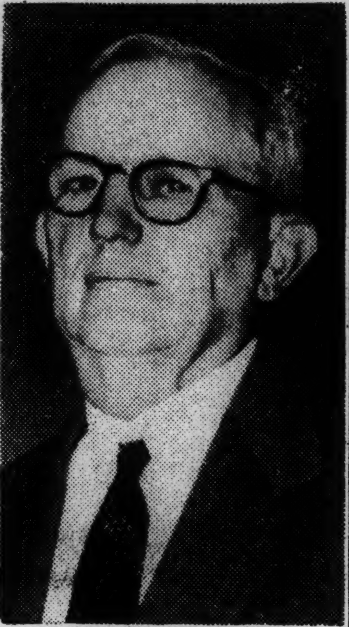
3-Year Survey by Private Group Is Reported to the President

By **RUSSELL PORTER**

President Eisenhower was asked yesterday to appoint a committee to recommend a program for the prompt elimination of racial discrimination in Federal housing and urban renewal projects.

The proposal was one of the major recommendations in a report by the Commission on Race and Housing. The report urged Federal, state and local governments, the housing industry and civic groups to "purge" the United States of discrimination in housing.

The commission is a private group. Earl B. Schwulst, president of the Bowery Savings Bank, is its chairman. The commission has made a three-year survey of the housing problems of racial and ethnic minorities under a $400,000 grant from the Fund for the Republic. Mr. Schwulst made public its findings and conclusions.



Earl B. Schwulst

According to Mr. Schwulst, the commission's recommendations were based on the theory that compulsory residential segregation was "the basic inequality which underlies or stimulates other forms of discrimination."

The commission called for enforcement of the Federal Civil Rights Act of 1957 and the repeal of all state laws requiring segregation. It also urged the adoption of state and city laws prohibiting discrimination in housing built with any form of public aid. The New York laws against housing discrimination were cited as models for other areas.

City Action Urged

The commission advocated the strengthening of state agencies to enforce anti-discrimination laws, and action by city governments to encourage acceptance of a non-discriminatory housing market.

Other recommendations were that civic groups promote community education and action in favor of such housing. Real estate, mortgage financing, public relations, legal research and similar groups were urged to support such campaigns. Philanthropic foundations were suggested as sources of financial aid.

The commission asked builders, mortgage lenders and real estate brokers to support a free housing market and to study financially successful interracial housing developments.

It urged concerted action by national and local associations in the housing industry toward an industry-wide policy to open all housing developments to qualified buyers or tenants regardless of race, ethnic descent or religion.

The extension of mortgage credit to nonwhites in all areas on the same terms as to whites, and declarations by real estate boards that all residential properties be listed on a non-discriminatory basis were also advocated.

The commission proposed elimination of color bars to membership in real estate boards, mortgage bankers and builders associations and other industry groups.

Progress Hampered

The study found that progress toward decent homes for all Americans and the elimination of slums was seriously hampered by discrimination in distributing housing benefits under Federal laws. The policies of Federal housing agencies that permit racial discrimination, the report said, are inconsistent with the basic American ideals stated in the Constitution.

The report also asserted that public housing had probably intensified racial segregation because of what it said was the recent trend toward the "concentration of minority groups in public housing."

According to the report, it would be in the economic interest of the housing industry to remove racial barriers. It said that if all builders in an area acted together against discrimination, none would fear competitive disadvantage if he refused to discriminate. Therefore, the report said, the whole market would expand.

The report said segregated housing had damaged the country as well as minority groups. Residential segregation, it continued, leads directly to segregation in schools, churches, hospitals, places of public recreation, welfare and civic activities.

Handicaps Cited

In this country's defense against Communist anti-American propaganda, the report said, segregation seriously handicaps American appeals to the "uncommitted" peoples of Asia and Africa, most of whom are nonwhite.

The report said 27,000,000 Americans, nearly one-sixth of the United States population, were restricted in opportunities to live in neighborhoods of their choice for race, color or ethnic reasons. It said 18,700,000 were nonwhites (95 per cent of them Negroes), 5,000,000 Jews, 2,500,000 persons of Mexican ancestry and 800,000 Puerto Ricans.

The report said Jews were excluded from residential areas "on occasion" but that anti-Semitic discrimination was not comparable with that against nonwhites.

Studies were made by the commission among Negroes, Puerto Ricans, Mexican-Americans and Orientals, especially in large metropolitan areas, in New England, the Middle Atlantic states, the Southeast, the Southwest, the Middle West and the Pacific Coast.

Mr. Schwulst said he had accepted an invitation from Robert M. Hutchins, president of the Fund for the Republic, to become chairman of the Commission on Race and Housing, on the understanding that entire control of the study be left in the hands of the commission.

According to Mr. Schwulst, he appointed or approved all members of the commission and all accepted on the understanding they would be free to draw any conclusions they thought warranted.

Fund Provided Money

The Fund for the Republic has had nothing to do with the commission except to provide the money for its work, he said.

Mr. Schwulst said the conclusions in the report had been reached unanimously by "men who are generally regarded as conservative."

Research Staff

Mr. Schwulst said the fund had also left the selection and direction of the research staff to the commission.

Research for the commission was directed by Davis McEntire, Professor of Social Welfare at the University of California, Berkeley. Social scientists at Atlanta, California, Chicago, Columbia, Fisk, Howard, New York, North Carolina, Pennsylvania, Texas and Wayne Universities cooperated.

A research advisory committee included Stuart W. Cook head of the Department of Psychology, Graduate School of Arts and Science, New York University; Robert K. Merton, chairman, Department of Sociology, Columbia University; Robert C. Weaver, administrator, Temporary State Housing Rent Commission, New York, and Messrs. Allport, Rauch and Schwulst of the commission.

(Turn Over for complete "Text of Proposals")

Reprinted by

National Committee Against Discrimination in Housing

35 West 32 Street, New York 1, New York

LOngacre 4-4069

Text of the Proposals in Housing Study to End Racial Discrimination

Following is the text of recommendations by the Commission on Race and Housing for action by Federal, state and local governments, the housing industry and civic groups on problems of racial discrimination in housing:

The Federal Government

1. In the Housing Act of 1949, Congress declared the goal of national policy in housing to be "a decent home and a suitable living environment for every American family." A related objective, also declared by Congress, is "the elimination of substandard and blighted areas."

Studies carried out by this commission demonstrate that realization of these goals of national policy is seriously hampered by racial segregation and discrimination in the distribution of housing facilities and benefits provided under Federal laws.

Moreover, the policies of the Federal housing agencies which encourage or permit racial distinctions in the distribution of Federal housing benefits are inconsistent with the Constitution of the United States and the spirit of the housing acts of Congress. In the judgment of this commission, these official acts of commission and omission which lead to discrimination are the product of archaic practices and attitudes which have no place in today's world.

Role of Government

Although Federal programs provide but a part of the aids and resources utilized in the production of housing, the role of the Federal Government looms large in this area of our economy and society. It is generally recognized that Federal resources and leadership are crucial to the success of the national effort to achieve a decent home for every American family.

In this report we call upon state and local governments, voluntary associations of citizens, and the housing industry to take certain definite steps to purge our national life of the evil of housing discrimination. All this cannot proceed with any assurance of success unless the Federal Government moves to cure the ills of its own programs by the most expeditious yet sound measures.

Toward this purpose we recommend to the President of the United States that he establish a committee on the elimination of discrimination in Federal housing and urban renewal programs. We suggest that this committee be modeled after the Presidential committees previously established to carry out the policies of equal employment opportunity under Government contracts and equal treatment and opportunity for all persons in the armed services.

Like its predecessors, the committee should be composed of high-ranking Federal officials and private citizens, including representation of the housing industry and the groups affected by discrimination in housing.

This Presidential committee should have the duty and authority to examine the rules, procedures, and practices of the Federal housing agencies, and consult with representatives of interested groups and the housing industry with the view of determining the best means of achieving the purpose for which it was created. After study of the problems, the committee should present to the President its recommendations for a complete program and time schedule looking toward the elimination of discrimination in the distribution of Federal housing benefits at the earliest time practicable.

2. We further recommend, pending the adoption of Federal measures adequate to insure the equal access of all citizens to Federal housing benefits, and parallel with such measures when adopted that Federal housing agencies give, without delay, the fullest support to state and municipal legislation for equal treatment in housing.

3. Because of the vital role of local government in many aspects of housing, it is essential that members of minority groups participate fully in the political processes through which local officials, including members of zoning boards, planning commissions, housing authorities, and the like, are selected.

Restrictions on voting rights or other barriers to such participation should be removed. We therefore strongly endorse the action of Congress in 1957 to protect the voting rights of citizens; we urge the President, the Department of Justice, and the Civil Rights Commission to enforce and implement the Civil Rights Act of 1957 in every possible way.

Federal-Local Programs

Major phases of Government-assisted housing are planned and administered by Federal and local governments cooperatively. For these programs we offer the following recommendations:

1. Recognizing that equal opportunity to obtain good housing will be most readily achieved when the supply of housing is adequate for the whole population, we recommend that Federal and local housing and urban renewal authorities intensify their efforts to increase the total housing supply. Special efforts should be made to increase the supply of good quality housing economically accessible to middle and lower income groups.

2. Authorities in charge of urban renewal programs should recognize, as a primary responsibility, the opening of adequate housing opportunities for displaced families, most of whom belong to minority groups.

3. Urban renewal programs should place increased emphasis on conservation and rehabilitation projects in areas undergoing racial transition, to maintain good housing standards. Special effort should be made to stabilize these areas on an interracial basis.

4. Urban renewal authorities should actively promote housing developments on open land with unrestricted occupancy, within the incomes of a substantial number of families in central areas. For this purpose, the use of open and predominantly open-land projects authorized by Congress should be actively encouraged.

5. Authorities in charge of low-rent public housing should vigorously combat the tendency for public housing projects to become low-income and racial "ghettos." To this end, intensified effort should be made to develop projects in scattered locations, away from slums, and of such size and character as will blend into the housing pattern in the site areas.

Public housing agencies should seek authority to modify the income limitations on continued eligibility for public housing, so that tenant families would not be compelled to leave because their incomes had risen, but could remain, on payment of a fair rent, if they desired to do so.

State Governments

1. We strongly recommend repeal of all existing laws requiring racial segregation.

2. We recommend that State Legislatures follow the example of the several states which have enacted legislation prohibiting discrimination in housing. Such laws should, at the minimum, apply to all housing built or financed by any form of public aid. Experience under the New York City law covering all multiple-unit and development housing should be carefully studied for guidance in the extension of state legislation.

3. Agencies of state governments charged with the enforcement of laws against discrimination should have four types of authority, namely:

a. Power to act upon complaints of violation; to seek voluntary compliance with the law by means of persuasion and conciliation; and if voluntary methods fail, to issue orders and apply for their enforcement in the courts.

b. Authority to investigate reported practices of discrimination and initiate compliance proceedings on their own initiative, independent of complaints from aggrieved individuals.

c. Authority to investigate complaints of discriminatory application of state or local laws relating to land use or housing, and to make public the findings of such investigations.

d. Authority and adequate funds to conduct programs of research, information, and education to encourage public acceptance of an open-housing market.

1. In the absence of state laws, we recommend that municipal legislative bodies adopt laws of the type recommended above to states, so far as their authority permits, and provide for their enforcement.

2. Municipal legislatures should declare, as public policy, that all local laws be administered without discrimination, and provision should be made for investigation of alleged violations.

3. Municipal governments should take leadership in developing programs of information and education to encourage public acceptance of an open housing market, on the model of existing programs in several cities.

The Housing Industry

1. We recommend to builders, mortgage lenders, and real estate brokers that they conform to the principle of a free housing market and study the experience of financially successful interracial housing developments for helpful guidance. This action is not only a matter of social responsibility, but it is in the economic interest of the housing industry to broaden the market for housing and remove impediments to its functioning.

2. Individual builders may consider that to admit any nonwhites to their developments would place them under a competitive disadvantage. Such disadvantage, to the extent that it exists, would be greatly lessened or eliminated if builders in a market area acted in concert to open all housing developments to qualified buyers or tenants without regard to race, ethnic descent, or religion.

We recommend, therefore, to national and local associations of the housing industry that they take the lead in effecting a concerted, industry-wide policy to this effect.

3. Mortgage lenders should singly or collectively discontinue the practice of limiting loans to nonwhite borrowers in certain residential districts. Mortgage credits should be extended to nonwhites in any location on the same terms as to other borrowers.

4. Since the National Association of Real Estate Boards has previously deleted from its code of ethics all references to race or nationality, we recommend that real estate boards take the positive step of declaring that realtors should offer listed residential properties to any qualified purchaser or renter without regard to racial or religious distinction unless the principal has in writing directed limitation of a particular transaction to certain groups.

5. We urge trade associations of the housing industry, including real estate boards, mortgage banker associations, and builders' associations, to drop color bars to membership and admit any qualified businessman without distinction of race, color, or creed.

Intergroup Relations Units

Progress toward the realization of equal opportunity in housing and other fields depends in large measure upon the stimulus and leadership provided by voluntary associations of citizens. We therefore recommend:

1. That such associations develop effective programs for promoting equality of opportunity in housing and seek ways of carrying out those programs.

Since studies and experience have demonstrated that efforts to educate the public on the issues of equal rights and opportunity are generally most effective when linked with concrete demonstrations or specific action proposals, we recommend:

2. That voluntary associations emphasize programs of combined action and community education.

As examples of important and much needed programs of action and education, we recommend to voluntary associations activities of the following types:

3. Development and support of programs to increase the supply of housing economically accessible to middle and lower income groups.

4. Efforts to obtain the enactment of sound Federal, state, and municipal laws protecting equal opportunity for housing; enlistment of the support of candidates for elective offices who favor open housing policies.

Community Support

5. Where nondiscrimination laws have been enacted, cooperation in promoting public understanding and acceptance of the law; taking the lead in mobilizing community support for effective enforcement.

6. Making representations to public officials concerning such discriminatory administration of land use and housing laws as may exist, reminding the officials of their Constitutional duty to treat all citizens equally; directing public attention to instances of discriminatory use of public authority.

7. Assisting minority individuals whose legal rights have been violated in utilizing any legally available remedies; supporting litigation in defense of statutory or Constitutional rights.

8. Encouraging and assisting trade associations in the housing industry to take action to overcome discrimination in the housing market.

9. Assisting qualified minority families to obtain homes in good neighborhoods by seeking dwellings that may be available, and soliciting the cooperation of the real estate business in this endeavor.

10. In neighborhoods newly entered or likely to be entered by minority families, counseling with local residents and public authorities to calm any racial tensions, prevent flight of white residents, and promote acceptance of an interracial pattern.

11. Stimulating and assisting the residents of racially changing neighborhoods to organize and act for preserving housing standards including adequate public services and enforcement of housing codes, to prevent such neighborhoods from deteriorating into slums.

12. Persuading community institutions such as churches, labor organizations, political associations and others to adopt and publicly declare positions of support for equal opportunity in housing.

13. Working with the press, radio and television to secure the fullest publicity concerning issues of housing and minority groups, publicizing both problems and progress toward their solution; assisting the communications media to obtain accurate information concerning events and issues in the field.

14. As an essential founda- for all the foregoing activites, collecting and making available facts concerning the housing conditions of minority groups, discriminatory practices and their effects, experience with open-occupancy housing including its effects on the housing market and property values, experience with laws against discrimination, public opinion regarding equal opportunity in housing, the changing economic and social status of minority groups, and other relevant matters.

To carry on the suggested activities effectively requires technical knowledge and skill in such fields as real estate, mortgage financing, public relations, law, social and economic research, and community organization. Therefore,

15. We urge organizations working for racial equality in housing to enlist the support and assistance of persons with the essential technical competence.

Finally, though voluntary associations by nature rest upon the participation of their members, to conduct programs of any magnitude or complexity requires trained staff and funds. We therefore recommend:

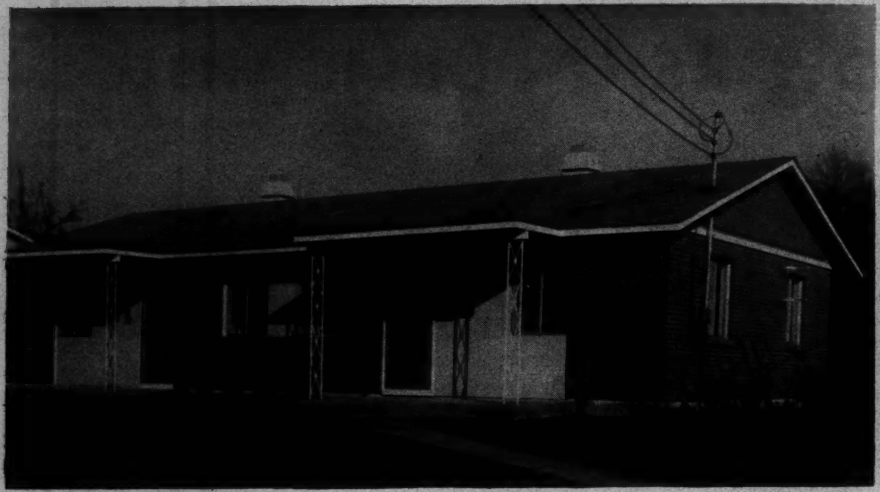
16. That philanthropic foundations and interested persons give financial support to voluntary agencies, national and local, that have soundly conceived programs of action and demonstrate competence in their execution.

LOW-RENT PUBLIC HOUSING

What and Why

Many low-income families who lived in substandard housing have been rehoused in low-rent homes like these, planned, built, owned and operated by local housing authorities throughout the country. The communities do the job—the Public Housing Administration helps financially.

PUBLIC HOUSING ADMINISTRATION
HOUSING AND HOME FINANCE AGENCY • WASHINGTON



Cedartown, Georgia

WHAT IS THE PURPOSE OF LOW-RENT PUBLIC HOUSING?

The United States Housing Act was passed in 1937 to provide Federal financial and technical assistance to communities in their efforts to secure decent, safe, and sanitary dwellings for families in the lowest income groups. Many low-income families have had to live in substandard and slum housing because they could not afford good, privately owned housing, used or new.

IS LOW-RENT HOUSING A LOCAL PROGRAM?

Yes. A low-rent program can be developed only where the state legislature has enacted enabling legislation providing for the establishment of local housing authorities, the local government has established a local housing authority, and a formal application initiated by the local housing authority and approved by the local governing body, has been submitted for the needed units. The Housing Acts of 1959 and 1961 emphasized that it is the policy of the United States "to vest in the local public housing agencies the maximum amount of responsibility in the administration of the low-rent housing program."

WHAT IS LOW-RENT PUBLIC HOUSING?

Low-rent public housing is designed, built, owned, and operated by local housing authorities to provide decent homes at low rents for families of low income. The construction job is undertaken by the community's housing authority, through private contractors. As a non-profit public agency, the local authority sets the rent scale, selects eligible families, takes care of repairs and mainte-

Stroudsburg, Pennsylvania

nance, and performs other management functions related to ownership and operation of the housing.

WHAT ARE LOCAL HOUSING AUTHORITIES?

Local housing authorities (LHA's) are agencies, created under State laws, for the principal purpose of planning, developing, owning, and operating public housing. Each authority is governed by local commissioners (usually five) who are appointed by the Mayor or governing body and who serve without pay.

HOW DOES THE FEDERAL GOVERNMENT HELP?

Congress has authorized the Public Housing Administration, a part of the Housing and Home Finance Agency, to make Federal loans to local housing authorities up to 90 percent of the cost of a development. Most authorities have been able to obtain part of their capital from private sources at low interest rates, and it is expected that substantially all development funds will be borrowed from private investors in the future. To help keep rents within the means of low-income families, the PHA also provides an annual contribution, furnishes technical advice, and reviews local policies to see that they meet requirements of the law.

HOW ARE LOW-RENT PROGAMS FINANCED?

Federal loans are made to the local authorities to aid in preliminary planning, site acquisition, and construction. When the project is nearly completed, the local housing authority sells bonds publicly and repays all Federal loans plus interest. Federal financial assistance thereafter is, in general, restricted to payment of

Ephrata, Washington

annual contributions in an amount sufficient to cover the interest and amortization of the capital cost of the project. Local housing authorities, in setting rents, are mindful of the requirement that rental income must be sufficient to cover operating expenses since Federal funds are not available for that purpose.

DOES PRIVATE BUSINESS HAVE A PART IN LOW-RENT HOUSING?

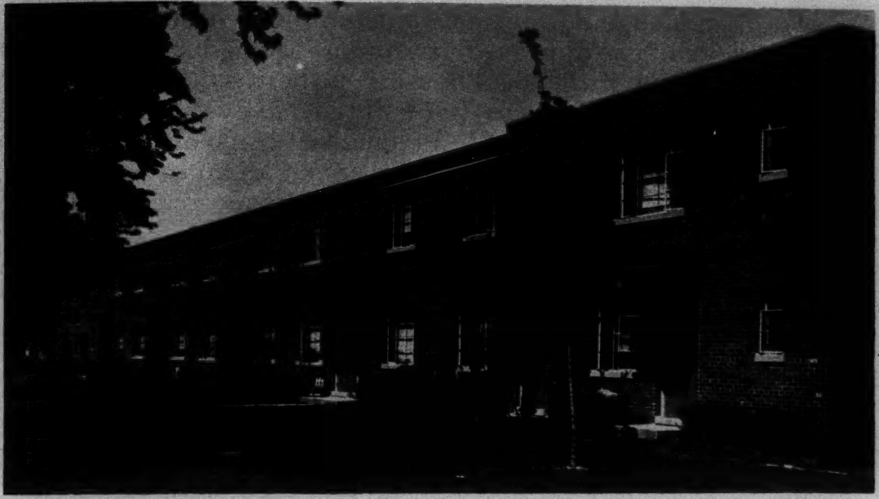
Yes. Sites are purchased from owners at fair market prices. Private architects and engineers design the developments, draw the plans, and write the specifications. All construction work is performed by private contractors on the basis of competitive bids. Appliances and other equipment are purchased from private business on a competitive bid basis.

WHO PAYS FOR LOW-RENT HOUSING?

Low-rent public housing costs are paid by the tenants with their rent and the Federal Government with appropriated funds. The Federal Government makes an annual contribution to guarantee the low-rent nature of the program. This varies from year to year, but in no year has the full contribution, authorized by Congress, been required. A contribution is also made by the local community, through tax exemption.

WHO IS ELIGIBLE TO LIVE IN LOW-RENT HOUSING?

To be eligible, an applicant or applicant group (1) must be a family; that is, two or more members, a single person age 62, or the remaining member of a tenant family. Single persons who are



Long Branch, New Jersey

under a disability as defined in the Social Security Act are also considered to be a family. (2) The family's net income must not exceed the admission income limits established by the LHA and approved by PHA. In addition, a housing authority may establish other eligibility requirements such as length of residence in the community and a limitation on family assets. The Federal law now requires that, by annual contributions contract, LHA's agree to establish admission policies which will give full recognition to their responsibility for providing housing for low-income families of servicemen, veterans, elderly families, and families displaced by new low-rent housing, public slum clearance, redevelopment or urban renewal projects, or by action of a public body or court.

HOW MUCH INCOME HAVE FAMILIES LIVING IN LOW-RENT HOUSING?

Families admitted in 1960 averaged a weekly income of $44.60. The average income of all families in low-rent housing was only $45.73 per week in 1960. These figures reflect the fact that low-rent housing draws its tenants from the lowest income groups.

HOW MUCH RENT IS CHARGED IN LOW-RENT HOUSING?

Rents are based upon family income and not on the size of the quarters required. Rents for families admitted in 1960, including charges for heat, light, cooking fuel, and other utilities, averaged $39.00 monthly. Tenants with larger incomes pay higher rents based on their income and family circumstances. The Housing

Act of 1961 added the provision that families whose income has increased beyond the approved maximum income limits may continue in occupancy if the local housing authority determines that "due to special circumstances, the family is unable to find decent, safe and sanitary housing within its financial reach although making every reasonable effort to do so." Such a family pays an increased rent consistent with its increased income.

DOES LOW-RENT HOUSING HELP PAY COMMUNITY EXPENSES?

Yes. While state housing laws exempt low-rent housing from local taxes, local housing authorities make regular, voluntary payments in lieu of taxes up to 10 percent of shelter rents. In addition, where separate charges are made to owners of private property by the local government, for specific services such as garbage and trash collection, the local authorities may pay these charges in addition to the payment in lieu of taxes. These payments ensure that low-rent housing will bear a fair share of the cost of municipal services such as police and fire protection, schools, streets, and so on.

ARE THE ELDERLY ELIGIBLE FOR LOW-RENT HOUSING?

Yes. There has never been an age requirement for families seeking low-rent housing. In fact, today there are approximately 115,000 persons, 62 or older, being sheltered in low-rent dwellings. Prior to the Housing Act of 1956, no single persons were eligible for admission to low-rent housing. Now, under the law, single persons who have reached retirement age as provided in the Social Security Act are, for eligibility purposes, considered to be a family and entitled to a suitable low-rent unit.

An elderly family is defined as a single man or woman 62 or older, a family whose head (or his spouse) has reached this age, or is under a disability as defined in the Social Security Act.

Cover Photograph: San Antonio, Texas

Revised 1961

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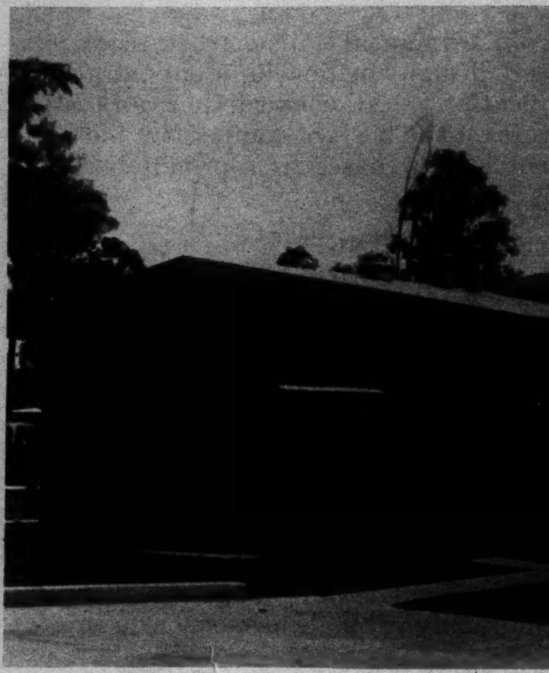
Slum replaced by low-rent dwel
Colton, California



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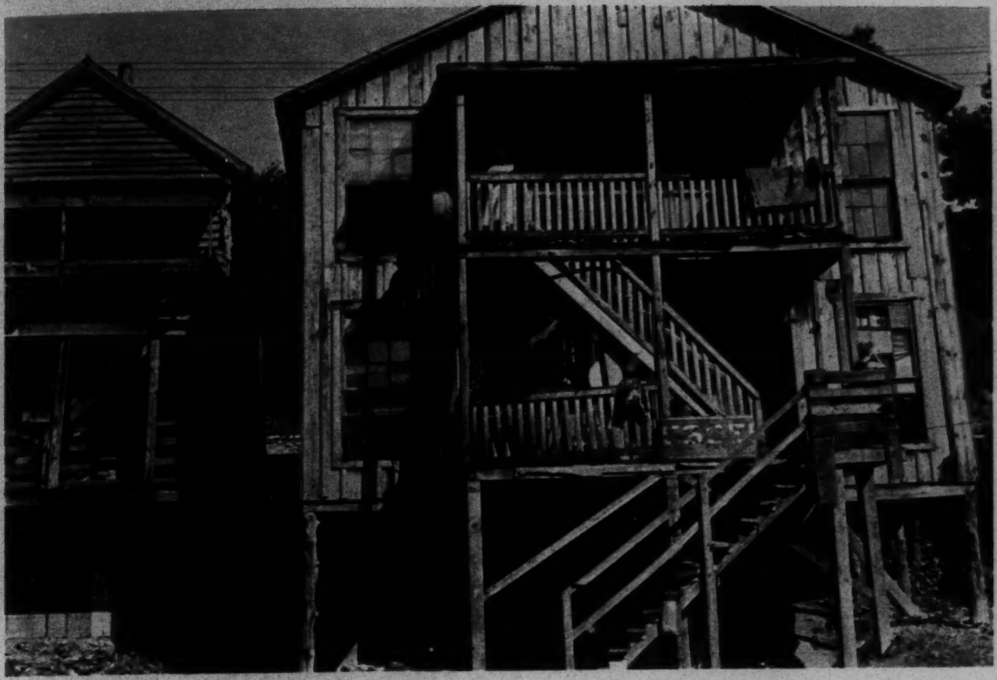

BEFORE

Crowded insanitary structures replaced by homes below
Frankfort, Kentucky

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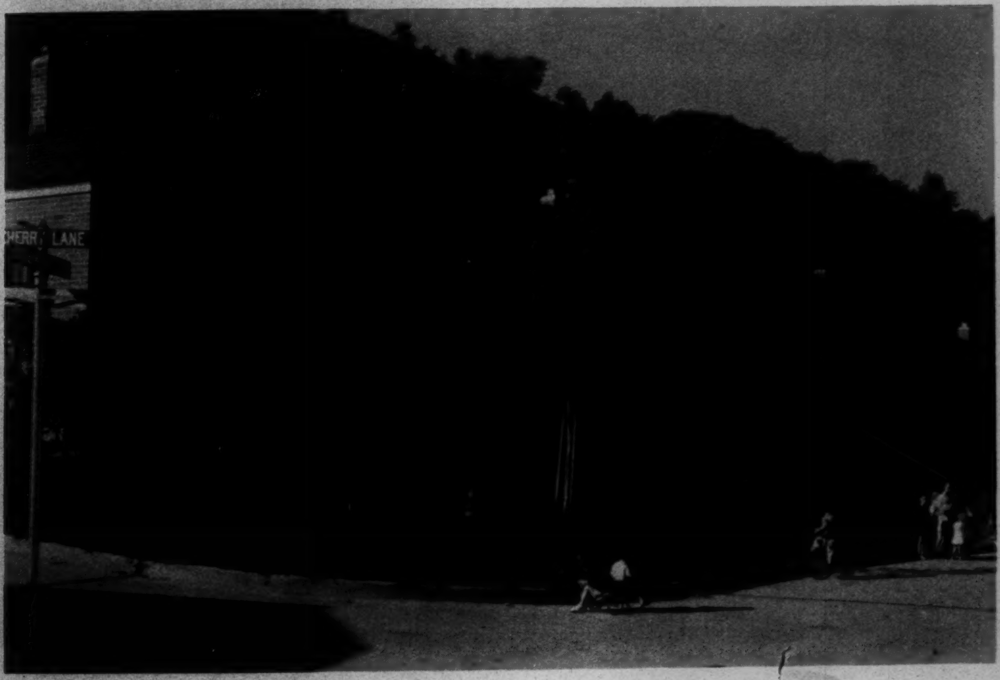

TITLE I, HOUSING ACT OF 1949
AS AMENDED

Relocation from Urban Renewal Project Areas

THROUGH DECEMBER 1961

HOUSING AND HOME FINANCE AGENCY
URBAN RENEWAL ADMINISTRATION
WASHINGTON 25, D. C.

Housing and Home Finance Agency

Robert C. Weaver, Administrator

URBAN RENEWAL ADMINISTRATION

William L. Slayton, Commissioner

INTRODUCTION

A basic responsibility of the urban renewal program is the proper rehousing of families displaced from urban renewal project areas. Federal assistance is provided for local urban renewal projects only when a feasible program for relocating site occupants who must be displaced has been submitted to and approved by the Administrator of the Housing and Home Finance Agency.

Section 105(c) of the Housing Act of 1949, as amended, specifies that Federal contracts for financial assistance for execution of urban renewal projects under Title I must require a feasible method for relocation of displaced families, and that

> "there are or are being provided, in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families displaced from the urban renewal area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and reasonably accessible to their places of employment."

Section 106(f) authorizes local public agencies to make relocation payments to families, individuals, business concerns, and nonprofit organizations. The payments--made from Federal grants--are for reasonable and necessary moving expenses and actual direct losses of property resulting from displacement from the urban renewal area.

In administering the relocation provisions of the law, the Urban Renewal Administration (URA) requires the Local Public Agency (LPA) to assume responsibility for---

* demonstrating that existing and anticipated local housing resources will meet relocation needs;

- formulating an acceptable program for orderly relocation; and
- providing competent "family relocation" staff services to assist families in obtaining decent, safe, and sanitary housing.

While displaced individuals, business concerns, and nonprofit organizations--as well as families--are eligible to receive payments for moving expenses and loss of property, each locality can decide what further assistance it will extend to individuals and businesses in locating replacement housing or business quarters for them. Family relocation assistance, however--since it is required by Federal law--must be provided by every locality.

Although the relocation requirements of Title I are limited to families, URA encourages LPA's to increase their relocation services to include single persons, business concerns, and nonprofit organizations whenever possible.

Relocation Programming

In planning an urban renewal project, the LPA obtains information on the number of families to be displaced, by color, tenure, size, and income. The LPA also prepares estimates of the number of standard dwelling units to be available during the relocation period, from the existing supply of private rental and sales housing, and public housing, and from new construction. These estimates are grouped to show size of unit, monthly rental or sales price, and availability to minority groups.

The relocation program of the LPA includes---

- description of proposed administrative organization for carrying out the relocation program;

- delineation of local standards of "decent, safe, and sanitary" housing for relocation;
- determination of rent-income ratios to measure the ability of families to pay for relocation housing;
- identification and inspection of permanent relocation accommodations;
- notification and information programs to let families know about the relocation assistance to which they are entitled;
- provision for a family referral service;
- provision for solving special relocation problems, including those of minority group families, elderly persons, and welfare cases;
- relocation payments;
- determination of the proper time schedule for the relocation program; and
- submission of progress reports to URA on relocation accomplishments.

Relocation in Operation

A family relocation service is established by each LPA to assist all families residing in any structure in the project area at the time the property is acquired by the LPA or other public body. Families residing in these properties at acquisition are designated as being in the workload. The URA encourages LPA's to enlist the cooperation of established commercial, real estate, welfare, religious, minority interest, and other civic agencies and organizations, to broaden community understanding of relocation problems and to enlist community assistance in solving them. Some LPA's establish relocation advisory committees for this purpose.

Before relocation begins, a personal interview is held with each family to explain the relocation service available and to evaluate family needs in terms of composition, income, color, place of employment, special problems, and preferences. These factors are considered by the LPA in helping families through referral service and other types of assistance to obtain rehousing in accommodations meeting approved local standards of "decent, safe, and sanitary."

Information concerning the current availability of private rental units is developed by LPA's by working with local real estate brokers, real estate boards, owners and operators, and other sources having knowledge about the present and expected availability of standard rental housing. Current lists of these vacancies are maintained by the relocation service, and site families are referred to appropriate dwellings and assisted in obtaining them. Families interested in purchasing houses are given advice and guidance on how to proceed, including the use of the special mortgage insurance provisions (Sec. 221) of the National Housing Act to facilitate the rehousing of low-income displaced families.1/

1/ Under Section 221, the Federal Housing Administration can insure on liberal terms loans on low-cost private housing for displaced families in eligible localities. The housing can be new or rehabilitated and sales or rental housing. Families displaced by urban renewal projects or any other type of governmental action, are eligible for Section 221 housing.

Families must obtain certificates of eligibility from the community government, the LPA, or other proper agency concerned with displacement. These certificates are then presented to the seller, builder or lender, in purchasing homes, or to the manager of multi-family rental housing subject to FHA-insured, Section 221 loans.

Families interested in and eligible for Federally aided low-rent housing are given help in preparing applications and are given preference for admission to these projects.[2]

Local housing to which families move on their own initiative is inspected, when the new address is known, to determine whether it meets the local standards of "decent, safe, and sanitary." An attempt is made to trace families who move without informing the LPA of their new address, so that the new accommodations also can be inspected to determine whether they meet local standards. All families moving on their own initiative to substandard dwellings are offered assistance in finding standard accommodations, including referral to acceptable vacancies.

URA policies permit public agencies to use legal eviction action to remove families from the project site only as a last resort if the family has failed to pay rent, maintained a nuisance, refused without adequate reason to accept suitable accommodations referred by the LPA, or persistently failed to cooperate with the LPA in its efforts to provide relocation assistance.

In certain instances the LPA may arrange for temporary rehousing while suitable accommodations are being sought. For example, dwellings in the project area may be unsafe for continued use, or demolition schedules may require that structures be vacated before suitable rehousing is available to the occupants. Minimum standards for temporary rehousing accommodations require that they be generally not less desirable in character than the dwelling vacated, and that they be in a safe and habitable condition. The

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[2] All displaced families who are eligible for Federally aided low-rent housing have a preference for admission to such housing, but the degree of preference applicable to a specific family depends on a number of other considerations. Thus, some non-displaced families may be admitted ahead of displaced families; and among displaced families themselves certain preferences relating to military service and age are applicable.

LPA continues to be responsible for assisting temporarily relocated families to be rehoused permanently in dwellings that meet local standards.

New Regulations

During 1961, the use of such Federal aids as public housing and special FHA mortgage insurance for relocation purposes was re-emphasized and a training program for the LPA family relocation staff who provided on-site services to relocatees was further developed. Increased cooperation between LPA's and public and private social welfare agencies was also encouraged.

In early 1962, to assure a more adequate supply of standard housing for displaced site residents, URA tightened relocation requirements (several months after this compilation was completed) to make as certain as possible that housing will be available and accessible to displaced families when the time to move arrives. Special emphasis was placed on better local relocation planning especially as it related to new housing construction where required to rehouse some of the displaced families.

Under the new 1962 requirements, more timely and more concentrated attention to the relocation needs and problems of displaced site occupants was made mandatory. Urban renewal staffs of the HHFA Regional Offices were given new responsibility for providing additional help and assistance to localities with relocation problems. Closer coordination of urban renewal and public housing projects, improved community information programs, and submission of more detailed and comprehensive relocation programs are now required before Federal approval is granted for local urban renewal projects. The new requirements should help make decent housing more available to many of the displaced families who have special difficulty in obtaining housing because of such factors as race, low income, or abnormal family composition.

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RELOCATION EXPERIENCE THROUGH 1961

This is a report on the relocation of site occupants of properties acquired by LPA's in urban renewal project areas, under Title I of the Housing Act of 1949, as amended, from the beginning of the program through December 31, 1961. It is based on monthly reports to URA from LPA's who are required to keep detailed records of their efforts to relocate each family, and of the dwelling unit classification to which each family moves. Reporting was first required in December 1952, but such items as the inspection and certification of housing accommodations, and the tracing of families who moved without the LPA's knowledge, were not reported until February 1955. Additional reporting items were added in March 1957. New reporting requirements were put into effect in May 1962.

The data summarized in this publication necessarily are limited to the monthly LPA reports.

All tables pertaining to family relocation indicate the cumulative information for four periods of time from the beginning of the program through December 31, 1961. The dates are those for which the URA made detailed summaries of the monthly reports received from LPA's. The different cumulative totals provide in one place comparative information at several points in time concerning family relocation.

Highlights of Statistical Data

During the past 13 years, more than 127,000 families have been displaced by urban renewal. Of this number, almost 80 percent moved to standard housing. The remaining 20 percent were almost evenly divided among those who moved out of the city, could not be located at their new address, or self-relocated in substandard housing and refused further offers of assistance from the LPA's.

The statistics, related to the several dates, disclose the following identifiable trends for relocation in the United States.

* Over the period, the proportion of families moving to known locations has increased slightly--from 84.9 to 85.9 percent of the total, with a corresponding 1 percent decrease in the number moving to unknown locations. However, the ratio of families whose whereabouts could not be ascertained through tracing has declined from one of every 11 families to one of every 19 families.

* Displaced families have increasingly moved to private housing; over-all, the increase is 8.3 percentage points (3.2 percent rental and 5.1 percent sales).

With respect to those families reported by color:

* The percentage of white families relocated has gradually risen, from 23.9 percent of the total at the end of December 1957 to 34 percent on December 31, 1961, decreasing the percentage of nonwhite families from 76.1 percent to 66 percent during the same period.

* The utilization of private rental housing by white families has decreased by 2.2 percentage points against an increase of 4.1 percentage points by nonwhite families. For both white and nonwhite families, there has been an increase in the proportion purchasing homes--3.8 percentage points by white and 5 percentage points by nonwhite families. Correspondingly, there has been a decrease in the ratio of families moving to public housing, both Federally and locally aided--7.3 percentage points over four years.

SUMMARY OF RELOCATION ACTIVITY THROUGH DECEMBER 31, 1961

Item	United States and Puerto Rico				United States				Puerto Rico
	Total	Color not Reported	White	Non-white	Total	Color not Reported	White	Non-white	Puerto Rico Total (Color not reported)
FAMILIES									
Total in acquired properties	140,168	42,659	33,084	64,425	124,998	27,489	33,084	64,425	15,170
Percent eligible for low-rent public housing	55.4	66.0	39.8	56.4	51.3	53.3	39.8	56.4	89.4
Total relocated	127,136	40,323	29,531	57,282	112,721	25,908	29,531	57,282	14,415
Standard housing; (subtotal)	100,574	31,227	24,054	45,293	88,984	19,637	24,054	45,293	11,590
Low-rent public housing	26,448	12,098	2,031	12,319	17,460	3,110	2,031	12,319	8,988
Other permanent public housing	2,486	1,528	174	784	1,535	577	174	784	951
Private rental	49,660	15,135	13,246	21,279	49,218	14,693	13,246	21,279	442
Sales	21,980	2,466	8,603	10,911	20,771	1,257	8,603	10,911	1,209
Substandard housing: (subtotal)	8,953	2,111	1,451	5,391	7,895	1,053	1,451	5,391	1,058
Rental	7,540	1,409	1,245	4,886	7,182	1,051	1,245	4,886	358
Sales	1,413	702	206	505	713	2	206	505	700
Condition unknown: (subtotal)	17,609	6,985	4,026	6,598	15,842	5,218	4,026	6,598	1,767
Relocated out of city	7,964	3,231	2,811	1,922	7,276	2,543	2,811	1,922	688
Whereabouts unknown	7,112	2,882	835	3,395	6,301	2,071	835	3,395	811
Evicted	1,511	602	161	748	1,509	600	161	748	2
Other	1,022	270	219	533	756	4	219	533	266
Not yet relocated as of 12/31/61	13,032	2,336	3,553	7,143	12,277	1,581	3,553	7,143	755
INDIVIDUALS									
Total in acquired properties	42,666	8,906	14,970	18,790	40,778	7,018	14,970	18,790	1,888
Relocated	37,914	7,854	12,847	17,213	36,194	6,134	12,847	17,213	1,720
Evicted	424	146	50	228	422	144	50	228	2
On site as of 12/31/61	4,328	906	2,073	1,349	4,162	740	2,073	1,349	166
BUSINESS CONCERNS									
Total in acquired properties	26,904				25,906				998
Relocated	22,130				21,335				795
Evicted	105				104				1
On site as of 12/31/61	4,669				4,467				202

Status of Family Relocation: All Projects

Relocation activity had begun in 520 projects in 320 cities in the United States and Puerto Rico as of December 31, 1961. More than 127,000 families--or 91 percent of the total in acquired properties--had been relocated as of that date, as shown in Table 1, below:

Table 1. Summary: Total Program

Item	Total program	United States	Puerto Rico
December 31, 1961 (Cumulative data)			
Cities	320	292	28
Projects	520	476	44
Families, total	140,168	124,998	15,170
Not yet relocated	13,032	12,277	755
Relocated	127,136	112,721	14,415

In this report the definition of families relocated has been restricted to those families for whom the LPA's relocation responsibility has been fully and finally discharged. Data from previous reports have been revised to correspond with this definition.

The revision involves families in the following three categories: (1) self-relocated in dwellings not yet inspected; (2) self-relocated in substandard dwellings; and (3) whereabouts unknown, tracing. Under the revised definition, the self-relocated families in category (1) are considered relocated only after the dwellings have been inspected and found to meet the LPA's standards for permanent relocation or, in cases where the dwellings are found to be substandard, only after the families in those dwellings have refused the LPA's offer of further assistance. Families in category (2) are considered relocated only after the families in those dwellings have refused the LPA's offer of further assistance. Families in category (3) who moved on their accord, leaving no forwarding address, are considered relocated only after the LPA has been unsuccessful in its tracing efforts.

The revisions occasioned by this change of definition are slight. Based on data as of December 31, 1961, for example, the effect is to reduce the overall total of families relocated by about 2 percent (from 129,830 to 127,136 families).

Relocation of Families: United States

Data for the United States are shown on a 50-State basis for all four periods covered by this report-- i.e., Alaska and Hawaii are included in the earlier totals even though they were not then States.

The total relocation workload in the United States, which involved 476 projects in 292 cities, was 124,998 families as of December 31, 1961. The ratio of nonwhite families to total families in workload reported by color has steadily declined, falling from 76 percent of workload at the end of 1957 to 66 percent at the close of 1961, as shown in Table 2 below. These figures exclude 24 projects and 27,489 families in New York City; Tacoma, Washington; and Hawaii where data on color are not reported.

Table 2. Relocation Workload: United States
(Cumulative Data)

Item	12/31/61	6/30/60	6/30/59	12/31/57
Total number of families				
Total workload	124,998	93,857	74,395	48,038
White	33,084	21,709	15,793	7,966
Nonwhite	64,425	47,009	37,780	25,496
Color not reported	27,489	25,139	20,822	14,576
Not yet relocated	12,277	10,925	10,480	7,536
White	3,553	3,446	3,373	1,028
Nonwhite	7,143	6,278	6,150	3,399
Color not reported	1,581	1,201	957	3,109
Relocated	112,721	82,932	63,915	40,502
White	29,531	18,263	12,420	6,938
Nonwhite	57,282	40,731	31,630	22,097
Color not reported	25,908	23,938	19,865	11,467
Families reported by color				
Workload (number)	97,509	68,718	53,573	33,462
White (% of total)	33.9	31.6	29.5	23.8
Nonwhite (% of total)	66.1	68.4	70.5	76.2
Relocated (number)	86,813	58,994	44,050	29,035
White (% of total)	34.0	31.0	28.2	23.9
Nonwhite (% of total)	66.0	69.0	71.8	76.1

Of the total workload of 125,000 families in properties acquired in the United States as of December 31, 1961, about 112,700 had been relocated. In the four-year period, December 1957 to December 1961, the number of families relocated increased by 178 percent whereas the total workload increased by 160 percent. Tables 3 and 3a give an historical picture of the details of relocation in the United States, by type of rehousing accomodation and by color of families relocated, as of the dates for which these details are available. Data on color exclude 26,341 families in relocation workload in 19 projects in New York City, 56 families in one project in Tacoma, Washington, and 1,092 families in four projects in Hawaii.

Table 3. Total Families Relocated by Type of Rehousing Accommodation: United States

Type of rehousing	Total (cumulative data)				Percent of total			
	12/31/61	6/30/60	6/30/59	12/31/57	12/31/61	6/30/60	6/30/59	12/31/57
Families relocated	112,721	82,932	63,915	40,502	100.0	100.0	100.0	100.0
A. Known locations	96,879	70,662	54,415	34,397	85.9	85.2	85.1	84.9
1. Private housing	77,884	55,164	41,199	24,594	69.0	66.5	64.4	60.7
a. Rental	56,400	41,747	31,963	18,974	50.0	50.3	50.0	46.8
b. Sales	21,484	13,417	9,236	5,620	19.0	16.2	14.4	13.9
2. Public housing	18,995	15,498	13,216	9,803	16.9	18.7	20.7	24.2
a. Federally aided low-rent	17,460	14,147	12,056	8,822	15.5	17.1	18.9	21.8
b. Other permanent housing	1,535	1,351	1,160	981	1.4	1.6	1.8	2.4
B. Unknown locations	15,842	12,270	9,500	6,105	14.1	14.8	14.9	15.1
1. Evicted	1,509	1,166	914	646	1.3	1.4	1.4	1.6
2. Relocated out of city	7,276	5,048	3,610	1,628	6.5	6.1	5.7	4.0
3. Whereabouts unknown tracing efforts abandoned	6,301	5,683	4,847	3,751	5.6	6.9	7.6	9.3
4. Others	756	373	129	80	0.7	0.4	0.2	0.2

Table 3a. Relocation of Families Reported by Color by Type of Rehousing Accommodation: United States

Type of rehousing	Total (cumulative data)				Percent of total			
	12/31/61	6/30/60	6/30/59	12/31/57	12/31/61	6/30/60	6/30/59	12/31/57
Total families relocated	112,721	82,932	63,915	40,502	xxx	xxx	xxx	xxx
Families reported by color	86,813	58,994	44,050	29,035	xxx	xxx	xxx	xxx
White families relocated	29,531	18,263	12,420	6,938	100.0	100.0	100.0	100.0
A. Known locations	25,505	15,958	10,821	6,154	86.4	87.4	87.1	88.7
1. Private housing	23,300	14,395	9,611	5,364	78.9	78.8	77.4	77.3
a. Rental	14,491	9,389	6,460	3,562	49.1	51.4	52.0	51.3
b. Sales	8,809	5,006	3,151	1,802	29.8	27.4	25.4	26.0
2. Public housing	2,205	1,563	1,210	790	7.5	8.6	9.7	11.4
a. Federally aided low-rent	2,031	1,428	1,124	732	6.9	7.9	9.0	10.6
b. Other permanent housing	174	135	86	58	0.6	0.7	0.7	0.8
B. Unknown locations	4,026	2,305	1,599	784	13.6	12.6	12.9	11.3
Nonwhite families relocated	57,282	40,731	31,630	22,097	100.0	100.0	100.0	100.0
A. Known locations	50,684	35,766	27,611	19,143	88.5	87.8	87.3	86.6
1. Private housing	37,581	25,277	18,839	12,493	65.6	62.0	59.6	56.5
a. Rental	26,165	17,855	13,450	9,201	45.7	43.8	42.6	41.6
b. Sales	11,416	7,422	5,389	3,292	19.9	18.2	17.0	14.9
2. Public housing	13,103	10,489	8,772	6,650	22.9	25.8	27.7	30.1
a. Federally aided low-rent	12,319	9,839	8,233	6,196	21.5	24.2	26.0	28.0
b. Other permanent housing	784	650	539	454	1.4	1.6	1.7	2.1
B. Unknown locations	6,598	4,965	4,019	2,954	11.5	12.2	12.7	13.4

A-1. Private housing -- 69 percent (77,884) of the total families relocated as of December 31, 1961 moved into known locations in private rental and sales housing. As Table 3 indicates, this is a peak for the ratio of families relocating in known locations in private housing. 72 percent of the families relocated in known locations in private housing as of December 31, 1961 moved into rental housing and 28 percent moved into sales housing, as shown below:

Table 4. Families Relocated in Known Locations in Private Housing: United States

Type of rehousing	All families		Families by color		
	Total	Percent of total	White	Non-white	Color not reported
TOTAL	77,884	100.0	23,300	37,581	17,003
Rental housing	56,400	72.4	14,491	26,165	15,744
Standard	49,218	63.2	13,246	21,279	14,693
Substandard	7,182	9.2	1,245	4,886	1,051
Sales housing	21,484	27.6	8,809	11,416	1,259
Standard	20,771	26.7	8,603	10,911	1,257
Substandard	713	0.9	206	505	2

Of the 49,218 families known to be rehoused in standard rental accommodations, 28 percent were referred by the LPAs and 72 percent located their own accommodations:

Table 5. Families Relocated in Standard Private Rental Units: United States

Families by color	Total	Referred by LPA		Self-relocated	
		Number	Percent	Number	Percent
TOTAL	49,218	13,531	27.5	35,687	72.5
White	13,246	2,625	19.8	10,621	80.2
Nonwhite	21,279	5,062	23.8	16,217	76.2
Color not reported	14,693	5,844	39.8	8,849	60.2

A-2. Public housing -- A comparison of data for the four periods shown in Table 3 reveals that the proportion to the total of relocated families who have moved into public housing has declined from 24 percent as of the end of December 1957, to 21 percent as of June 1959, to 19 percent as of June 1960, to 17 percent at the end of December 1961. On the basis of income reported by the families to the LPAs, about 51 percent of the families in acquired properties were apparently eligible for admission to Federally aided low-rent housing projects. (This ratio is influenced by the fact that 14,500 families were reported in New York City as eligible for low-rent public housing, both local and Federally aided.) Of the 112,700 families relocated in the United States as of December 31, 1961, about 60,400 originally had been considered eligible for admission to Federally aided low-rent housing on the basis of reported income. A total of 17,460 families, or 29 percent of the 60,400 families, actually had moved into Federally aided low-rent projects. A total of 1,535 families moved into housing assisted by State and local governments, other than Federally assisted low-rent housing projects. Housing of this type was used for relocation in 44 cities and constituted 8 percent of all the publicly aided units utilized. The details of relocation in permanent public housing are outlined in Table 6.

Table 6. Families Relocated in Permanent Public Housing: United States

Type of rehousing	All families		Families by color		
	Total	Percent of total	White	Non-white	Color not reported
TOTAL	18,995	100.0	2,205	13,103	3,687
Federally aided low-rent	17,460	91.9	2,031	12,319	3,110
Other permanent housing	1,535	8.1	174	784	577

B. Unknown locations -- Families who moved into locations unknown to the LPAs include the following, as shown in Table 3: families who moved of their own accord, leaving no forwarding address, and for whom tracing efforts have been abandoned (6 percent of the total 112,700 families relocated); families who moved from the project area to another city (6 percent of the total relocated); families who were evicted (1 percent of the total relocated); and other families (1 percent of total relocated families). Additional details are summarized in Table 7.

Table 7. Families Relocated in Unknown Locations: United States

Item	Families			
	Total	White	Nonwhite	Color not reported
TOTAL	15,842	4,026	6,598	5,218
Evicted	1,509	161	748	600
Relocated out of city	7,276	2,811	1,922	2,543
Whereabouts unknown, tracing efforts abandoned	6,301	835	3,395	2,071
Others	756	219	533	4

Condition of Rehousing of Families Relocated in Known Locations: United States

More than 90 percent of the total 96,879 families relocated in known locations have been rehoused in locally certified standard housing. These include 72 percent of the total rehoused in private accommodations and 20 percent in permanent public housing. Another 8 percent were rehoused in accommodations that were inspected and found to be substandard.

The details of rehousing condition are summarized in Table 8.

Table 8. Condition of Rehousing of Families Relocated in Known Locations: United States

Item	All families		Families by color		
	Total	Percent of total	White	Non-white	Not reported
TOTAL	96,879	100.0	25,505	50,684	20,690
Standard housing	88,984	91.9	24,054	45,293	19,637
Private	69,989	72.3	21,849	32,190	15,950
Rental	49,218	50.9	13,246	21,279	14,693
Sales	20,771	21.4	8,603	10,911	1,257
Public	18,995	19.6	2,205	13,103	3,687
Substandard housing	7,895	8.1	1,451	5,391	1,053
Rental	7,182	7.4	1,245	4,886	1,051
Sales	713	0.7	206	505	2

Relocation of Families: Puerto Rico

Relocation had begun in 44 projects in 28 cities in Puerto Rico as of December 31, 1961. These 44 projects involved the displacement of 15,200 families from properties acquired as of the end of December. More than 14,400--95 percent of the families--had been relocated. Approximately

89 percent of the total number of families in acquired properties were estimated or found to be eligible, on the basis of income, for Federally aided low-rent public housing. The families who actually moved into low-rent public housing comprised 69 percent of those apparently eligible. As of December 31, 1961, families had been relocated as follows:

Table 9. Total Families Relocated by Type of Rehousing Accommodation: Puerto Rico

Type of rehousing	All families	
	Number	Percent
Families relocated	14,415	100.0
A. Known locations	12,648	87.7
1. Private housing	2,709	18.8
a. Rental	800	5.5
b. Sales	1,909	13.3
2. Public housing	9,939	68.9
a. Federally aided low-rent	8,988	62.3
b. Other permanent	951	6.6
B. Unknown locations	1,767	12.3
1. Evicted	2	a/
2. Relocated out of city	688	4.8
3. Whereabouts unknown, tracing efforts abandoned	811	5.6
4. Others	266	1.9

a/ Less than 0.05 percent

Details concerning the condition of rehousing accommodations of relocated families are summarized below:

Table 10. Condition of Rehousing of Families Relocated in Known Locations: Puerto Rico

Item	All families	
	Number	Percent
TOTAL	12,648	100.0
Standard housing	11,590	91.7
Private	1,651	13.1
Rental	442	3.5
Sales	1,209	9.6
Public	9,939	78.6
Substandard housing	1,058	8.3
Rental	358	2.8
Sales	700	5.5

Relocation of Individual Householders: All Projects

Four hundred and eighty-six projects reported a total of 42,700 individuals maintaining separate households in site properties at time of acquisition. Ninety percent of these individuals had moved from the project sites as of December 31, 1961. The following table shows the progress of relocation of individual householders from all projects:

Table 11. Individual Householders in Acquired Properties: Total Program

Status of relocation	Number of persons				
	Total	United States			Puerto Rico
		White	Nonwhite	Color not reported	
TOTAL	42,666	14,970	18,790	7,018	1,888
Relocated	37,914	12,847	17,213	6,134	1,720
Evicted	424	50	228	144	2
Remaining on site	4,328	2,073	1,349	740	166

Relocation of Non-residential Establishments: All Projects

Four hundred and eighty-one projects reported a total of 26,900 non-residential establishments in properties acquired through December 1961. Eighty-three percent of these establishments had moved from the project sites, as follows:

Table 12. Non-residential Establishments in Acquired Properties: Total Program

Item	Non-residential establishments		
	Total	United States	Puerto Rico
Total workload	26,904	25,906	998
Relocated	22,130	21,335	795
Evicted	105	104	1
Remaining on site	4,669	4,467	202

Financial Assistance and Relocation Payments: All Projects

Loan-and-grant contracts executed prior to August 7, 1956 authorized LPAs to furnish "financial assistance" to needy families and individual householders being displaced. Such assistance was limited to a reasonable amount for moving expenses or a reasonable amount for first month's rent in new quarters, or both. Disbursements of this type of assistance, which are practically complete, have not changed substantially from the totals shown at the end of June 1960, shown below:

Table 13. "Financial Assistance" to Families and Individuals: Total Program

Type of assistance	United States	Puerto Rico
Assistance to families:		
Moving expenses		
Number of families assisted	9,192	584
Amount expended	$553,042	$6,057
First month's rent in new quarters		
Number of families assisted	3,286	623
Amount expended	$144,361	$6,243
Assistance to individuals:		
Moving expenses		
Number of persons assisted	1,759	63
Amount expended	$ 95,113	$ 554
First month's rent in new quarters		
Number of persons assisted	581	62
Amount expended	$ 21,580	$ 849

The Housing Act of 1956 added Section 106(f) to Title I permitting LPAs to make "relocation payments" up to a maximum of $100 to a family or individual, and up to a maximum of $2,000 to a business concern, for actual moving expenses and direct loss of property. The Housing Act of 1957, effective July 12, 1957, increased the maximum for a business concern to $2,500. The Housing Act of 1959, effective September 23, 1959, increased the maximums to $200 for families and individuals and to $3,000 for business concerns. The Housing Act of 1961, effective June 30, 1961, provided that relocation payments to displaced businesses and nonprofit organizations may equal their total certified actual moving expenses even though the expenses are in excess of $3,000.

The following table summarizes "relocation payments" through December 31, 1961:

Table 14. "Relocation Payments" under Section 106(f): Total Program

Type of assistance	Number of cases	Disbursements	
		Moving expenses	Property losses
	United States		
Total relocation payments	xxxxx	$13,672,462	$5,186,791
Families - Total	57,743	4,034,336	99,320
Moving expenses only	55,986	3,918,870	xxxxxx
Moving expenses and property losses	1,757	115,466	99,320
Individuals - Total	19,406	903,742	20,275
Moving expenses only	19,045	883,596	xxxxxx
Moving expenses and property losses	361	20,146	20,275
Business concerns - Total	12,709	8,734,384	5,067,196
Moving expenses only	8,684	7,668,595	xxxxxx
Property losses only	2,264	xxxxxx	3,689,325
Moving expenses and property losses	1,761	1,065,789	1,377,871
	Puerto Rico		
Total relocation payments	xxxxx	$ 91,398	$ 834
Families - Total	3,375	67,390	75
Moving expenses only	3,371	67,310	xxxxxx
Moving expenses and property losses	4	80	75
Individuals - Total	274	4,092	26
Moving expenses only	273	4,062	xxxxxx
Moving expenses and property losses	1	30	26
Business concerns - Total	103	19,916	733
Moving expenses only	101	19,550	xxxxxx
Property losses only	xxxxx	xxxxxx	xxxxxx
Moving expenses and property losses	2	366	733

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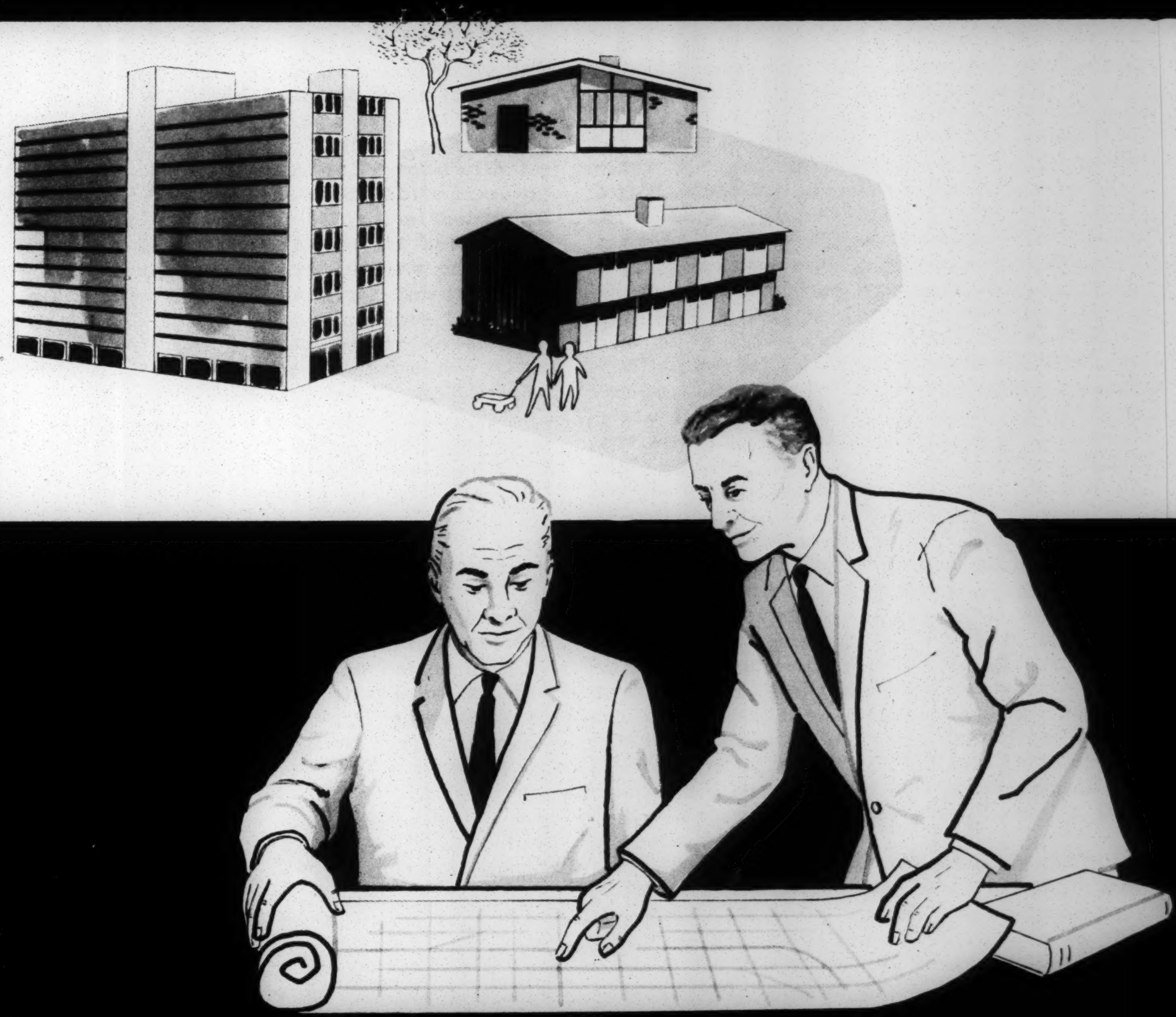
low-income housing demonstration program

...a program guide



HOUSING AND HOME FINANCE AGENCY
OFFICE OF THE ADMINISTRATOR
WASHINGTON 25, D. C.

LOW-INCOME HOUSING DEMONSTRATION PROGRAM

Statutory Authority

Section 207 of the Housing Act of 1961 provides that:

"The Housing and Home Finance Administrator is authorized to enter into contracts to make grants not exceeding $5,000,000, to public or private bodies or agencies, subject to such terms and conditions as he shall prescribe, for the purpose of developing and demonstrating new or improved means of providing housing for low-income persons and families..."

Millions of families and individuals live in substandard housing because their incomes are too low to permit them to afford adequate private housing. It has become increasingly apparent that our existing housing programs cannot fully cope with the problem. Both the low-rent public housing program and Government-insured mortgage programs have done much to better the housing conditions of low-income people in many communities. As long, however, as the housing needs of low income families are not fully met, it is necessary to explore methods of making present programs more effective and to develop additional means of dealing with this basic problem.

A new low income housing demonstration grant program of $5 million was therefore authorized by the Housing Act of 1961.

Description of the Program

The Low-Income Housing Demonstration Program is carried out through grants of funds to help finance demonstration undertakings. Demonstrations must be so designed and conducted as to give promise of producing new or improved means of providing housing for low-income persons or families.

Eligible demonstrations include but are not limited to construction of housing. Other aspects of the provision of housing, either new or existing, such as design, land acquisition, land use, and financing, may also be dealt with for demonstration of new and improved methods. It is expected that the grants will be applied to developing methods usable by private builders, nonprofit groups, or public bodies.

Several of the demonstration undertakings already approved for execution illustrate the variety of undertakings possible.

In one city new, privately developed dwellings will be provided the families under a lease with option-to-buy plan; the families will be prepared for home ownership while they rent their homes and, after improvement of their incomes, will purchase the same dwellings. In a second community cost-cutting methods for building apartments will be tested under conditions free of building code requirements generally preventing use of such methods. In another city, the local housing authority will house families, receiving rent subsidy, in private, single dwellings instead of "project" housing, while in still another community such families will be housed in private, rental apartments.

Each undertaking may either demonstrate, or both develop and demonstrate, the new or improved methods. Any demonstration to develop a new or improved method must provide for a test of the usefulness of such a method, through the actual construction, improvement, or other provision of housing for occupancy by low-income families or persons. However, grant assistance is generally limited to the provision of a number of dwellings adequate for demonstrating effectively the new or improved methods.

An evaluation of the results achieved from each demonstration will be published and made available for use by interested communities and members of the housing industry. For this reason, it is required that appropriate records be kept for analysis of the costs entailed, the problems encountered, the procedures used, and the findings reached in testing the new or improved method.

Who May Participate

A contract for a demonstration undertaking may be made with any duly organized and eligible public or private body or agency. Eligible public bodies may include local housing authorities, urban renewal agencies, and welfare agencies; a subdivision of a state or a state agency; and educational institutions established and financed with public funds. Eligible private bodies may include private corporations that are not-for-profit and which are comprised of private entrepreneurs in the housing and real estate industry, and other nonprofit groups; private welfare, professional and other community organizations; and private educational institutions. However, contracts for demonstrations cannot be made with private individuals. To be eligible, the organization, whether public or private, must have the authority, powers, and capacity to carry out the demonstration.

Other interested public and private agencies in addition to the contractor may participate in and contribute to the demonstration, but responsibility for the proper use of grant funds rests with the contracting organization.

Each contract for a grant provides that the Housing and Home Finance Administrator shall have the right (a) to obtain information, make inspections, and participate in the planning, development, and demonstration of the idea, as he deems desirable, and (b) to utilize and disseminate the results of the development and demonstration.

The organization which enters into the contract with HHFA may employ a staff especially recruited for the demonstration, or it may assign, on a full-time or part-time basis, existing staff from one or more of its own departments. Where it is deemed necessary to seek outside assistance, however, contracting organizations may be granted permission by HHFA to utilize, on a contract basis, the services of consultants or other public or private institutions or corporations. Any such demonstration activity that is to be performed by other than the contracting organization must be covered by a third-party contract which must be submitted to HHFA for review and approval prior to execution. The contracting organization must itself, however, be prepared to provide adequate direction and supervision of demonstration activities.

Other Program Requirements

Grant funds may be used for the provision of social and community services to families, such as those with serious social problems, only when such services either are essential or contribute to the provision of housing in the new or improved manner under demonstration. They may not be used simply to demonstrate provision of social services to families, rather than a new or improved way of providing housing to them.

Grants may be made for subsidy of rents in connection with development and demonstration of new or improved methods of providing housing when such subsidy is appropriate. They are not available simply to subsidize the rents paid by low-income families.

Demonstration grant funds are not provided for projects or project activities which can be undertaken and financed under existing program authority on the part of the HHFA or one of its constituents without the necessity of Section 207 assistance.

Submission of Proposal

An interested organization should first submit to the HHFA Low-Income Housing Demonstration Branch a brief resume of the purpose and scope of its proposal. No formal application should be submitted until requested by HHFA.

The initial proposal should include the following:

1. Objectives of the demonstration (that is, the results expected to be obtained) including identification of the particular aspect or aspects of housing to be affected, and brief delineation of the relationship of the undertaking to previous attempts and related current methods, if any, for providing low-income housing.
2. Significance of the results to the general objective of improving methods for meeting the housing needs of low-income families and individuals.
3. Statement of the extent to which financing for the proposed demonstration is available, if at all, through other Federal-aid programs, and whether financial assistance is being sought from other sources, public or private.
4. Brief outline of the work program and how it will be carried out.
5. Statement on the duration of the demonstration.

6. Estimate of the total cost, broken down by categories of expense items, such as staff salaries, travel, other administrative costs, contracts for services, nonexpendable equipment, subsidy of rents or for other purposes, if any. The proposal should also include a statement of the estimated amount and prospective source of funds or contributed services to be provided by or on behalf of the contracting organization, and indicate the net amount of the requested grant from HHFA.
7. Statement that the applicant has the legal authority and capacity to undertake the demonstration and to contract with the Federal Government.
8. Statement of the extent of community support for the undertaking.
9. Explanation of what steps will be taken to assure, after termination of the demonstration, the continued provision of suitable housing for any families or individuals involved in the proposed demonstration.
10. Brief statement describing the provision to be made for experimental and control groups or other arrangements for continuous, objective measurement and evaluation of results.
11. Statement of proposed arrangements to assure that the design and execution of the project will meet professional criteria of scientific analysis and that technically competent staff will be available to direct the project and to prepare a technically sound and readable report. Such arrangements may include provision for third-party contracts with a university or similar institution.

Review Criteria

Because of the limited amount of demonstration grant funds, HHFA has to be selective in deciding which proposals will be approved. This selection is based on the relative usefulness of proposed projects for improving the means of housing low-income families and individuals. In the selection of projects, consideration is also given to: (a) the willingness of the applicant to absorb part of the cost of the demonstration, since grants may be made to cover all or part of such cost and (b) the extent to which funds for financing the demonstration may be available from other sources.

HHFA evaluates demonstration proposals by such considerations as:

1. Is the demonstration designed to produce or report on techniques of maximum general utility in the solution of problems experienced in the housing of low-income people?
2. Will the demonstration yield methods or techniques that can be used by other communities?
3. Does the contracting organization have the capacity to carry out effectively the proposed demonstration?
4. Does the locality in which the proposed demonstration is to be carried out provide a suitable setting for the demonstration?
5. Is there assurance that the proposed demonstration does not duplicate in whole or in part work which has already been done or is in the process of being done elsewhere?
6. Does design for the demonstration include an arrangement for objective evaluation of its methods concurrently with its execution?

Review Procedure

The initially submitted informal letters of application are reviewed by the Low-Income Housing Demonstration Program staff. Assistance in this review is obtained from other HHFA personnel, as needed or appropriate, and also may be secured from competent advisors or technicians outside of HHFA. In addition, the advice of the Advisory Committee on the Low-Income Housing Demonstration Program, established by the HHFA Administrator and composed of nongovernmental technicians and civic leaders of national stature, is generally obtained.

Applicants with acceptable proposals are invited to submit more detailed formal applications for final determination of approvability by the HHFA Administrator.

INFORMATION REGARDING THIS PROGRAM MAY BE OBTAINED FROM THE LOW-INCOME HOUSING DEMONSTRATION BRANCH, OFFICE OF THE ADMINISTRATOR, HOUSING AND HOME FINANCE AGENCY, WASHINGTON 25, D. C.

OTHER EXPERIMENTAL AND DEMONSTRATION PROGRAMS OF THE HHFA

In addition to the Low Income Housing Demonstration Program, the Housing and Home Finance Agency administers two related experimental and demonstration programs.

1. FHA Experimental Housing Program

Under this program, the Federal Housing Administration insures mortgages on properties with new and untried features developed to reduce housing costs, raise living standards, or improve neighborhood design. Inquiries concerning this program should be addressed to the Director of Public Information, or the Assistant Commissioner for Technical Standards, Federal Housing Administration, Washington 25, D. C.

2. Urban Renewal Demonstration Grant Program

This program provides grants to public bodies for up to two-thirds of the cost of demonstrating methods and techniques for renewing and improving urban homes and neighborhoods. Information about this program can be obtained from the Assistant Commissioner for Program Planning, Urban Renewal Administration, Housing and Home Finance Agency, Washington 25, D.C.

The Housing and Home Finance Agency has a field organization consisting of seven HHFA Regional Offices. These Offices will be pleased to confer with persons making inquiries about the Low-Income Housing Demonstration Program and to explain the program to them.

The HHFA Regional Offices are located as follows:

REGIONAL OFFICES HOUSING AND HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK (CONNECTICUT, MAINE, MASSACHUSETTS, NEW HAMPSHIRE, NEW YORK, RHODE ISLAND, VERMONT)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (DELAWARE, DISTRICT OF COLUMBIA, MARYLAND, NEW JERSEY PENNSYLVANIA, VIRGINIA, WEST VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE)

REGION IV: 360 NORTH MICHIGAN AVENUE, CHICAGO 1, ILLINOIS (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORTH WORTH 4, TEXAS (ARKANSAS, COLORADO, KANSAS, LOUISIANA, MISSOURI, NEW MEXICO, OKLAHOMA, TEXAS)

REGION VI: 3RD FLOOR, 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA (ARIZONA, CALIFORNIA, GUAM, HAWAII, NEVADA, SOUTHERN IDAHO, UTAH, WYOMING) AREA OFFICE: 909 FIRST AVENUE, SEATTLE, WASHINGTON (ALASKA, MONTANA, NORTHERN IDAHO, OREGON, WASHINGTON)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

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HOUSING AND HOME FINANCE AGENCY

UNITED STATES OF AMERICA

URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE
1

selecting consultants for project planning

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

The comprehensive publications program of the Urban Renewal Administration consists of four parts:

URBAN RENEWAL MANUAL—Official Federal policies and requirements essential to implement the Federal urban renewal law. Intended for persons responsible for various phases of local renewal programs. Available on a subscription basis from the Superintendent of Documents, Washington 25, D.C.

THIS IS A TECHNICAL GUIDE—Advice and recommended procedures for carrying out local urban renewal programs. Intended primarily for professional, technical, and administrative staffs at all levels of government; consultants; and others actively engaged in the urban renewal process. *NOTE: Specific examples, cited as exhibits in Technical Guides, are by way of illustration only. Appropriate modifications may be necessary to make them applicable to other situations.* Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL BULLETIN—Primarily helpful informational and experience reports, directed to various urban renewal audiences or combinations of audiences, depending on the subject material. Most will be designed for the nonprofessional concerned with or involved in the urban renewal process. Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL NOTES—A bimonthly digest pointing to good techniques and unusual local approaches and success, and including summaries of pertinent URA program developments and publications. Articles will be brief paragraphs, often noting source of further information. Serves as a fact and idea exchange for technicians and novices alike. Available free from the Urban Renewal Administration, Washington 25, D.C., if you ask to be put on the mailing list.

All the last three of these publications are issued as a part of the Urban Renewal Service authorized by the Housing Act of 1954 to provide guidance for communities carrying out urban renewal activities.

For sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Price 25 cents.

SELECTING CONSULTANTS FOR PROJECT PLANNING

. . . Analyzing your needs
. . . Contacting consultants
. . . Making the choice
. . . Reaching a firm agreement
. . . Working with a consultant

good planning for good projects . . .

The success of any urban renewal project depends to a great extent on the qualifications and performance of the professional personnel doing the project planning. Some communities with several projects in various stages and a continuing Title I program assemble and retain a permanent staff for project planning. But most communities find it more feasible to secure the services of a consultant firm to handle specialized phases or all of the project planning job.

When it has been decided that consultant services are needed, it is important to make a careful selection of the firm to be retained. This is not a process to be approached casually. No two consultants have equal skills, capabilities or experience. Choice of the right consultant, right for your project and for your community, can mean the difference between:

- A well-planned, successful project or one of mediocre quality;
- Smooth, well-timed progress or costly, frustrating delays.

It pays to invest time and effort in investigating and evaluating the consultants available.

This publication suggests ways a Local Public Agency (LPA) may do this, then follow through to make the best possible choice.

analyzing your needs

The first step in selecting a consultant is to determine the type of professional services that will be needed.

. . . What is the nature and scope of project to be undertaken?

. . . What is its general location, approximate size and boundaries?

. . . What technical resources are needed to solve any problems anticipated? Will special land use or engineering studies be involved? Will relocation or rehabilitation be unusually complicated?

. . . How much of the basic information essential to project planning is already available or can be assembled from local sources—maps, housing surveys, community planning studies?

. . . Will the LPA be able to furnish some local assistance to supplement consultant services—either leg-work or technical skills to be provided by the LPA or the locality? Or will the consultant be expected to provide complete services?

Once these questions and any other special conditions have been considered, the LPA will be in a position to judge what scope of technical services should be secured. The answers to these questions, even though far from final, will also give an interested consultant some basis for outlining the services he is prepared to render and for submitting a definite proposal.

contacting consultants

No two consultant firms are alike; contact several before narrowing the field to those which appear to be most suitable. If you are considering those known to be doing work of the same type in other communities, find out whether or not their working relationship and service have been satisfactory.

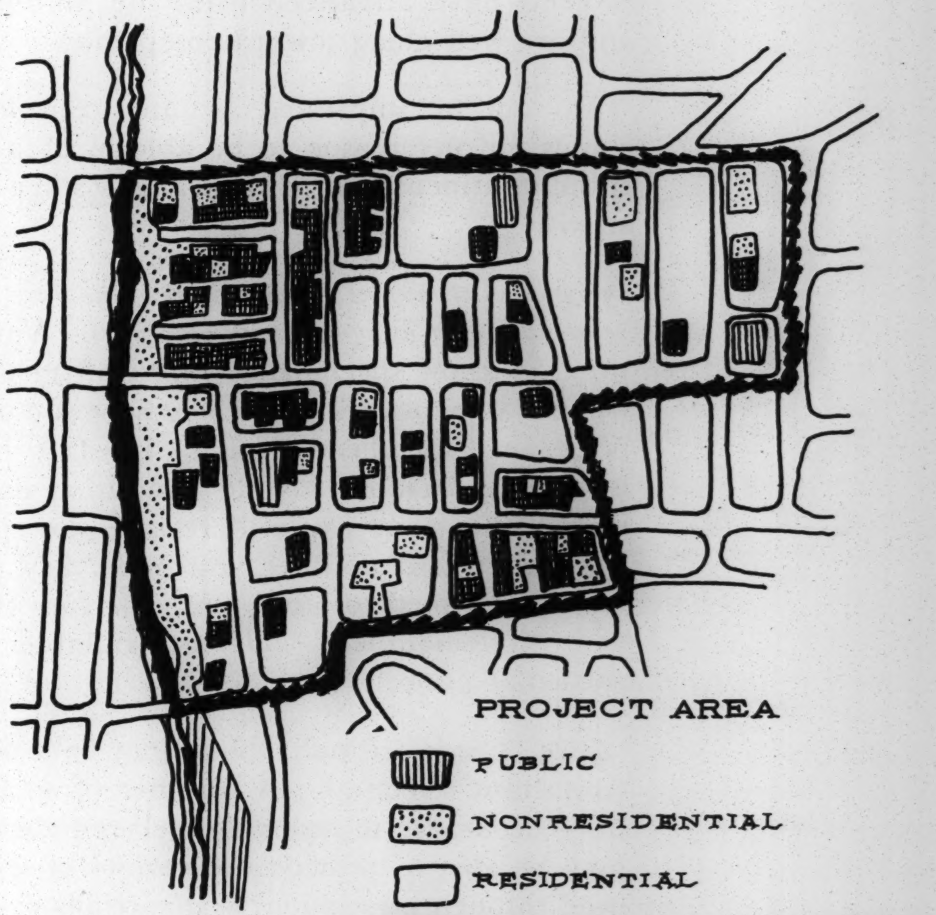
Be selective in developing a list of consultants to contact. Don't make the mistake of contacting too many firms. This can prove time-consuming and unproductive—for both local officials and the consultants involved.

In making initial contacts with the consultants, request that they provide general information on their qualifications and interest in doing the work. From their response, decide which of these firms should be given serious consideration. Weed out those whose qualifications are doubtful, and those unlikely to be familiar with local conditions and problems.

making the choice

At this stage, after you have narrowed the field to a few firms, request prospective consultants to prepare a definite proposal on the project to be undertaken and to provide the LPA with more detailed information on their qualifications. From those you have chosen to consider seriously, request the following:

1. *Record of experience.* Evaluate the consultant's experience in the light of the professional services you



"A thorough and complete planning job is essential to success in carrying out a project. It will pay off in the ease with which cleared land is sold promptly and conservation or rehabilitation objectives are achieved."

. . . David M. Walker
Urban Renewal Commissioner

want to obtain. Consultants new to urban renewal may be qualified through experience gained in related fields. Check with former clients or people with whom the consultant has worked; find out about their dealings with the consultant, how satisfactory his performance was, both as to quality of work and accomplishment within the time established. Be sure the consultant is familiar with the objectives and requirements of the urban renewal program.

The real measure of a consultant's performance often does not show up until a project has progressed well into execution, which is the proof of the planning that went on before. This is when the benefits of good basic design, planning and engineering show up most clearly. It is important to take the trouble to contact former clients whose projects have advanced from the planning stage and are well along toward completion.

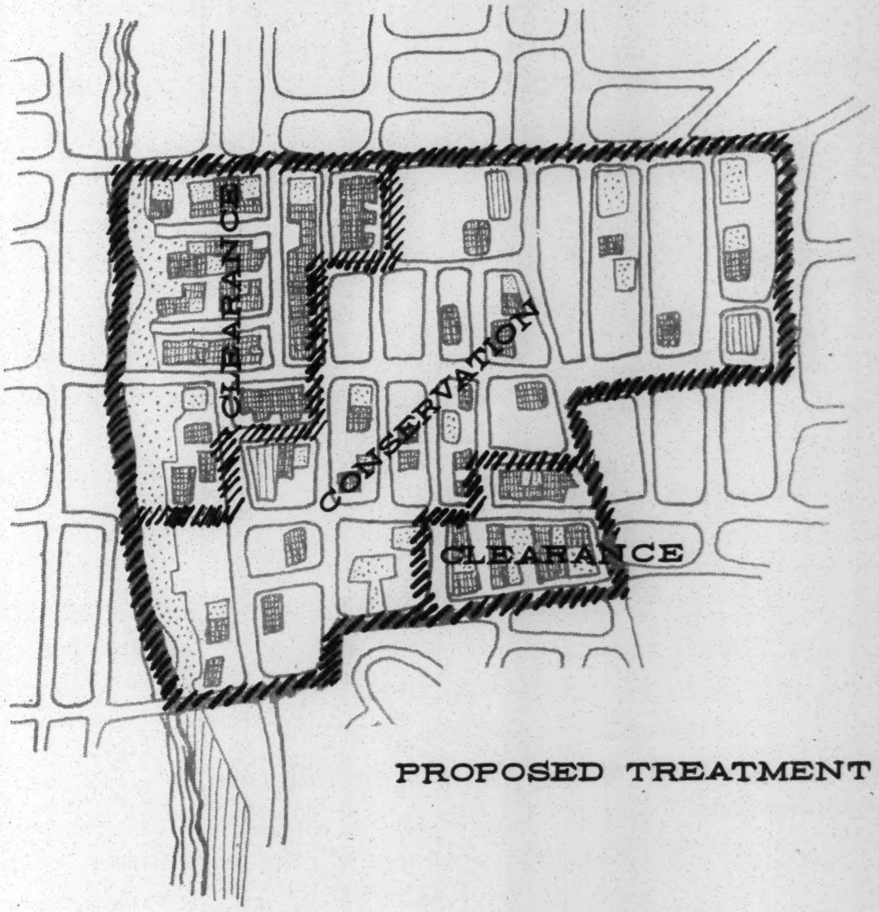
Do not be impressed by any consultant who claims for any reason to be able to obtain preferential treatment from HHFA at any stage of project activity.

2. *Designation of members or employees of the firms who would be available for assignment to the project.* You are entitled to know specifically what staff members will be available to work on your project and what their professional qualifications are. The fact that a firm is large and enjoys a wide reputation does not in itself assure that you will receive the specialized knowledge and abilities you need; key personnel may be assigned to other jobs. Be sure that qualified staff members will be available for your particular project.

Size of firm, in itself, should not be a criterion in consultant selection. A number of smaller firms have been able to assemble well-rounded staffs, or may be able to provide the variety of services you need through association with specialists concentrating on specific phases of urban renewal planning.

3. *Résumé of current working assignments involving personnel designated as available for your project.* Satisfy yourself that, in the light of other commitments and demands on the consultant's time, he will be able to undertake the work promptly and accomplish it with efficiency and dispatch. Sometimes a consultant promises to increase his staff if he is retained; but such a promise may be impossible to keep in face of the present shortage of well-trained people.

4. *Statement estimating the fee to be charged.* The fee paid the consultant is a minor part of the project cost, but the skill of his staff and the quality of his services can be a major factor in project success. Even though skills and experience, and not the fee, should govern consultant selection, the LPA needs to know early in the game what the approximate



PROPOSED TREATMENT

fee will be to consider it along with the other factors.

The Housing and Home Finance Agency does not require nor recommend that an LPA obtain professional consultant services on the basis of competitive bidding. Many professional societies prohibit their members from engaging in competitive bidding. An LPA should be free to select its consultants on the basis of their reputation, competency, and their ability to perform the desired services within a reasonable time schedule.

If there is any doubt that the consultant's fee is reasonable, discuss the proposal with members of the HHFA Regional Office staff. They will be in a position to provide advice on whether or not compensation is in line with that customarily paid for work of equivalent scope and quality.

Be wary of consultants who offer to do "free" work or cut their fees for the promise of future contracts.

In summary, the consultant selected should be fully qualified in the following respects:

- By having the experience, organization, and resources to perform the services satisfactorily within the required time.
- By reputation for competence and performance under ethical professional practices.

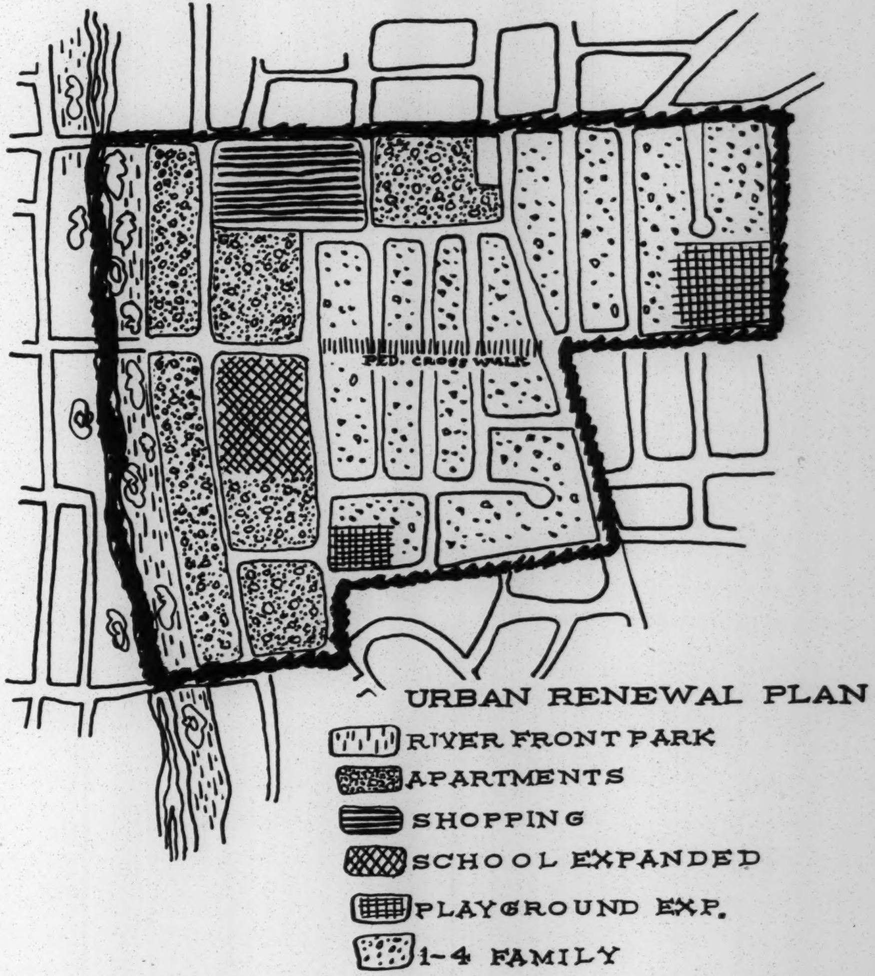
In the final analysis, the selection of any consultant must be demonstrably in the public interest, best for the project and for the community as a whole.

reaching a firm agreement

Final negotiations of a specific agreement on the detailed work program and the fee to be charged should follow the selection of the consultant. Careful attention to the details of the LPA's contractual agreement with the consultant can preclude future misunderstandings and delays. Be sure that you reach a clear understanding on:

1. The division of work to be performed by the consultant and by the LPA.
2. The manner in which the work is to be performed and the form and content in which it is to be presented.
3. The time limits for the production of work items and the amount and method of payment for end products.

The HHFA has drafted, and made available for the LPA's use, guide forms of contracts for professional and technical services which should be helpful. These forms provide explanatory information and instructions


PED. CROSS WALK
URBAN RENEWAL PLAN
RIVER FRONT PARK
APARTMENTS
SHOPPING
SCHOOL EXPANDED
PLAYGROUND EXP.
1-4 FAMILY

on how they should be used. They can serve as a checklist in determining that a complete agreement has been reached before the contract is finally drawn. The Regional Office also can provide advice concerning the provisions of the contract, the scope and description of the work to be performed.

working with a consultant

Be prepared to work with your consultant, if you expect to receive the full value of his services.

Give him guidance on local conditions, broad community objectives for urban renewal and specific ideas on what the project ought to be, but don't fence him in. He should have ample opportunity to improve on existing ideas or come up with some new ones. Give him room to exercise his professional judgment; this is what you're paying for.

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URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE

4

implementing conservation

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IMPLEMENTING CONSERVATION

The Urban Renewal Administration, a part of the Housing and Home Finance Agency (HHFA), neither prescribes nor advises any *uniform* sequence of steps to be followed generally in conservation. There are, however, certain stages in project planning and execution by which certain actions need to have been prepared for, begun, or completed. This discussion points out a number of the major ones, and summarizes reasons why such actions should have reached such phases at such times. It also includes marginal references to the Urban Renewal Manual parts giving pertinent policies and requirements and to URA advisory publications which go into considerable detail on the whys and hows of various kinds of conservation activity. Local Public Agency (LPA) officials have available all these materials for purposes of estimating the "lead time" involved in specific activities, as well as for using them as operating guides from time to time.

This is to say that in devising any "step-by-step" procedures, the LPA must be prepared to adapt them to suit the developing circumstances in a particular situation. Such adaptation involves both substantive modification of planned activities and timing of the activities themselves.

pre-project planning actions

Before an LPA submits to an HHFA Regional Office a Survey and Planning Application involving an area where conservation is contemplated, several kinds of actions are advisable.

1. *Neighborhood Analyses*

Technical Guide - 9 Neighborhood Analyses

HHFA Circular R-1, A Program for Community Improvement (Workable Program)

Urban Renewal Manual Parts 2 and 41

Whether the LPA has participated in the formulation of the community's Program for Community Improvement, approval of such a Program is a prerequisite to Federal aid for conservation, rehabilitation, clearance, or combinations of these urban renewal treatments. The element of neighborhood analyses is the foundation of a community-wide evaluation of its living and working environments, the magnitude of its renewal job, and the priorities which it can and should assign to conservation, rehabilitation and clearance activities. Hence, the direct interest of the LPA in pushing this Program activity to completion.

2. *Codes*

HHFA Circular R-1, A Program for Community Improvement (Workable Program)

Urban Renewal Manual Parts 2 and 12

Early action for the adoption or revision of a housing code should be taken before property renewal standards can be established and project execution implemented.

3. *Selection of Areas for Conservation*

Technical Guides-3, 10 Selecting Areas for Conservation; Non-assisted Projects

Urban Renewal Manual Parts 3, 12, and 45

The importance of selection of areas *appropriate* for conservation treatment cannot be overemphasized. The process of area selection involves knowing the areas and knowing the tools—the possibilities and limitations of each—then fitting the two together into a successful program.

4. *Verification of Local Legal Authorities Needed*

When conservation is a prominent feature considered for any project, LPA counsel should be consulted on such questions as the adequacy of state legislation affecting the authority of the LPA to undertake conservation projects, the adequacy of local codes and ordinances affecting housing, and the ways in which they can be applied within a project area when needed. LPA counsel should also be a source of valuable information about local judicial procedures in the code enforcement process.

HHFA Circular R-1, A Program for Community Improvement (Workable Program)

Urban Renewal Manual Parts 2 and 12

5. *Securing of Tentative Advice from Federal Officials*

During the customary preliminary discussions close liaison should be established between the LPA, the HHFA Regional Director of Urban Renewal and the FHA Insuring Office. For this, the LPA may request the Regional Director to make the necessary initial arrangements.

Urban Renewal Manual Parts 10 and 12

FHA has advised its Insuring Offices that at this stage, they should realize that boundaries and other features specified for the project are entirely tentative and may be changed at a later date if found desirable after more detailed analysis. FHA comment should include informal preliminary statements regarding suitability of the boundaries of the renewal area and mortgage feasibility of the proposed conservation or new construction as the case may be. Positive opinion is not essential during the preapplication stage; in fact it should not be expected. In rendering such opinions, the FHA Insuring Office may find it necessary to make some interior inspections of dwelling structures, in addition to examining the external characteristics of the area. In any case, the LPA should feel free to request this at this stage.

6. *Consultation With Local Officials*

Urban Renewal Manual
Part 12

Any city officials who may be involved in project planning and execution should be informed about it when the project is first considered. Among such officials may be, for example, the city attorney; the heads of building, housing, welfare, and fire inspection agencies; the city engineer or the public works agency; and any others who may be expected to play a part in carrying out the project.

7. *Preliminary Surveys of Project Area*

Technical Guide - 7
Residential Property Surveys in Conservation Areas
Urban Renewal Manual
Parts 10 and 12

Preliminary observation of area characteristics is needed to make tentative determinations that conservation may be a suitable treatment. In some cases this type of "look-see" may be enough to support a completely negative decision on this point.

8. *Community Relations*

Technical Guide - 8
Neighborhood Organization in Conservation Areas

If publicity has not already occurred as the result of rumors and questions arising at the first signs of official activity (however tentative), it certainly will at the time the local governing body approves the filing of a Survey and Planning Application for Federal funds. Uninformed gossip or abrupt publicity, or both, will create the familiar reactions which, in this particular situation, may well be strong enough to delay or defeat the undertaking. Before there is any opportunity for such reactions to develop and spread, ways must be found to prevent them.

Urban Renewal Manual
Part 12

Accurate information is most easily disseminated through discussions with the people affected. It follows that during the pre-planning stages, some activity should take place in the formation of a neighborhood organization where none exists. This should be a permanent rather than a temporary type of organization. Leadership and reliable information sources within the neighborhood itself can contribute immeasurably to preventing and correcting misinterpretations of official statements and reports.

project planning actions

When a Survey and Planning Application has been approved (or a Letter to Proceed issued) by HHFA, conservation activities are intensified and expedited. This means:

1. *Immediate LPA Organization for Conservation*

Urban Renewal Manual Part 12

Primary responsibility for conservation should be at once assigned to an LPA official. Without such a clear assignment, the intricate process of coordination will become confused and faltering. With it, misguided activity and waste motion can be avoided. Above all, time can be saved. The provision of the staff and consultant assistance he will need for the duration of the project, or in specific phases of it, should be programed.

2. *Information for Area Residents*

Urban Renewal Manual Part 12

Area property owners should be notified promptly of the project approval and its significance. They should be urged to consult with the LPA before investing in improvements, including exterior painting, to their properties. The formation of the neighborhood organization should be accelerated if necessary.

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Questions About Conservation Planning

In planning for project actions an LPA will find it helpful to look ahead and ask itself questions such as the following:

1. If use of FHA insured loans is considered, has FHA indicated in writing the acceptability of the area for mortgage insurance?

2. Have standards for the improvement of individual properties been established and are they realistic with respect to existing area conditions and to the owners' financial capability?

3. Is city support and interdepartmental coordination effective?

4. Do community facilities and services essential for area conservation exist or are they planned?

5. Are there effective community-wide and neighborhood citizen organizations supporting the project?

6. Are lenders willing to make mortgage loans to area property owners?

7. Will detrimental influences be eliminated?

8. Is the LPA prepared to offer counsel to owners and residents on all aspects of the conservation effort?

9. Is the program of surveys of private property for the achievement of property conservation standards complete and ready to go?

10. **If not, what are you going to do about it?**

3. *Formulation of Tentative Property Conservation Standards*

This process should begin with a meeting of LPA staff and HHFA Regional Office specialists. Also, technicians of the FHA Insuring Office should be asked for advice if use of FHA-insured loans is desired. At this time, and in subsequent similar planning meetings, local code enforcement officials should participate.

FHA insuring offices have been advised that they will participate in pertinent consultations with the LPA throughout the planning period. When necessary, interim contacts between FHA and the LPA may be carried on without the presence of Regional urban renewal staff personnel, in accordance with arrangements made by the Regional Director of Urban Renewal, who shall be kept informed of pertinent developments. FHA will not be required to perform planning work for the LPA but will be brought in with the objective of assuring the acceptability for mortgage insurance and of facilitating favorable FHA valuations on properties which may ultimately be constructed or renewed.

Technical Guide-6 Residential Property Conservation Standards

Technical Guide-7 Residential Property Surveys in Conservation Areas

Where conservation is contemplated FHA and Regional Office urban renewal personnel, together with the LPA, should field inspect typical properties and agree upon the extent of typical repairs and remodeling. FHA will then make tentative estimates of value of these several properties as renewed and compare these estimates with acquisition costs to examine the feasibility of renewal.

Urban Renewal Manual Part 12

Supplementary tentative estimates are also made of each typical property showing the cost of compliance with mandatory provisions of codes, etc., exclusive of any additional work deemed essential for FHA acceptance. In addition to the above, other items such as present tenure and the feasibility of financing must be considered in the formation of tentative property conservation standards.

4. *Surveys of Buildings*

Technical Guide–7 Residential Property Surveys in Conservation Areas

Conclusions must be reached on such questions as whether buildings which apparently can be renewed would require so great an expenditure as to make it not worthwhile; whether the results will justify FHA mortgage insurance; whether project standards are realistic with respect to existing physical conditions of the area and in terms of financial capabilities of the prospective residents; and whether the results will provide lasting improvements. The survey process, begun in the preplanning stage, will continue into project execution.

5. *Surveys of Family Preferences and Financial Capabilities in Conservation Areas*

Urban Renewal Manual Part 12

Technical Guide – 5 Family Surveys in Conservation Areas

The feasibility of renewing individual properties hinges upon the willingness and ability of property owners to pay for improvements, and of prospective tenants to pay any resulting rent increases. This is a determination, therefore, which must be made before the project can be put into execution.

6. *Development of a Conservation Program*

Urban Renewal Manual Part 12

This should be a rather detailed programing of actions to be taken, by whom, and their timing. In addition to dealing with the ways and means of achieving the property conservation standards, it should contemplate such matters as:

a. *Scheduling of Land Acquisition Activity*

Urban Renewal Manual Part 13

In any project where both clearance and conservation are planned, it is highly advisable that acquisition and clearance activity begin with the areas surrounding or adjacent to the conservation portion, as well as with properties inside the conservation portion which are subject to spot clearance especially where street or other improvements are concerned.

There may be exceptions to this generalization where, for example, zoning changes are contemplated, but to the extent feasible project planning should proceed on the basis of such scheduling, because of the incentive values for meeting the property conservation standards.

b. *Scheduling of Project Improvements*

As in the case of land acquisition and clearance, and for the same reasons, first priority should be planned for improvements within or essential to the conservation area. Easy-to-do improvements will provide quick evidence of public action and spur the improvement of individual private properties.

Urban Renewal Manual Part 11

c. *Scheduling of Relocation Activity*

Relocation priorities should be given to residents who must move from the conservation area.

Urban Renewal Manual Part 16

7. *Formulation of the Final Official Property Conservation Standards*

Since these are an integral part of the Urban Renewal Plan and require approval by the local governing body, they must be incorporated in the Final Project Report.

Technical Guide-6 Residential Property Conservation Standards

8. *Scheduling of Building Surveys and Community Relations Procedures*

Urban Renewal Manual Part 12

Inspections, notices of violations, and provision of information about work needed to achieve property conservation standards are activities which can be timed rather closely. These plans should be thoroughly discussed with and understood by owners and occupants of individual properties. Organization and training of personnel must be planned for in detail so that this job can be undertaken immediately upon the beginning of project execution. If code enforcement personnel are to be used for purposes beyond the scope of

Technical Guide-6 Residential Property Conservation Standards

Technical Guide - 8 Neighborhood Organization in Conservation Areas

Technical Guide-7 Residential Property Surveys in Conservation Areas

Urban Renewal Manual Part 12

their normal responsibilities, they should be trained in the property conservation standards, community relations procedures, and financing aids and techniques. It is possible and highly desirable that much actual work can be accomplished along these lines during the plannings stages.

9. *Identification of Financing Sources*

Urban Renewal Bulletins-1 and 2 Oakland Mobilizes for Urban Renewal and Home Improvement—Lessons from Experience

Urban Renewal Manual Part 12

Lenders must be found who comprehend the project plans and are willing to invest money in conservation. A system should be devised for referring to them applicants for mortgage loans and for smaller home improvement loans.

action in the project execution stage

Urban Renewal Manual Part 45

Technical Guide - 10 Non-Assisted Projects

Approval of project execution, whether the project involves a loan and grant contract or is a "non-assisted" (mortgage insurance only) project, is the signal for commencing action at the fastest possible rate pursuant to the plans and schedules which have been prepared. After this point, any avoidable delay may endanger the project's success. Among the major, specific activities which have been planned, the following should be undertaken promptly:

1. *Building Surveys*

Technical Guide-6 Residential Property Conservation Standards

Technical Guide-7 Residential Property Surveys in Conservaiton Areas

Urban Renewal Manual Part 12

A detailed analysis of the physical condition of dwelling units in the area must be undertaken on a building-by-building, block-by-block basis. Every owner must be informed of the specific improvements essential to meet property conservation standards. If the use of FHA mortgage insurance is to be made available he should be informed of how an insured mortgage loan can be obtained. Readily apparent are the advantages of providing the owner with all the information needed to achieve property conservation standards and essential to qualify for FHA mortgage insurance.

2. *Establishment of a Site Office*

Provision must be made for direct and convenient access by property owners and residents to LPA officials and technical experts. "Convenient" refers not only to physical location but to office hours—callers must be able to obtain advice in the evenings and on weekends.

Urban Renewal Manual
Part 12

3. *Provision of Technical Advisory Services*

Planned contracts may be executed with experts to advise property owners on such matters as financing, typical improvements, and modernization. Volunteers may also be utilized to provide and supplement such services.

Urban Renewal Manual
Part 12

4. *Establishment of Recordkeeping Systems*

An LPA should maintain records, in considerable detail, or have such information readily available from another source, for example, the City Building Inspection Department, of such progress items as property location and ownership, inspections made, code violations found, deficiencies in terms of property conservation standards, acquisition and clearance proceedings, notices issued to owners, follow-up actions taken and scheduled, and the improvements made by the property owners.

Urban Renewal Manual
Parts 12 and 32

5. *Informational and Promotional Activities*

These include distribution of such items as brochures, bulletins, and progress reports. They also include meetings with neighborhood organizations and committees, and may extend to one or more "brick-and-mortar" demonstrations of model conservation.

Urban Renewal Manual
Part 12

6. *Revisions of Planned Activities*

As project execution progresses, some of the proposals based on sampling surveys or superficial examinations

Urban Renewal Manual
Parts 10, 13, and 16

may require modification. For example, the condition of one building or the attitude of one owner may at this stage eliminate the chances of the building's satisfactory renewal. Such a situation may affect not only the conservation activity per se, but the relocation program and the acquisition program. Its potential impact on the whole undertaking must be promptly assessed and a decision promptly reached on alternative action.

7. *Coordinated Improvements in City Services and Site Improvements*

Urban Renewal Manual
Part 12

Prompt provision of any planned improvements in municipal services (e.g., better garbage collections, increased police and fire protection), together with beginning site improvements (e.g., street repairs or changes, alley closings, playground refurbishing) is a prime catalyst for the improvement of individual properties. Visible evidence of public action for neighborhood improvement is perhaps the greatest incentive for private action to upgrade private properties.

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URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE
5

family surveys in conservation areas

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C

The comprehensive publications program of the Urban Renewal Administration consists of four parts:

URBAN RENEWAL MANUAL—Official Federal policies and requirements essential to implement the Federal urban renewal law. Intended for persons responsible for various phases of local renewal programs. Available on a subscription basis from the Superintendent of Documents, Washington 25, D.C.

THIS IS A TECHNICAL GUIDE—Advice and recommended procedures for carrying out local urban renewal programs. Intended primarily for professional, technical, and administrative staffs at all levels of government; consultants; and others actively engaged in the urban renewal process. *NOTE: Specific examples, cited as exhibits in Technical Guides, are by way of illustration only. Appropriate modifications may be necessary to make them applicable to other situations.* Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL BULLETIN—Primarily helpful informational and experience reports, directed to various urban renewal audiences or combinations of audiences, depending on the subject material. Most will be designed for the nonprofessional concerned with or involved in the urban renewal process. Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL NOTES—A bimonthly digest pointing to good techniques and unusual local approaches and success, and including summaries of pertinent URA program developments and publications. Articles will be brief paragraphs, often noting source of further information. Serves as a fact and idea exchange for technicians and novices alike. Available free from the Urban Renewal Administration, Washington 25, D.C., if you ask to be put on the mailing list.

All the last three of these publications are issued as a part of the Urban Renewal Service authorized by the Housing Act of 1954 to provide guidance for communities carrying out urban renewal activities.

This Technical Guide for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Price 15 cents.

FAMILY SURVEYS IN CONSERVATION AREAS

. . . Why a survey
. . . The first steps
. . . What the survey should include
. . . How the survey should be conducted
. . . When the survey should be conducted
. . . Who should be included in the survey
. . . Setting up the machinery
. . . Selecting the staff
. . . The survey begins
. . . On completion of the survey
. . . Sample survey forms

In order to be successful, conservation should be undertaken in neighborhoods which have three essential ingredients:

- The area must have basic vitality and stability.
- The residential buildings in the neighborhood must be basically sound so that their renewal is economically feasible.
- The property owners should be able and willing to do their part in upgrading their properties.

Because a neighborhood must possess these attributes in order to respond to the conservation process, a method of ascertaining the presence or absence of these essential ingredients is necessary before any area is selected for treatment. How is this determined? What process can be used to get the facts, and to weigh those facts and come up with the necessary answers?

See Technical Guide 3, Selecting Areas for Conservation, and Technical Guide 7, Residential Property Surveys in Conservation Areas.

The first and second principles above are covered in other Technical Guides. The third, and equally important consideration—whether the residents can and will assume the burden of the cost of improving their own properties; whether they feel the neighborhood can be saved from further deterioration; and how they think the job ought to be done—is the subject of this publication.

The advice herein applies to those urban renewal projects needing Federal loans and capital grants, which are called either assisted projects or Title I projects. These two terms are synonymous. It also applies to projects which need Federal aid only in the form of special FHA mortgage insurance. Such projects are called nonassisted.

Nonassisted projects are dealt with in Part 45 of the Urban Renewal Manual. Assisted projects are treated in numerous other parts of the Manual.

why a survey?

The primary reason for making a family survey is to determine the financial ability and the willingness of the family to pay for any necessary improvements. When these facts are already known, a survey of this type would serve no purpose. One is essential, however, when there is substantial doubt about the paying ability and the desires of area residents. It will provide the Local Public Agency (LPA) with vital information on whether the area can be upgraded and also on the level of Property Conservation Standards it can establish.

Collateral and important advantages, if the survey is skillfully done, can be to encourage each family to evaluate its living conditions and to take part in planning the future of its neighborhood.

It takes more than bricks and mortar to make urban renewal work. It takes people—people participating in and supporting the program. Particularly in a conservation area, the understanding, support, and participation of the property owners and residents are essential to the success of the undertaking.

Participation of individual families is not always easy to come by. To obtain it, the LPA can take certain steps to acquaint the people living in neighborhoods being considered for renewal activity with the objectives of a neighborhood upgrading program; how it can be accomplished; and the role of the average citizen in achieving those objectives. If the residents know what the program is designed to do—that it is planned to improve their living conditions; that their environment as well as their individual homes will be upgraded—if they are given the opportunity to participate in the planning and formulating of an attack on blight; if they know that their opinions and desires are being taken into account in the decisions regarding their neighborhood, the probability of their support is enhanced.

Therefore, the LPA should go beyond physical aspects in studying a neighborhood's suitability for conservation. Studies should not be limited to buildings and street patterns and parks and schools—the people in the neighborhood also have to be considered. The people's aspirations for their neighborhood and what part they would be willing to play in achieving these aspirations must be determined.

the first steps

Once the boundaries of the area have been chosen, the LPA should decide on:

- What information the survey should include.
- How and by whom the survey will be conducted.
- When it will be undertaken.

what the survey should include

Some facts without which an LPA cannot make a sound decision on an area's suitability for conservation are:

- Do the families want to stay in the neighborhood?
- Can the families adjust or adapt themselves to changes in the old neighborhood?
- Do the families like their homes well enough to try to improve the condition of them?
- Can they afford to make the necessary improvements to conform to the established Property Conservation Standards?
- Can they afford higher monthly payments or increased rent to pay for the improvements?

Experience in a number of cities where surveys have been made indicates that it will be desirable to obtain at least these additional facts:

- The general background characteristics of the residents such as their age, race, education, income, and employment.
- Information on the respondents' past places of residence and what factors induced them to move to their present location.
- Preferences of the residents as to the various social aspects of their neighborhood, and information on what public and private improvements they feel are needed.
- Some measure of the degree of the residents' social and civic activities.

how the survey should be conducted

Regardless of the depth and extent of the survey a community wishes to undertake and can afford, the manner in which it is conducted can vary according to local conditions. No set formula or method can be prescribed. Essential information and availability of time, money, and personnel are major considerations influencing the decision as to the extent of a survey in any given locality.

Sample procedures and questionnaires used in two cities, one large and complex and the other small, are appended. These may be altered or adapted to meet the needs of other localities.

In deciding how the survey is to be conducted, a number of important factors should be evaluated:

Personnel. Does the LPA have the qualified staff or can it be recruited?

Cost. Would it be more economical to hire trained personnel, provide them with office space and services, and supervise them than it would to engage a contractor to do the work?

Quality of Results. Will the quality of the survey be better if conducted by the LPA itself, than if done under contract? Is a capable contractor available? Can the LPA maintain better control over the survey if the interviewers, supervisors, and tabulators are on its own staff?

Commercial firms normally engaged in consumer surveys or opinion research and nonprofit groups have been employed in various cities. The usual nonprofit organizations which have been employed are institutions of higher learning maintaining a professional staff skilled in social and community analyses, social welfare organizations, planning boards, and community service organizations such as Red Feather and similar groups. In some instances LPA's have engaged a consultant to assist in setting up and supervising the survey, and employed their own interviewers. In other cases the consultant assisted in the analysis of the results. In still others the contractor did the whole job.

Whatever method is employed in making the survey, the competence of the personnel should be a paramount consideration. The staff used should have experience in interviewing and be trained in guarding confidential information.

when the survey should be conducted

Timing will affect both the quality and the usefulness of the information secured.

Under no circumstances should a family survey be conducted until the residents of the area have been alerted to the fact that it is to be made. They should be informed on why it is to be made, what the LPA is trying to find out in making it, and the use to be made of the information. Full and frank answers from the residents will depend, in large measure, upon how well families have been oriented to the idea ahead of time.

See Technical Guide 8, Neighborhood Organization in Conservation Areas.

There are various means for the LPA to inform the citizens and to obtain public reaction as to a conservation program. If a local newspaper or neighborhood newsletter exists, it can be used. One of the best media is the citizens organization, at the block and neighborhood level, which provides the forum for the views to be expressed. Churches, schools, settlement houses, and similar groups are others. Through discussions with neighborhood leaders the LPA can find the best means of informing the area residents of what is coming and why. These leaders can then act as a channel for the dissemination of the information and can suggest ways for getting the message across.

In order to have the survey information ready so that it can be put to use, the survey should be scheduled as soon as practicable after the project Survey and Planning Application has been approved. The data should be available for use during the project planning period that follows approval. The survey should be completed and the results tabulated in ample time:

- To determine feasibility of conservation.
- To establish final Property Conservation Standards before preparing an application and executing a contract for Federal loan and grant.

The family survey should follow any surveys to be conducted on buildings in the area. Here is a sequence of timing which has been carried out with good results in a number of cities:

1. As soon as the Survey and Planning Application is approved, begin orienting the residents to all surveys to be made.

2. Conduct an exterior inspection of the individual residences to determine their present condition and potential for improvement that will bring them up to Property Conservation Standards.
3. Conduct an interior inspection of those residences which could not be definitely evaluated from the outside. Continue orientation of the residents during the building inspections and surveys.
4. Conduct a family preference and financial capability survey.

who should be included in the survey

In the cities where surveys have been conducted, it has been shown that a 20% random sample of the families occupying the homes which have been determined to be suitable for renewal is sufficient. Although these surveys should be limited wherever possible to a representative sampling of property owners, it will be necessary in some cases to do a 100% survey, e.g., in areas where the total number of properties to be surveyed is small and in pilot areas in communities trying the conservation approach for the first time.

setting up the machinery

The following things should be done to get the survey underway:

1. Select the person or organization to be responsible for the survey.
2. Arrange for suitable office space for the survey staff.
3. Prepare the forms to be used in the interviews and for the tabulation of the results.
4. Pretest the interview techniques to iron out the kinks.
5. Employ and train the interviewers.

selecting the staff

The survey supervisor will be in charge of selecting and training interviewers, setting up the office, designing the forms for both interviewing and tabulating, maintaining a progress reporting system, and tabulating and evaluating the results of the interviews.

This person should:

1. Have skill in interviewing and survey techniques.
2. Have the ability to work with and train people.

3. Be able to set a schedule and direct the operation efficiently.
4. Be able to make concise, factual, and comprehensive reports.
5. Have the capability to interpret the reports.

The interviewers must be qualified by aptitude and experience to deal with people, to gain their confidence, and to elicit frank answers to the questions. It is important that these interviewers know not only how to secure information but also how to evaluate what they hear and to separate the facts from the chaff. They should be pleasant, tactful, sympathetic, and understanding. They should not give advice or attempt to solve problems. Their job is to get facts and record data.

It is of primary importance that the right kind of interviewers be employed, trained in survey techniques, and carefully oriented to project objectives. Regardless of how well the questionnaire is designed or how effectively the residents have been informed of the need of the survey, the results will be faulty unless the interviews are conducted properly.

The information the interviewer receives is to be held in strict confidence.

It is not necessary that the interviewers be employed on a full-time basis. Part-time people may be easier to recruit and it might be possible that a number of part-time interviewers could get the job done more quickly than one full-time employee. This would be particularly true in areas where a large percentage of the wives in the families are known to work.

When the interviews have to be conducted in the evening, there are at most two to two and one-half hours of productive time. People don't like to be interrupted during the dinner hour, so that seven o'clock is about the earliest time calls can be made. Nine or nine-thirty is as late as most people want to be called on.

Social workers, school teachers, community workers, visiting nurses, employee counselors, and public relations specialists are good sources of potential part-time interviewers. All are accustomed to dealing with people and can be trained in the techniques of a survey.

the survey begins

Once the survey has started, it is important that the schedule developed in planning be followed. It is the responsibility of the supervisor to:

1. Make every effort to assure that all the families in the selected sample are interviewed.

2. Spot check the work of the interviewers to assure that the interviews are being conducted properly and that the responses are being fully and factually reported.
3. Begin and expedite the tabulating of the data.

on completion of the survey

Once the survey is completed, a final report should be prepared for use by the LPA in determining the feasibility of conservation insofar as the paying abilities and preferences of the families are determining factors. This report should:

- Indicate the residents' capabilities to finance upgrading their homes and their preferences regarding them.
- Show a profile of the social and economic conditions in the neighborhood, along with information on each family's attitude toward the city, the neighborhood, and the proposed conservation effort.
- Include sufficient evaluation of the data to permit a sound decision by the LPA as to the probable level of participation in a conservation effort by the families in the area.

APPENDIX A

(Based on a form developed by Detroit City Plan Commission, Detroit, Michigan, and used on a 20% random sampling basis)

NOTE: This form *is not endorsed* by the Urban Renewal Administration for use in any given situation. It is up to the LPA to determine the applicability of any or all questions for its own purposes.

INTERVIEW SCHEDULE INSTRUCTIONS TO INTERVIEWERS

(Questionnaire No. 1)

TIME FOR INTERVIEWING

Interviewing begins____________________ and must be completed by____________________. Completed interviews may be brought to the ______________________________________ earlier if desired.

AIM OF PROJECT

As you know, this interviewing constitutes an effort to discover the attitudes and behavior of people in the area designated for conservation, regarding: (1) upgrading of their neighborhood and their home, and their ability to pay for the necessary improvements; (2) concept of neighborhood with special attention to where these people work; (3) problems of the neighborhood with special attention to attitudes of people toward the neighborhood; (4) intentions of families to stay in or move from the neighborhood and their reasons; and (5) general background characteristics of people in area.

IDENTIFICATION CARD

Enclosed with your kit is a card of identification; it should be shown to each respondent.

LOCATION OF SAMPLE

Also included with your kit is a map of the relevant area indicating specifically where you are to do your interviewing. Each interview schedule contains the exact address and dwelling unit at which you are to conduct the interview. Should you have any question as to where you are to interview, please do not guess but call the telephone number listed below. *Under no circumstances make substitutions.* If a dwelling unit that is assigned to you is vacant, do not substitute any other dwelling unit for it. This also applies when you are unable to reach members of a dwelling unit after repeated tries.

THE INTERVIEW SCHEDULE PROPER

Questions 1–9 are for office use to identify the Interview Schedule with office records and the Family Survey Record with the Structure Survey Record of the house in which the family lives.

Throughout the interview schedule, if alternative answers are provided as in Question 10, simply circle the number next to the correct answer.

CONCEPT OF NEIGHBORHOOD AND PROBLEMS OF THE NEIGHBORHOOD—QUESTIONS 21–54

This series of questions is fairly simple with the exception of Question 21. We are interested here in determining what people mean when they speak of their neighborhood. It may be necessary for you to rephrase the question so that the respondent understands fully what you want.

Most of these questions require considerable verbalization from the respondent. In some instances it may be necessary discretely to encourage them by rephrasing the question so that they will understand what kind of an answer you want. Most of these are open-ended questions and you should get everything they say as nearly verbatim as possible.

GENERAL BACKGROUND CHARACTERISTICS AND FAMILY MOBILITY

Questions 10–20 deal with the family and its house and its mobility. These questions seek information about where the family lived before, why it left that place, and why it moved to the present place, as well as its future plans. Here again there will be several open-ended questions and it will be necessary for you to be careful to get everything the respondent says. The other questions here are routine background characteristic questions that are fairly easy to obtain. One or two comments, however, are in order. Questions 12 and 57–58 ask a series of questions about number of people in the household, age, occupation, State they were born in, education, income, and religious preference. Please be sure to get all of the people in the household including all children. Newborn infants are often forgotten in such a list. After Question 58 it is requested that you secure the name and telephone number of the respondent. Please try to do this. However, if the respondent is completely unwilling, please do not argue with him. The final questions are to be filled out by the interviewer after he has completed the interview. The answers to these questions should be obvious without asking the questions.

FINAL REMINDER:

1. Under no circumstances argue with a respondent.
2. Try your best to get the interview, but if the respondent at any point refuses flatly to proceed further, the best thing to do is to ask if you can return another more convenient time or if someone else can return. If not, leave without argument.
3. It would be advisable to dress simply.
4. If any interviewing is done at night, it would be well for interviewers to go in pairs.
5. Should you have difficulty at any point, don't hesitate to call ______________________________.

APPENDIX B

(Based on questionnaire developed by Detroit City Planning Commission, Detroit, Michigan)

QUESTIONNAIRE NO. 1
Survey of Family Preferences

Interview Schedule

Interview Date:____________________
Time Began Interview:____________________
Time Ended Interview:____________________

Interview Number:____________________(1, 2, 3)
Neighborhood Number:____________________(4, 5)
Superblock Letter:____________________(6, 7)
Block Number:____________________(8, 9)

Address of Respondent:______________________________ Apt.: ________________

INTERVIEW ONLY THE HEAD OF THE HOUSEHOLD, OR SPOUSE

SUGGESTED INTRODUCTION: "How do you do. My name is____________________ from____________________. Your address has been chosen as part of a study of how people in ____________________ feel about their homes and neighborhoods. May I ask a few questions about your house and neighborhood?"

10. Are you the head of the household?
    1. Yes

    2. No
        10A. How are you related to the head of the household?
        1. Husband
        2. Wife
        3. Other______________________________

11. Are there any other people who live here? What is their relationship to the head of the household?

Relationship to Head	Age	Occupation
1. (Respondent)		
2.		
3.		
4.		
5.		

12. Would you mind telling me what your age is and what the age is of each of these other members of the household? RECORD ANSWERS NEXT TO PERSON ON LIST ABOVE.

13. What kind of work do you do and what kind of work does each of these persons do? (Ask only for those 17 and over.) RECORD ANSWER NEXT TO PERSON ON LIST ABOVE.

14. Would you tell me how long you have lived in this house (or apartment)?
    1. Less than a year
    2. 1–2 years
    3. 3–4 years
    4. 5–9 years
    5. 10–14 years
    6. 15–19 years
    7. 20 years or over

15. Where did you live before you moved to this house (or apartment)? (GET STREET AND CLOSEST CROSS-STREETS IF IN____________________: OTHERWISE, JUST NAME OF CITY AND STATE.)

____
Street

____
Cross-Street

16. How long have you lived here in ____________________?
   1. Life-long resident
   2. 20 years or more
   3. Less than 20 years
      16A. Why did you move to ____________________?
         1. Better job opportunities
         2. Relatives living here
         3. Specific job moved to ____________________
         4. Better living conditions
         5. Other ____

17. Are you buying or renting or do you already own this house?
   1. Own
   2. Rent
   3. Buying
      17A. Would you mind telling me if you are buying on a land contract or mortgage?
         1. Land contract
         2. Mortgage

18. Are there any things about this house (or apartment) that you do not especially like?
   1. No
   2. Yes
      18A. What are these things that you do not especially like about your house (or apartment)?
      ____
      ____

19. How do you feel about this house? Which one of these statements (HAND CARD TO RESPONDENT) best describes what needs to be done in this house (or apartment)?
   1. This house is pretty good the way it is; it needs only a few minor repairs
   2. This house is so bad it should be torn down
   3. Don't know
   4. Other ____
   5. Basically, the house is all right, but it needs big repairs

      ASK 19A and 19B of OWNERS ONLY

      19A. You mention that your house needs big repairs; when are you planning on making these repairs?
         1. In a year or two
         2. Within 5 years

3. Not at all

19B. Would you be willing to make these repairs now if you could borrow money and repay it over the next 5 years?

1. Yes
2. No
3. Don't know

20. There are many things that need to be done to keep a house in good condition and to improve it. Would you look at this card (HAND CARD TO RESPONDENT) and tell me which of these things you consider are the tenant's responsibilities and which the owner's?

	Owner	Tenant
1. Cut grass and trim shrubs	1	2
2. Seed lawn	1	2
3. Paint outside of house	1	2
4. Paint inside of house	1	2
5. Repair porch steps	1	2
6. Repair fences	1	2
7. Install garbage and rubbish racks and cans	1	2
8. Plant tree in yard	1	2
9. Remove snow from walk	1	2
10. Replace and repair drain spouts and eavestroughs	1	2
11. Repair sidewalk	1	2
12. Replace broken windows	1	2

21. Up to now, we've talked about your house; I'd like to ask a few questions at this point about your neighborhood. When you speak of your "neighborhood," what do you mean? That is, what streets do you consider to be its boundaries?

22. Can you tell me which of the following possibilities best describes your thought about staying in, or moving away from, this neighborhood in the next year or so?

1. Definitely plan to stay
2. Thinking of moving in the indefinite future

IF RESPONDENT ANSWERS 1 or 2 TO QUESTION 22, GO DIRECTLY TO QUESTION 27

3. Thinking of moving within a year, but have made no decision
4. Definitely plan to move

22A. Would you say it is the house or the neighborhood you want to leave?

1. Neighborhood

2. House

22B. Would you consider moving to another house in this same neighborhood?

1. Yes
2. No

23. Why would you want to move away from this neighborhood? (DO NOT READ ANSWERS; JUST RECORD ALL ANSWERS BY CIRCLING APPROPRIATE NUMBERS.)

HOUSE

1. House to be torn down
2. To set up own household: marriage
3. Landlord raised rent
4. Am to be evicted
5. House is old/dilapidated
6. Chance to get house or apartment with cheaper rent
7. Decided to buy/build
8. Need larger/smaller house
9. Want single house
10. Want 1-story house

CHILDREN

11. No place for children to play
12. Don't want children to associate with children here
13. Inadequate schools
14. Too far from schools

NEIGHBORS

15. Don't like people here
16. Lower-class people moving in

NEIGHBORHOOD ENVIRONMENT

17. Neighborhood too dirty
18. Neighborhood too noisy
19. Too much traffic
20. Too far from work
21. Poor transportation
22. Shopping too far away
23. Neighborhood has no trees/green areas
24. Neighborhood generally rundown
25. Lot too small

MISCELLANEOUS

26. Other ______________________________
____

24. Where would you like to move to? (Get exact location if possible)

____

____

25. Could you tell me why you wish to move there?

____

____

26. How does your husband/wife feel about moving?

____

____

OMIT QUESTIONS 27 and 28 IF RESPONDENT HAS ANSWERED QUESTIONS 22A–26

27. Why do you intend to *stay* in this neighborhood? (DON'T READ ANSWERS; RECORD ALL ANSWERS BY CIRCLING NUMBERS)

HOUSE

1. Rent is right
2. Good quality house
3. House is right size
4. Lot is wide enough

CHILDREN

5. Good school for children
6. Space for children to play
7. Close to school
8. Many young children around

NEIGHBORS

9. Young families our age here
10. "Our kind" of people live here
11. All-white neighborhood
12. Older people our age live here

NEIGHBORHOOD ENVIRONMENT

13. Neighborhood is clean
14. Neighborhood is quiet
15. Close to work
16. Good transportation
17. Shopping nearby
18. Close to church/organization
19. Neighborhood is well cared for
20. Neighborhood has trees/green areas
21. Close to park/playground
22. Not much traffic on side streets

MISCELLANEOUS

23. Other: Please specify:
____
____

28. How does your husband/wife feel about staying in the neighborhood?

____

29. If you could afford to live in any neighbood in ____________ or the suburbs, which would you choose? Why?______________________

____

____

30. When you moved away from the neighborhood you lived in last, what were the important things that made you move? **(DON'T READ ANSWERS; JUST RECORD ALL ANSWERS BY CIRCLING APPROPRIATE NUMBERS.)**

HOUSE

1. House to be torn down
2. To set up own household: marriage
3. Landlord raised rent
4. Was evicted
5. House was old/dilapidated
6. Chance to get house or apartment with cheaper rent
7. Decided to buy/build
8. Needed smaller/bigger house
9. No children allowed by landlord

CHILDREN

10. No place for children to play
11. Didn't want children to associate with children here
12. Inadequate schools
13. Too far from schools

NEIGHBORS

14. Didn't like people there
15. Lower-class people moving in

NEIGHBORHOOD ENVIRONMENT

16. Neighborhood too dirty
17. Neighborhood too noisy
18. Too much traffic
19. Poor transportation
20. Shopping too far away
21. Neighborhood generally rundown
22. Neighborhood has no trees/green areas
23. Too far from work

MISCELLANEOUS

24. Other: please specify:

____

____

(If it seems reasonable to expect additional answers after the person has given you some answer, then ask something similar to the following: "Was there anything else that made you decide to move away from there?"

31. When you first decided to move to this neighborhood, was there any particular thing that made you feel you wanted to live here? **(DON'T READ ANSWERS; JUST RECORD ALL ANSWERS BY CIRCLING NUMBERS.)**

HOUSE

1. Rent was right
2. Good quality house
3. House was right size
4. Lot was wide enough

CHILDREN

5. Good school for children
6. Space for children to play
7. Close to school
8. Many young children around

NEIGHBORS

9. Young families our age here
10. "Our kind" of people lived here
11. All-white neighborhood
12. Older people our age lived here

NEIGHBORHOOD ENVIRONMENT

13. Neighborhood was clean
14. Neighborhood was quiet
15. Close to work
16. Good transportation
17. Shopping nearby
18. Close to church/organization
19. Neighborhood well-cared for
20. Neighborhood had trees/green areas
21. Close to park/playground
22. Not much traffic on side streets

MISCELLANEOUS

23. Other: Please specify: ______________________________

____

32. Do you think this neighborhood is any different now than it was when you first moved here?
1. No
2. Yes
32A. In what ways is it different? ______________________________

____

33. Now suppose for a while that a very good friend of yours was thinking about moving into this neighborhood. Let's suppose he/she is from another city and knows nothing about ______________ ______________ or this area, so he/she came to you to get certain information. First of all, would you advise him/her to buy a house in this neighborhood or to look elsewhere?

Buy__________ Look elsewhere__________

33A. Why would you tell him/her this? ______________________________

____

34. Suppose he/she asks you what kinds of people live in this neighborhood; what would you say?

____

Can you tell me more? ______________________________

35. Then suppose he/she asks: Do you think the neighborhood will be any different in the next *five years* or do you think it will remain pretty much the same?
1. Same
2. Different
35A. In what ways do you think it will be different?

____

____

Are there any other ways it might be different?

____

____

Just to be sure about what you've just told me, would you tell me whether you're satisfied or not satisfied about each of these things in your present neighborhood? (HAND CARD TO RESPONDENT; THEN READ EACH ITEM SEPARATELY AND RECORD ANSWER.)

	Very satisfied	*Satisfied*	*Don't know*	*Dissatisfied*	*Very dissatisfied*
36. Location of school	1	2	3	4	5
37. Transportation service	1	2	3	4	5
38. Availability of parks/playgrounds	1	2	3	4	5
39. Adequacy of city services	1	2	3	4	5
40. Street lighting	1	2	3	4	5
41. Side-street traffic	1	2	3	4	5
42. Shopping facilities	1	2	3	4	5
43. Cleanliness	1	2	3	4	5
44. Quietness	1	2	3	4	5

		Very satisfied	Satisfied	Don't know	Dissatisfied	Very dissatisfied
45.	Parking space	1	2	3	4	5
46.	Number of trees/green areas	1	2	3	4	5
47.	Appearance of yards/lawns	1	2	3	4	5
48.	Size of lots	1	2	3	4	5
49.	Pattern of streets	1	2	3	4	5
50.	Type of people moving into area	1	2	3	4	5
51.	Indoor recreational facilities	1	2	3	4	5

ANY ADDITIONAL COMMENTS ______________________________

IF RESPONDENT HAS SPECIFIED ANYTHING DISSATISFIED OR VERY DISSATISFIED, THEN ASK QUESTIONS 52, 53, and 54; OTHERWISE GO ON TO QUESTION 55

52. You've just mentioned one (several) thing(s) you're not satisfied with in your present neighborhood. Do you belong to any block or neighborhood organization that wants to improve conditions in your area?

1. Yes Name of group ______________________________

2. No

52A. Do you know of any such block or neighborhood organization you could join?

1. Yes

52B. What is the reason you haven't joined this block or neighborhood organization?

____

____

2. No

52C. If there were such a block or neighborhood organization, would you join?

1. Yes

2. No

53. Do you belong to any other groups or clubs?

1. P.T.A. ______________________________ (Name) ______________

2. Church ______________________________

3. Social club ______________________________

4. Other ______________________________

54. Have you tried to get any groups or organizations to do anything about some of the things you don't like in your neighborhood?

1. Yes Name of group ______________________________

2. No

3. Don't remember

ASK THIS QUESTION OF EVERYONE

55. Are you a registered voter at the present time?

1. No

2. Yes

55A. Did you vote in the last election for Mayor of ______________________________?

(Year? ________)

1. Yes

2. No

THAT'S THE END OF OUR MAIN SERIES OF QUESTIONS. I HAVE JUST A FEW MORE THAT WILL HELP US COMPARE THE ANSWERS OF DIFFERENT GROUPS OF PEOPLE.

56. Was the head of the family born in the ______________________ area or somewhere else?
   1. ______________________ area

   2. Somewhere else
      56A. In what size town or city or place did the head of the family live most of his (her) life before coming to ______________________?
         1. Farm or open country
         2. Village: under 2,500
         3. City: 2,500–24,999
         4. City: 25,000–99,999
         5. City: 100,000–499,999
         6. Metropolitan area: 500,000 or more
         7. Not sure

57. How far did the head of the house go in school?
   1. No school years completed
   2. Less than fifth grade
   3. 5–6 grades
   4. 7–8 grades
   5. High school: 1–3 years
   6. High school: 4 years
   7. College: 1–3 years
   8. College: 4 years or more
   9. Don't know

58. Would you look at this card (HAND CARD TO RESPONDENT) and tell me which of these comes closest to being your family's yearly income? Just tell me the number next to the closest answer.
   1. Under $2,000
   2. $2,000 to $2,999
   3. $3,000 to $3,999
   4. $4,000 to $4,999
   5. $5,000 to $7,499
   6. $7,500 to $9,999
   7. $10,000 and over

IN CASE I NEED TO CALL BACK ON ANYTHING, WOULD YOU MIND GIVING ME YOUR NAME AND TELEPHONE NUMBER?

Name of Respondent: Mr./Mrs./Miss
Respondent's Telephone Number

PLEASE NOTE CAREFULLY

After you have completed the interview, please answer these questions yourself:

59. Respondent was:
   1. Male
   2. Female

60. Respondent was:
   1. White
   2. Nonwhite

61. Respondent lived in:
   1. Single-family house
   2. Two-family flat
   3. Four-family flat
   4. Apartment on top of store
   5. Apartment house (five dwelling units or more)
   6. Other: Please specify:

PREFERENCES AND
FINANCIAL CAPACITY
OF FAMILY

QUESTIONNAIRE NO. 2

1. Address ______________________________ 2. Apt. No.____
4. Family name ____________________ 5. Race: Anglo-Amer.________, Negro
Head of Household: 6. U.S. Citizen: Yes______, No________ 7. Veteran: Yes____
9. Owner, if house not owner-occupied: Name____________

10. Family Members and Income Data:

Name	Relation to head	Sex	Age	Monthly income from wages
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				

List Additional Members on reverse side

HOUSING EXPENSE PER MONT

Tenants only:
11. Rent paid monthly . . . . $______
12. Total utilities monthly . . . . $______
13. Gross rent (sum of 11 and 12) . . . . $______
14. Gross rent able to pay . . . . $______
15. Desire to purchase a house? Yes_____, No_____
16. Able to pay on mortgage each month . . . . $______

Owner-occupied only:
17. Amount of mortgage . . . . $__________
18. Current monthly payments (incl. principal, interest, insurance, taxes) . . . . $__________
19. Total utilities, monthly . . . . $__________
20. Gross cost (sum of 18 and 19) . . . . $__________

Tenant-occupied
21. Furnit
Month
22. Autom
23. Total

Owner
24. Finan

Attitude: (owner
25. *Renter*
Mildly
Owner
Mildly

26. INTERVIEWER:

27. Analy

CITY____________
STATE ____________
PROJ. NO. __________

E NO. 2

ot. No.__________ 3. Block __________ Parcel (lot) __________
_, Negro __________, Latin Amer. __________, Other __________
: Yes ______, No ______ 8. Owner ______, Tenant ______
__________, Address ____________________

income wages	Other income (Monthly)	Remarks: (Regularity of employment and other income)

Total Income $____________

ER MONTH:

t-occupied or Owner-occupied:

21. Furniture and appliances, owned: Yes ____, No ________
Monthly payments: $_______, Balance due: $ ________

22. Automobile, owned: Yes ____, No ____

23. Total monthly obligations $________

24. Financial ability to renew property __________________
____

e: (owner and renter) toward property renewal:

25. *Renter:* Strongly favors ________, Likes idea ________
Mildly opposed ________, Strongly opposed ________
Owner: Strongly favors ________, Likes idea ________
Mildly opposed ________, Strongly opposed ________

27. Analysis:

APPENDIX B
(Small city)

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November 1960

URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE
6

residential property conservation standards

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

The comprehensive publications program of the Urban Renewal Administration consists of four parts:

URBAN RENEWAL MANUAL. Official Federal policies and requirements essential to implement the Federal urban renewal law. Intended for persons responsible for various phases of local renewal programs. Available on a subscription basis from the Superintendent of Documents, Washington 25, D.C.

THIS IS A TECHNICAL GUIDE. Advice and recommended procedures for carrying out local urban renewal programs. Intended primarily for professional, technical, and administrative staffs at all levels of government; consultants; and others actively engaged in the urban renewal process. *NOTE: Specific examples, cited as exhibits in Technical Guides, are by way of illustration only. Appropriate modifications may be necessary to make them applicable to other situations.* Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL BULLETIN. Primarily helpful informational and experience reports, directed to various urban renewal audiences or combinations of audiences, depending on the subject material. Most will be designed for the nonprofessional concerned with or involved in the urban renewal process. Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL NOTES. A bimonthly digest pointing to good techniques and unusual local approaches and success, and including summaries of pertinent URA program developments and publications. Articles will be brief paragraphs, often noting source of further information. Serves as a fact and idea exchange for technicians and novices alike. Available free from the Urban Renewal Administration, Washington 25, D.C., if you ask to be put on the mailing list.

All the last three of these publications are issued as a part of the Urban Renewal Service authorized by the Housing Act of 1954 to provide guidance for communities carrying out urban renewal activities.

This Technical Guide for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. - Price 15 cents.

RESIDENTIAL PROPERTY CONSERVATION STANDARDS

. . . *Need for property conservation standards*

. . . *Development of property conservation standards*

. . . *Quality components of individual properties*

. . . *Code standards*

. . . *Conservation requirements*

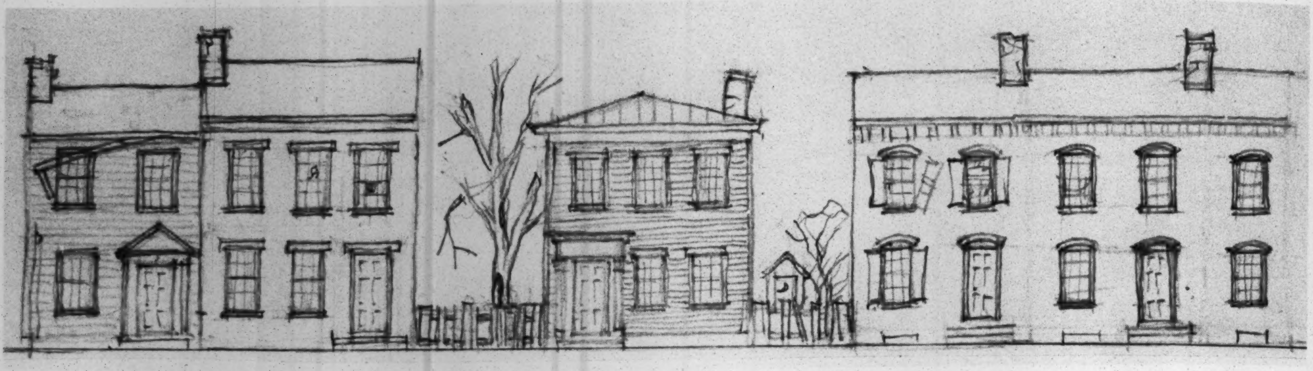
. . . *Formulation of property conservation standards for inclusion in official urban renewal plan*

. . . *Appendix*

The term "standard" has been defined as that which by custom, general consent, or authority sets up and establishes a rule for the measurement of quality.

As applied to defining adequate housing and environment, the formulation of standards is basic to the development of an operating program for the improvement of individual properties in urban renewal conservation areas.

In this discussion, we are concerned primarily with the physical condition of individual residential properties (including the grounds which go with the build-

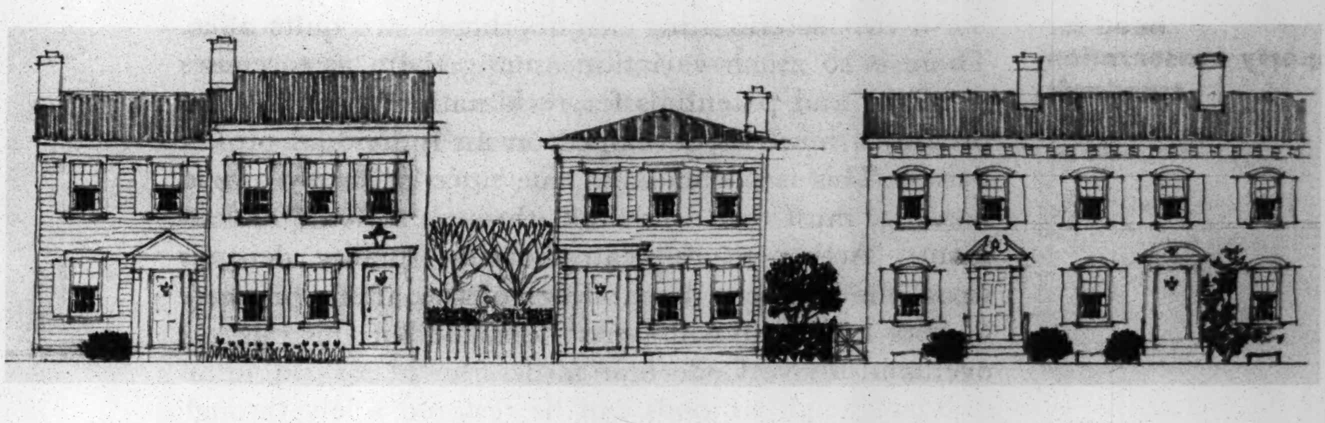


property conservation standards can transform these houses . . .

ings) in urban renewal conservation areas. Concentration on the improvement of individual properties, however, must not mean losing sight of the broader objective of a comprehensive urban renewal program, which is the creation of a *neighborhood* people enjoy looking at and are proud to live in—an environment which has the indefinable but easily recognizable quality of attractiveness for family living. Both of these are basic factors in the rejuvenation of neighborhoods.

In order to provide guidelines for positive action for conservation in urban renewal—like satisfying the requirements of laws, or obtaining support of lending institutions, or qualifying for FHA mortgage insurance, or making it worthwhile to spend public funds on neighborhood amenities—there must be a common understanding of the minimum that needs to be done to individual properties to achieve these purposes. Such guidelines are provided by the standards developed for the project—specific enough to achieve such understanding yet flexible enough to permit rational deviation as long as reasonable performance is obtained.

When, however, neighbors concur in minimum standards of home quality and begin to work toward their achievement, human nature adds to the process such instincts as pride of possession, competitive spirit, and even decorative impulses. The end result can and should be equal to or above *any* minimum standard. "Adequacy" and "acceptability" objectives change into "desirability." High-minded theory? No. Visible fact. It can be watched every day. Thus, voluntary



. . . so that they look like this.

action, as a result of persuasion, incentive, and example, is the essential ingredient of conservation which will meet, *and in the long run exceed,* basic minimum standards required for any kind of Federal assistance.

A NOTE ON TERMINOLOGY

As used in this text, the term

"Code Standards" means the requirements of local housing, building, plumbing, electrical, zoning, fire prevention, and other laws relating to housing construction and the use, maintenance, and occupancy of properties.

"Conservation Requirements" means the criteria in addition to Code Standards, which properties in the conservation area must meet to assure their restoration to a sound condition and their eligibility for long-term mortgage financing. Conservation Requirements may be either (1) the requirements which properties must meet in order to be eligible for FHA mortgage insurance under provisions of Section 220 of the National Housing Act, or (2) comparable requirements, if conventional mortgage financing is to be used. These requirements are developed in consideration of the physical conditions prevailing in the area and of the anticipated effect of the conservation program.

"Property Conservation Standards" means the combination of Code Standards and Conservation Requirements in a conservation area.

need for property conservation standards

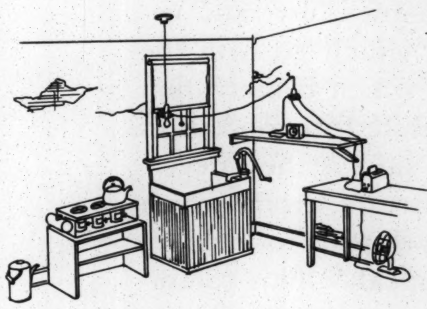
No two deteriorating neighborhoods are quite alike. There is so much variation among them as to causes of blight and potentials for reclamation that remedial programs must be developed on an individual project basis. This is particularly true since privately owned housing must be conserved through private investment. Action to re-create housing quality depends upon the financial capabilities of the area's property owners and their willingness to spend for this purpose over and above Code Standards.

Some neighborhoods can be restored solely through conservation and modernization of buildings to a condition of decency and attractiveness which will provide the amenities of family living and promote pride of residence in the area. If carried on over a whole neighborhood, house to house and block by block, conservation and modernization of buildings by itself, or in conjunction with certain supplementary public improvements financed entirely by local government, may actually produce overall environmental upgrading. An urban renewal project of this kind may need Federal aid only in the form of special FHA mortgage insurance for conservation and modernization. In such cases, the projects are referred to as "nonassisted," meaning that loans and grants for such purposes as property acquisition, demolition, and site improvements are not needed from the Urban Renewal Administration. This special mortgage insurance, however, is made available by the Federal Housing Administration only in areas for which an Urban Renewal Plan has been approved by the Urban Renewal Administration.

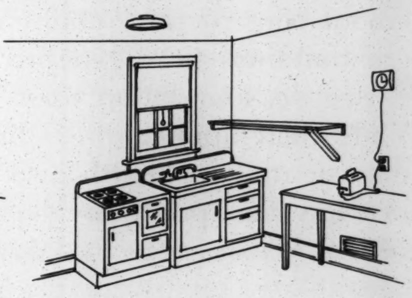
Other neighborhoods need more than a restoration of buildings to make the location desirable for family living. For example, extensive street improvements and modifications of traffic patterns may be essential. Demolition of some structures and provision of new neighborhood facilities may be indicated. There may be a variety of nonconforming uses and nuisances such as smoke, noise, and odors, detrimental to health or to the social life of the residents, which have to be eliminated. This type of project may require Federal urban renewal loans and grants under Title I of the Housing

Act of 1949 to make possible the environmental improvements. Such projects are termed "Title I-assisted," or, more briefly, "assisted."

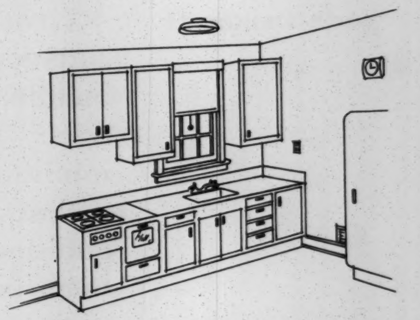
In either case, Federal support or participation of any kind is available only if the Property Conservation Standards to be attained are sufficiently high to assure that the useful life of the neighborhood will be extended for 20 or more years and to justify the costs involved. In the absence of such standards any public or private investment is likely to be imprudent.



a substandard kitchen



. . . improved to code standards



. . . improved to conservation standards

development of property conservation standards

quality components of individual properties

The commonly accepted ingredients of good housing provide the starting point for the formulation of Property Conservation Standards for homes. Among the most basic are:

- The property should be primarily residential in use.
- A dwelling unit should have within it adequate facilities and equipment, such as water closet, lavatory, tub or shower, kitchen sink, cooking facilities, hot and cold running water, drainage to sewage system, electrical service, and heating facilities. In addition, each dwelling unit should be provided with adequate space per occupant, light and ventilation, privacy, and safe and unobstructed means of egress.
- Structures should have adequate strength and rigidity. They and all their appurtenances should be weather resistant and protected against decay, insects, and other destructive influences.
- The lot on which a building stands should be free from threat of erosion, flood, and other hazards to health, safety, and welfare.

Such basic ingredients should be considered in the development of Property Conservation Standards. But the standards must nevertheless be realistic in terms of the economic capabilities of the residents as well as the prevalent conditions in the conservation area. Their achievement in many cases may require reexamination and revision of local codes and ordinances, a process in which HHFA Regional Office personnel can offer technical and professional advice upon request.

code standards

Laws about construction, maintenance, use, and occupancy of buildings (and grounds which go with the buildings) are the foundation upon which conservation rests. While their application is limited in concept to minimums essential to health and safety, they nevertheless provide the point of departure from which additional standards may be developed to achieve more in durability, quality, and appeal. This combination plus any needed environmental improvements results in an end product which is superior to that achievable through code enforcement alone, even though it is recognized that a code enforcement program is an essential tool in the process.

The enforcement of housing codes and ordinances performs indispensable functions in neighborhood conservation:

- The compulsory code minimum, from which no property in the neighborhood is exempt, establishes the impetus for achievement of more desirable standards. Since every property owner must do enough to achieve the minimum standard, it will be financially and psychologically worthwhile for many owners to do more. Enforcement thus is both a foundation and an incentive for voluntary action.
- More importantly in the long run, the administration of codes and ordinances is an instrument which will help to protect the neighborhood against the recurrence of blight once it has been eliminated.

The requirements of the local codes, therefore, must be sufficiently high and the enforcement of them must be sufficiently strict to assure these results.

Furthermore, the continued objective should be to have codes improved to the point where they will accomplish an even larger part of the total job. Where codes seem to be inadequate they should be revised upward.

ESSENTIALS OF A CODE ENFORCEMENT PROGRAM

If you are developing a code enforcement program, there are principles which must always be kept in mind. If any one of them is ignored or underemphasized, the program will not get off the ground. Furthermore, once a program is buried for the time being, nothing short of a miracle can resurrect it.

These principles are:

- *Get a good set of codes and ordinances if you have none, or make improvements, if they are needed, in the ones you have. Be sure the codes are reasonable from the standpoint of the people who must obey them. Resist "extras" intended to benefit special interests at the consumer's expense.*
- *Be sure the enforcement staff has enough trained people to do the job you expect of them.*
- *Make sure, through any and all means available to you, that you have the backing of John Q. Citizen for a program which he will agree is soundly conceived, realistically planned, and aggressively directed. Without his backing, you have nothing.*

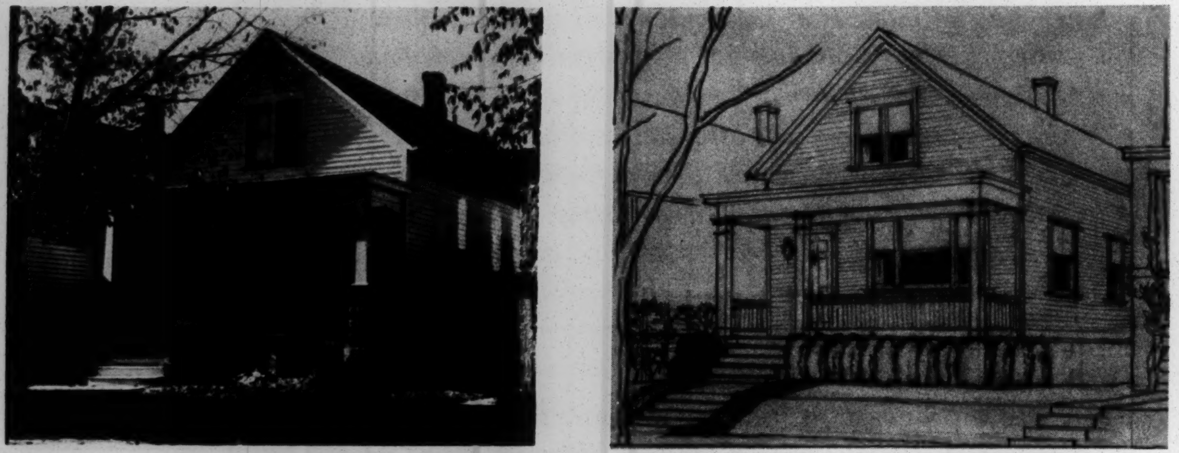
conservation requirements

FHA has a program of mortgage insurance for dwellings in urban renewal project areas. In most cases the use of this special program can contribute materially to project success.

FHA conservation requirements are based on certain general criteria which properties must ordinarily meet in order to be eligible for mortgage insurance. Recognizing that conservation areas vary, however, it is FHA policy that in the case of conservation areas compliance with these general criteria is present when planning, design, and construction together with existing work, provide decent, safe, and sanitary conditions. These conditions are judged on the basis of local codes and regulations as well as custom in the area and with a view to providing improved standards in living conditions.

In addition, anything which may be necessary to insure the likelihood of lasting appeal to the occupants for whom the housing is intended and to maintain the anticipated rentals or prices must be provided. In these respects each property must have characteristics which compare favorably with those found in competitive properties.

For each conservation project for which certification for FHA Section 220 mortgage insurance is anticipated, a Local Public Agency (LPA) for urban renewal operations should obtain HHFA Regional Office and FHA cooperation in developing a set of specific conservation requirements which will fulfill FHA's broad criteria *in the light of prevalent conditions in the particular area.* For an example, see Appendix.



In this case, exterior improvements for continued market appeal would mean: add window area, modernize porch and replace steps, repoint chimney, repaint, improve lawn and landscape.

FHA participation in the development of Property Conservation Standards will extend to outlining the actual work required in typical properties in the project area, based on application of FHA criteria to the particular conditions encountered there and on what is considered essential for continued market appeal. Tentative cost estimates are included in the analyses of typical properties. These examples may be used to show others in the neighborhood what is expected in the way of conservation and modernization for other properties of the same type and condition to make them eligible for FHA mortgage insurance.

If FHA assistance is not anticipated and conventional mortgage financing is to be used, requirements and examples comparable to those of FHA should be developed by the LPA and mortgage lending institutions in cooperation with the HHFA Regional Office.

formulation of property conservation standards for inclusion in official urban renewal plan

The LPA may include in its Urban Renewal Plan standards which are in addition to FHA or comparable requirements and which will further enhance the attractiveness and property values of the neighborhood. Such additional standards should, if included in the Urban Renewal Plan, be acceptable to the property owners in the area generally. All standards must be geared to the practical application to the existing physical condition of individual properties within the area. They must be financially realistic, since the cooperation of property owners depends on how much they are able and willing to spend. They should be stated in the simplest possible terms for maximum ease of understanding by property owners and occupants affected.

To the extent that the area property owners have a voice in the development of Property Conservation Standards, the prospects for project success are enhanced. Provision should be made for keeping the owners fully informed on proposals advanced and decisions reached about standards. In the principal stages of the process, their participation should be sought through whatever devices of contact and organization are most effective in the neighborhood.

In collaboration with the project property owners and with local code enforcement authorities, the LPA can organize for standards formulation. The technical resources of the HHFA Regional Office should be drawn upon at the earliest stages (i.e., before or immediately after the Survey and Planning Application is approved) and throughout project planning and execution as appropriate. The technical resources of the FHA Insuring Office should likewise be brought in if certification for Section 220 mortgage insurance is anticipated.

Continuous collaboration permits the development of tentative Property Conservation Standards for use early in the planning stage to identify buildings which are physically and financially feasible for conservation. It also facilitates any subsequent refinement or modification of the standards late in the planning stage. Such reassessment before establishing the final Property Conservation Standards will help assure realistic standards and resolve any problems encountered in working with on-site conditions.

Basic steps involved in developing Property Conservation Standards are:

- A review of the requirements of all codes and ordinances applicable to the structures and their surroundings.
- A determination as to whether the codes and ordinances are adequate or are defective in vital particulars, and whether their enforcement will in fact serve the purposes described above. If necessary, adoption, revision, or amplification of Code Standards needed to carry out the project activities.
- Formulation of the Conservation Requirements based on physical inspections and determinations of (1) work that typically needs to be done and (2) how much it will probably cost to assure the conservation of the properties to long-term sound condition. The property improvement needs to be sufficient to make these properties eligible for either FHA mortgage insurance or for conventional mortgage financing if FHA assistance is not anticipated.
- Agreement by the interested parties, governmental and private, that the achievement of the Property Conservation Standards will result in a neighborhood with lasting appeal to the occupants for whom the housing is intended.
- Incorporation of the Property Conservation Standards in the official Urban Renewal Plan for the project area.

APPENDIX

PROPERTY CONSERVATION STANDARDS

NOTE: This form illustrates the types of information usually covered in Property Conservation Standards. It should serve only as an example to be adapted as required in individual situations.

Code Standards [1]

All properties in the project area must comply with the standards set forth in all applicable laws, codes, ordinances, and deed restrictions. The basic standards governing housing are derived from the Housing Law of (State __________, Act __________) as amended. This Law regulates the light, ventilation, sanitation, fire protection, maintenance, alteration, and improvement of dwellings. At the local level, the official Building Code of the City of __________, Ordinance Chapter __________ of the Compiled Ordinances of __________ was enacted to regulate buildings and safety. An article containing provisions similar to the State Housing Law is part of this Ordinance as Article __________ of the Building Code under the title Housing Code. Appropriate references are made in the Housing Code to other codes, pertinent laws, and ordinances and regulations in other departments for more detailed and specific standards in support of the basic standards contained in the Housing Code.

Conservation Requirements [1]

Parts A and B of the appended FHA Property Improvement Requirements for Section 220 Mortgage Insurance comprise an official part of the Property Conservation Standards of this Urban Renewal Plan and are applicable to every property within the project area. Part C is information for property owners and does not constitute a part of the Urban Renewal Plan.

Federal Housing Administration (Date)__________
(Name)__________ Insuring Office

PROPERTY IMPROVEMENT REQUIREMENTS FOR SECTION 220 MORTGAGE INSURANCE

(Name)__________ Urban Renewal Area
(City and State)

The following is provided for the information of owners and others concerned with mortgage insurance under Section 220 in connection with properties involving renewal in the _____ (Name) _____ Urban Renewal Area. *Part A* lists applicable requirements. *Part B* is provided to clarify FHA's position with respect to the acceptability or nonacceptability of certain major conditions or features noted in typical properties in the area about which there may be some doubt. *Part C* contains examples of renewal of typical properties, suggesting possible renewal of similar properties, although variations in condition and arrangement, as well as price or rental expectancy, may alter the extent of change and refurbishing that would be necessary.

Part A

1. Properties to be renewed must comply with the General Acceptability Criteria of the FHA Minimum Property Standards and meet the objectives of all other requirements as interpreted by FHA. In addition:

   a. In properties having not more than two living units, *proposed construction*, other than repairs, alterations, and additions to existing structures, shall comply with the Minimum Property Standards for Properties of One or Two Living Units.

   b. In properties having three or more living units, *new structures* or additions to existing construction shall comply with all specific requirements of the Minimum Property Standards (MPS) for Properties of Three or More Living Units except that modifications meeting the objectives of the MPS are permissive, when necessitated by existing conditions which are to remain.

2. Under Section 220(d)(3)(A), properties shall contain not more than 11 living units at completion; under Section 220(d)(3)(B), properties shall contain five or more living units at completion.

3. Properties must comply with applicable laws, codes, ordinances, and deed restrictions.

4. *The property at the completion of renewal must be safe and sound in all physical respects and be refurbished and altered to bring the property to a desirable marketable condition which will continue during the life of the mortgage.* The extent to which existing work may be used or new work required must be determined in each instance as may be necessary to meet the desired objectives. In this regard, characteristics of living unit ar-

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[1] Illustrative of FHA requirements. Comparable requirements may be developed with mortgage lending institutions if FHA assistance is not anticipated.

rangement, design, finish, equipment, and other building features shall be judged on the basis of suitability for the renewal property and appeal to the determined market segment. The *acceptability of individual properties will be determined by FHA on the basis of the needs and merits of each case as presented.*

5. *Nonresidential Use.* Any nonresidential use of the property shall be subordinate to the residential use and character of the property.

In properties having not more than four living units, the area of nonresidential space including storage related to such use shall not exceed 25% of the total floor area of the structures on the property. In properties of five or more living units, the floor area devoted to nonresidential use, other than garage space essential to the needs of the occupants, shall not exceed 10% of the gross area devoted to residential use, including public halls and elevators. Laundry, garage space for tenants, storage rooms, and other service space remote from living units but essential to residential use and occupancy, as well as basement storage or service space essential to nonresidential occupancy, are not considered in the foregoing. The nonresidential use must conform to good standards of planning and zoning, should be beneficial, without being detrimental, to the residential use of the project, and should provide for the dispensing of services and the marketing of goods needed by the residential tenants of the proposed project, as well as the neighborhood.

Part B

When appropriate to the class of dwelling, the following features of questioned acceptability will be considered acceptable:

1. Access to a required bathroom from any room, except a bedroom in a living unit having more than one bedroom.
2. Main entrance doors 2′8″ or more in width.
3. Living units having not less than two habitable rooms or "efficiency" living units consisting of one principal room and accessory spaces and complete living facilities.
4. Side yards or courts where a required window of a habitable room, other than a living room, faces a wall and the distance is not less than 3 feet if the opposing wall is one story, or 6 feet if two story. Distances include permanent open space on adjacent property and assume clear opening to the sky. Adequacy of yards and courts when opposing wall exceeds two stories will be determined on the basis of width, height, and effect of length as well as nature of rooms opening thereon.

Features noted in the Renewal Area which are not acceptable in any property

1. Dirt floors (in garage and basements).
2. Baths and kitchens serving more than one family.
3. Terra Cotta bell pipe chimneys.
4. Access to bathroom from outside a living unit.

Part C

Examples of Improvements of Typical Properties

The following examples show renewal necessary for maximum valuation and mortgage. The work involved in these and similar properties may vary within the scope of FHA requirements and objectives if desired by the owners and appropriate to the condition of property and the application submitted.

Type: 2 Fam., Br. Row—2 sty., and basement.

Location: 589–1st Street.

Exterior. Remove frame extension at rear. Clean brick front. Paint rear brick wall. Replace basement windows and front entrance door. Paint windows, doors, and railings.

Interior. Rebuild bathrooms on 1st and 2nd floors, providing 3 new fixtures in each, new branch wastes and vents, tile floor and 4′ tile wainscot. Replace all water pipe. Provide automatic gas water heater. Install 5/16″ hardwood floors, linoleum over plywood in kitchens. Patch and paint all walls and ceilings throughout. Enamel or varnish woodwork throughout. Install new kitchen sink. Install 1 extra circuit with 6 receptacles in each living unit. Install one 36-inch range and one 8 cu. ft. refrigerator in each living unit.

Type: 4 Fam., Br., Wd. fls., Semi-Det., 2 sty., and basement.

Location: 329–9th Street.

Exterior. Install new cement finished concrete walk and steps. Paint exterior millwork and metal. Clean brickwork. New roof—equal 10-yr. bonded type, G. I. gutter and downspouts.

Basement. Remove rubbish. Provide metal lath and plaster ceiling. Whitewash walls. Patch floor.

Ent. Vestibule. Provide tile floor and wainscot. New mailboxes.

Public Halls. Reinforce framing at stair well. Patch wall and ceiling plaster. Provide new stair railing, sanitary composition base. Refinish floor. Paint walls, ceilings, wood, and metalwork.

Living Units. Provide new combination sink and tray in kitchens, 36-inch gas ranges, 8 cu. ft. refrigerators, 8 lin. ft. of wall and base cabinets, linoleum floors. Refinish floors. Provide new apartment entrance doors, solid core wood, self-closing hinges. Install new bathrooms in each living unit including ceramic tile floor and wainscots, and 3 fixtures and medicine cabinet in each.

General. Patch and paint all walls and ceilings. Paint all interior woodwork (enamel in kitchens and baths). Install additional electric circuit with 6 receptacles in each living unit. Provide automatic oil or gas heating boiler. Provide domestic hot water, winter-summer hookup, or separate automatic water heater.

Landscape. Sod and plant front yard. Clean up rear yard.

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March 1961

URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE

7

residential property surveys in conservation areas

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

The comprehensive publications program of the Urban Renewal Administration consists of four parts:

URBAN RENEWAL MANUAL—Official Federal policies and requirements essential to implement the Federal urban renewal law. Intended for persons responsible for various phases of local renewal programs. Available on a subscription basis from the Superintendent of Documents, Washington 25, D.C.

THIS IS A TECHNICAL GUIDE—Advice and recommended procedures for carrying out local urban renewal programs. Intended primarily for professional, technical, and administrative staffs at all levels of government; consultants; and others actively engaged in the urban renewal process. *NOTE: Specific examples, cited as exhibits in Technical Guides, are by way of illustration only. Appropriate modifications may be necessary to make them applicable to other situations.* Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL BULLETIN—Primarily helpful informational and experience reports, directed to various urban renewal audiences or combinations of audiences, depending on the subject material. Most will be designed for the nonprofessional concerned with or involved in the urban renewal process. Available from the Superintendent of Documents, Washington 25, D.C.

URBAN RENEWAL NOTES—A bimonthly digest pointing to good techniques and unusual local approaches and success, and including summaries of pertinent URA program developments and publications. Articles will be brief paragraphs, often noting source of further information. Serves as a fact and idea exchange for technicians and novices alike. Available free from the Urban Renewal Administration, Washington 25, D.C., if you ask to be put on the mailing list.

All the last three of these publications are issued as a part of the Urban Renewal Service authorized by the Housing Act of 1954 to provide guidance for communities carrying out urban renewal activities.

This Technical Guide for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. - Price 20 cents.

RESIDENTIAL PROPERTY SURVEYS IN CONSERVATION AREAS

. . . General principles governing surveys
. . . Purposes of property surveys
. . . Scope of surveys
. . . Records of surveys
. . . Exhibits

This discussion is limited to investigations of the physical aspects of individual residential properties including the buildings and the ground upon which they stand. It is primarily concerned with Federally-assisted conservation programs, although its content would also be valid for an entirely local program.

In addition to identifying principles which ought to be observed, this publication deals with the purpose, scope, and scheduling of such surveys. It also includes guide forms that incorporate elements of the general type of information needed.

general principles governing surveys

- The number, scope, and extent of surveys should be kept to the essential minimum. This means locating and utilizing existing data to the fullest extent possible. Census data, existing local official records, and previous surveys made for other purposes may contain a considerable amount of useful data, particularly in the early planning phase of the project. Duplication of effort should be avoided wherever possible and information gathered in the planning stage should be utilized to the maximum in project execution.

- There is a sharp distinction between surveys essential for planning purposes and those which are steps in the execution of a project. Surveys in the planning stage are for the primary purpose of area selection, for determination of appropriate treatment of properties, and for the making of reasonable estimates of the costs and the benefits that will accrue. Such surveys may also provide information useful in determining project eligibility. Those in the execution stage must be more complete and comprehensive. The information produced by them must be of a character and quality to guide positive actions in resolving specific problems.
- Surveys must be conducted by qualified personnel—people trained and experienced in building technology and construction costs. A comprehensive knowledge of developments in the fields of new materials and of construction methods is necessary to realize the full potential and to avoid pitfalls in conservation of buildings.
- Good community relations are fostered by reducing inconvenience to property owners and tenants which would arise from multiple inspections of the same property at different times.

purposes of property surveys

The prime purpose of surveys of individual properties is to reach sound decisions with respect to the action to take in regard to them.

In the planning of urban renewal projects, the survey serves:

- To help in area delineation and the determination of the eligibility of an urban renewal area or any section of it.
- To help in the determination of the treatment of an urban renewal area or any section of it.
- To help determine the extent of demolition as a basis for planning decisions.
- To help provide information on family displacement as a basis for preparing a realistic relocation plan.
- To establish property standards for conservation realistically related to the condition of existing buildings.

This will form a sound basis for mortgage insurance and assure an adequate return on the investment.

- To provide guidance which forms a basis for conclusions that property conservation objectives can be successfully accomplished.
- To facilitate estimating project cost.

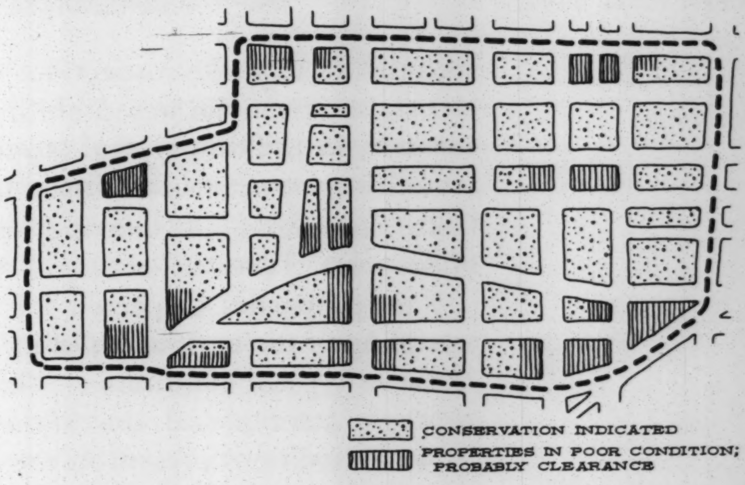
In the execution of urban renewal projects, the surveys serve:

- To identify deficiencies in individual properties and provide a basis for taking corrective action on them.
- To advise property owners of the deficiencies in the structures and their surroundings.
- To advise property owners generally on ways of making the improvements.

scope of surveys

Due to variations in area characteristics and the amount of data concerning them which is locally available, the scope of surveys will vary from community to community and from area to area within a community. Schedules and methods for making both exterior and interior surveys should be developed by the Local Public Agency (LPA) responsible for urban renewal, in collaboration with the HHFA Regional Office, the local FHA Insuring Office, and local code enforcement officials.

Usually at different stages of a Federally-assisted conservation project there will also be variations in the degree of refinement of data needed. These variations are described for each stage on the following pages.



Proposed Project Area

A. *Before Approval of Survey and Planning Application*

Use of existing data and limited exterior examinations are important to certain preliminary determinations. These determinations include selection and delineation of a project area and the suitability of conservation.

It is desirable to make quite early surveys to formulate *tentative* Property Conservation Standards. If FHA mortgage insurance is contemplated, it is of the utmost importance that FHA advice and collaboration be obtained at the outset. FHA is prepared to assign field technicians to make inspections of typical properties for ascertaining general acceptability of the area for this insurance, identifying typical repairs and remodeling that would be required in addition to those needed to meet Code Standards, and making tentative estimates of cost of property conservation.

Inspect properties such as these three houses selected as representative of building types and conditions in a project area; identify typical repairs required and remodeling possibilities. See Pages 8 and 9 for an idea of the improvements that could be made. (Photographs courtesy of the Build America Better Committee of the National Association of Real Estate Boards).

The properties inspected for this purpose will be a sampling of the various building types in the area, using those in typical condition. The sampling will be fully representative of all the various building types and typical conditions present in the particular area. Based upon this sampling, the FHA Insuring Office in collaboration with the LPA and HHFA Regional Office will prepare the FHA requirements which the properties in the area must meet to assure their eligibility for mortgage insurance under Section 220 of the National Housing Act. The FHA requirements should be used in establishing tentative Property Conservation Standards and submitted with the Survey and Planning Application.

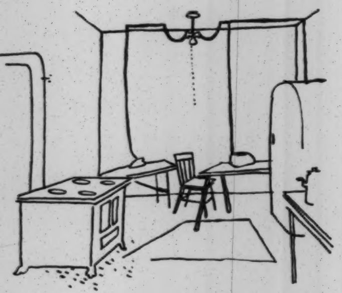
It should be kept in mind that FHA investigations in the preapplication stage do not automatically guarantee commitments on properties in the project. FHA must investigate each individual property before commitment for loan mortgage insurance for the property can be made. Such investigations take place in the project execution stage.

B. *Between Survey and Planning Application Approval and Submission of Application for Loan and Grant*

Early in project planning it is desirable to start classifying buildings in the project area for their appropriate treatment. Using the tentative Property Conservation Standards as guides, each property should be classified as:

1. "Standard," when obviously not in need of any conservation treatment.

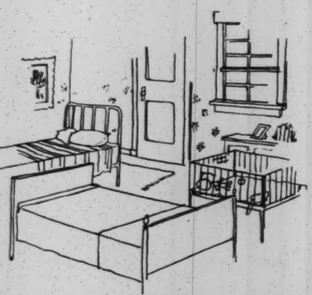
2. "Conservable," when it is apparent that the estimated cost of conservation plus the initial value of the property will not exceed its value after conservation. The estimated cost of conservation should


. . . *inadequate electrical wiring*

be based upon the tentative Property Conservation Standards. The initial value of the property should be based upon the price at which the property could be sold under legal occupancy restrictions.

3. "Demolish," when it is apparent that the estimated cost of conservation necessary to bring the property up to code standards plus its initial value with the legal number of occupants and dwelling units will exceed its value after conservation.

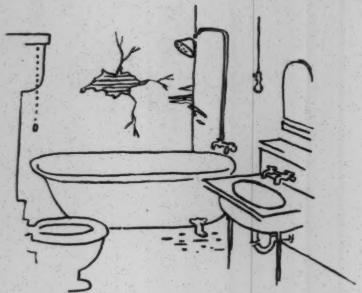
4. "Undetermined," when it is not apparent into which of the above three categories a property will fall without still closer analysis of the condition of the building.


. . . *inadequate space and ventilation*

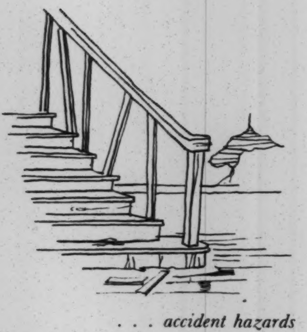
The first step in classifying properties according to these categories is an exterior examination of *all* properties in the project area by qualified technicians.

With only a limited exterior examination, many properties can be placed in the "demolish" category because of their obviously poor condition, or in the "standard" or "conservable" category because of their obviously good condition. An additional number of properties can be placed in these categories by a thorough exterior examination.

The remaining properties fall into the "undetermined" category where an interior examination is needed to resolve their status.


. . . *obsolete plumbing fixtures*

In the final phase of project planning a reasonably firm decision is needed on all properties in the project area to be demolished or conserved. Interior surveys thus are needed for a sufficient number of properties still remaining in the "undetermined" category so as to leave no doubt as to the type of treatment to be taken in regard to each portion of the project area. Estimates of the cost of conservation and appraisals of existing values and values after conservation of a representative number of properties may be made. This should be done to the extent needed to make determinations as to whether the values resulting from conservation will warrant the expense involved.


. . . *accident hazards*

At this time, the findings of the "property surveys" should be considered with those of the "family surveys" in determining the feasibility of conserving individual properties and the establishment of final Property Conservation Standards. The information gathered in both surveys can serve as a basis for review by HHFA, the LPA, FHA, local code enforcement officials, cost estimators, and appraisers to make determinations such as:

- Whether the area can be a feasible conservation project.
- Whether the tentative Property Conservation Standards are realistic in terms of lasting improvement, extended building life, and financial capabilities and willingness of owners and tenants.
- What adjustments must be made in the tentative Property Conservation Standards to make a feasible project. For example, will a significant number of additional buildings be salvable by sound and practicable moderation of these standards?
- What realistic adjustments can be made in the tentative Property Conservation Standards to make the project better. For example, do the property surveys indicate the need for additional provisions to augment these standards?

C. *During the Project Execution Stage*

Upon approval of a loan and grant contract between the LPA and HHFA, a program needs to be launched to determine the specific improvements needed for each project to meet Property Conservation Standards. (These property surveys may also be initiated in the late stages of preparation of the Survey and Planning Application, with the approval of the HHFA Regional Office.) Every dwelling unit and its premises in the project area should be the object of both an exterior and interior physical examination.

Thorough examination and analyses should be conducted:

1. To enable positive decision on treatment of each individual property in the project area.
2. To identify positively the specific improvements necessary to bring the property to both Code Standards and Property Conservation Standards. After these are identified, the property owners should be advised in writing of the needed improvements.
3. To provide reliable cost estimates of the improvements necessary to bring the property to both

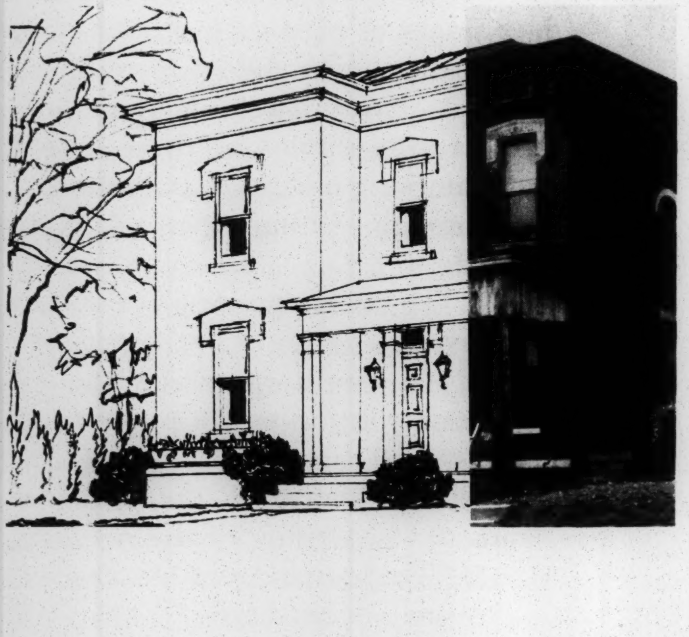
Code Standards and Property Conservation Standards.

4. To provide reliable appraisals of the increased value of properties based upon planned neighborhood improvements and conservation of properties to both Code Standards and Property Conservation Standards.

5. To verify compliance with both Code Standards and Property Conservation Standards.

This program goes beyond the analysis of property condition and identification of specific improvement items. It means informing property owners of these details in a way that will arouse cooperation instead of resentment.

Owners are almost certain to ask for reasons for the work in addition to cost approximations. Survey personnel should be prepared either to satisfy such requests or to refer the owner promptly to the place where the necessary information is available. Moreover, the informing process leads up to and may include demonstrations of financial advantages and, more importantly, the improvement in livability and attractiveness of the neighborhood resulting from conservation activities.



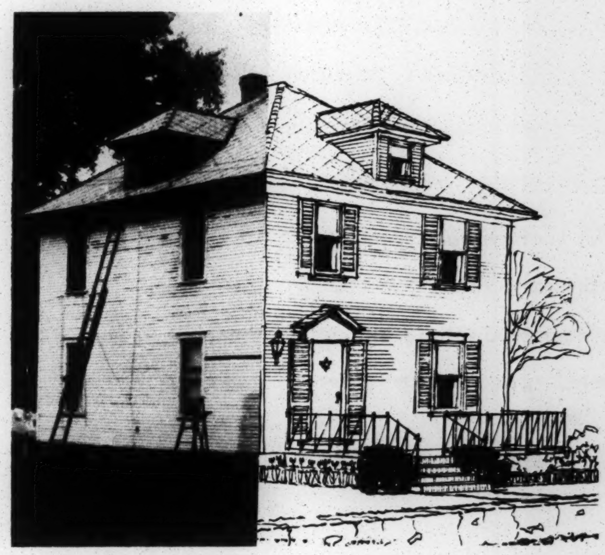
Sound older houses such as these selected for inspection (See Pages 4 and 5) can be brought back to new life and usefulness. Sometimes it takes major remodeling; sometimes landscaping and a coat of paint will do the job.

records of surveys

Adequate and accurate records should be kept of all survey information to assure prompt and uniform action in every case. Much of the information collected in the earliest periods will also be useful in later phases. Using fully qualified personnel from beginning to end will further these aims as will the use of survey forms designed to record information gathered at both the earlier and later phases of the project.

Noting the condition classification of each building on a Sanborn-type map on the first examination of the proposed project area has proven extremely useful to many communities. The symbols S, C, D, and U may be used for Standard, Conservable, Demolish, and Undetermined. The map may be kept current and up to date as more detailed examinations are made and corrective actions taken.

The attached forms are a guide to the general type of information needed in various stages of project planning and execution. They are not intended to be used "as is." Each locality should develop the forms which will best suit its own operations.



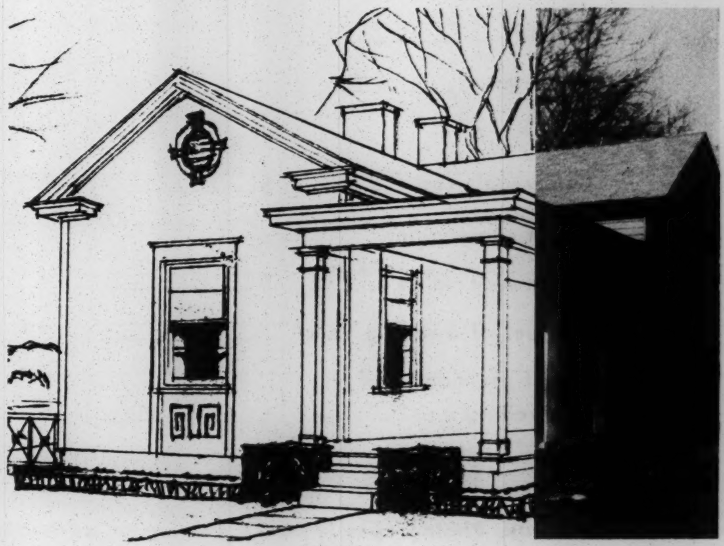


EXHIBIT 1

RESIDENTIAL PROPERTY SURVEY

SUMMARY DATA

(This form illustrates the type of summary and general data that would be most useful to administrative personnel in the program.)

File No. ______________________________
Project No. ___________________________
Date _________________________________

Location and Type of Property:

Address ____

Legal Description: Lot ____________ Block ________ Subdivision ____________________

Name and Address of Property Owner ____

Zoning _____ Type of Use: 1-family duplex multi-family commercial industrial
Number of dwelling units ______________________________________
Description ____
Accessory uses ____

Occupancy by: Owner ☐ Tenant ☐ Vacant ☐

Property Classification:

Standard ______________

Conservable ______________

Demolish ______________

Undetermined ______________

Cost Data:

Conservable cost . . . . $ ___________

Before conservation	*After conservation*
Appraiser's value . . . . $ ___________	Appraiser's value . . . . $ ___________
Number of dwelling units . . ___________	Number of dwelling units . . ___________
Rental per month per dwelling unit . . . . $ ___________	Rental per month per dwelling unit . . . . $ ___________

Remarks:

Attachments: Photographs (where necessary or advisable)
Simple Sketch Floor and Plot Plans (where necessary and advisable—use of cross-section paper highly advantageous)

EXHIBIT 2

LIMITED EXTERIOR RESIDENTIAL PROPERTY SURVEY

(This form illustrates the type of information that might be obtained by a partial exterior examination.)

Located at ______________________ File No. ______________________

Owner's Name ______________________ Project No. ______________________

Owner's Address ______________________ Date of Inspection ______________________

Census Tract __________ Block No. __________ Bldg. No. ______ Surveyed by ______________

A. Structural Hazards:

1. Foundation ______________________
2. Flooring or Floor Supports ______________________
3. Walls ______________________
4. Roofs or Roof Supports ______________________
5. Chimneys ______________________
6. Porches and Outside Stairs ______________________
7. Doors and Windows ______________________
8. Gutters and Downspouts ______________________

B. Wiring Hazards ______________________

C. Sanitation ______________________

D. Exit Facilities: Adequate ☐ Inadequate ☐

E. Violation of Yard Requirements and/or Setbacks:

____

____

____

____

____

F. Other Comments: ______________________

____

____

____

EXHIBIT 3

COMPREHENSIVE EXTERIOR RESIDENTIAL PROPERTY SURVEY

(This form illustrates the type of information that might be obtained by a complete and detailed exterior examination.)

File No. ____________________
Project No. ____________________
Date ____________________
Address of Property ____________________ Surveyed by ____________________

1. Foundation
   a. Footings ____________________
   b. Foundation walls ____________________
   c. Girders, beams, sills, grade-beams, posts, columns, piers ____________________
   d. Incidental items below first floor (incl. termite shields, access doors, vents, chutes, windows, grating, railings, footing drains, board partitions and curbs, steps, pits) ____________________
2. Chimneys
   a. Masonry chimneys ____________________
   b. Specially fabricated chimneys or flues ____________________
3. Exterior Walls
   a. Stud framed (incl. sheathing, siding, shingles, painting, etc.) ____________________
   b. Masonry veneer over stud framing ____________________
   c. Masonry ____________________
4. Floor Framing
   a. Joists, hangers, bridging, nails ____________________
   b. Slabs ____________________
5. Roofing
   a. Roof covering materials ____________________
   b. Valleys (incl. boarding, stripping, etc.) ____________________
   c. Flashings at intersections of roof and wall surfaces ____________________
   d. Skylights and scuttles ____________________
   e. Fascia boards, eaves, and soffits ____________________
6. Gutters and Downspouts
   a. Gutters ____________________
   b. Downspouts ____________________
   c. Splash blocks and downspout connections to drains ____________________
7. Windows
   a. Windows (incl. frame, sash and glass, trim) ____________________

EXHIBIT 3—Page 2

8. Entrances and Exterior Detail

   a. Exterior doors (incl. main entrance door-motif side lights and transoms, other exterior doors, garage doors, screen doors, threshold or door saddles) ______

   b. Exterior detail (incl. cornices, blocking, porches, hoods, small dormers, shutters, louvers and gable sash, etc.) ______

9. Stairs

   a. Main stair (incl. walkway, framing, finish, rails) ______
   b. Basement stair ______
   c. Porch or balcony stair ______
   d. Reinforced concrete stair ______

10. Miscellaneous

   a. Status of secondary or accessory buildings located on parcel ______
   b. Fences ______
   c. General landscaping and other on-site improvements present or needed ______

EXHIBIT 4

RESIDENTIAL PRO

(This form represents the most complete and d

Located at ______________________________

Owner's Name ______________________________

Owner's Address ______________________________

Census Tract ________ Block No. ________ Property No. ________

ITEMIZED BREAKDOWN OF REQUIR

WORK ITEMS	EXISTING COND
1. Excavation	
a. Trench	________
b. Grading of crawl spaces	________
c. Backfill	________
2. Foundations	
a. Footings	________
b. Foundation walls	________
c. Girders, beams, sills, grade-beams, posts, columns, piers	________
d. Incidental items below first floor (incl. termite shields, access doors, vents, chutes, windows, grating, railings, footing drains, board partitions and curbs, steps, pits)	________
3. Chimneys	
a. Masonry chimneys	________
b. Specially fabricated chimneys or flues	________

TIAL PROPERTY ANALYSIS

lete and detailed exterior and interior sort of analysis.)

File No. ____________________

Project No. ____________________

Date of Inspection ____________________

Surveyed by ____________________

OF REQUIRED REPAIRS AND IMPROVEMENTS

TING CONDITION	WORK REQUIRED	ESTIMATED COST

EXHIBIT 4—Page 2

WORK ITEMS	EXISTING CONDIT
4. Fireplaces, if existing: retain ☐ remove ☐	
a. Masonry fireplaces	
b. Metal fireplace units	
5. Exterior Walls	
a. Stud framed (incl. sheathing, siding, shingles, painting, etc.)	
b. Masonry (incl. masonry, poured concrete, exterior stucco, painting, etc.)	
c. Masonry veneer over stud framing (incl. painting, framing, backing, etc.)	
d. Incidental masonry items (incl. lintels, reinforcing steel, perimeter beams, non-wood door and window sills, flashing, rafter plate, coping)	
6. Floor Framing	
a. Joists, hangers, bridging, nails	
b. Slabs, forms, etc.	
c. Basement floor or other slabs on ground	
7. Subflooring (incl. nails, sleepers, sleeper fill) . . .	
8. Finish Flooring (incl. wood, nails, sanding or scraping, finishing,—but not tile, linoleum, other special flooring or subflooring—see item 21) . .	
9. Partition Framing (incl. closets)	
a. Stud framing	
b. Masonry	
c. Lintels for masonry partitions	

IG CONDITION	WORK REQUIRED	ESTIMATED COST

EXHIBIT 4—Page 3

WORK ITEMS	EXISTING CONDITION
10. Ceiling Framing	
a. Joists, nails	
b. Strongbacks (incl. hangers or cleats)	
c. Hangers for suspended ceilings	
11. Roof Framing	
a. Rafters and joists, ridge pole, hip and valley rafters, collar beams, nails	
b. Purlins and braces, nails	
12. Roofing	
a. Roof covering materials	
b. Valleys (incl. boarding, stripping, etc.)	
c. Flashings at intersections of roof and wall surfaces	
d. Skylights and scuttles	
e. Fascia boards, eaves, and soffits	
13. Gutters and Downspouts	
a. Gutters	
b. Downspouts	
c. Scuppers and leader heads	
d. Splash blocks and downspout connections to drains	
14. Lath and Plaster	
a. Lath, plaster, cornerites, corner beads	
b. Wallboard or other finish materials, taping or other joint treatment, nailing strips, fastenings	
c. Furring	
d. Plaster cornice or cove (incl. lath)	

CONDITION	WORK REQUIRED	ESTIMATED COST

Exhibit 4—Page 4

WORK ITEMS EXISTING CONDITION

15. Decorating (incl. finish and coverings applied to interior walls and ceiling surfaces but not painting of millwork or floor finishing) . . . . ______

16. Interior Doors and Trim
    a. Interior doors (incl. frame, trim, glass, hardware, plaster grounds, and painting) . . . . . . ______
    b. Cased openings . . . . ______
    c. Running trim such as base and shoe mold, chair rail, picture mold, and interior wood cornice . . . . ______

17. Windows
    a. Windows (incl. frame, sash and glass, trim, plaster grounds, rough and finish hardware, interior and exterior paint, and flashings at sill or cap) . . . . ______
    b. Window screens . . . . ______
    c. Caulking of frames . . . . ______

18. Entrances and Exterior Detail
    a. Exterior doors (incl. main entrance door, motif side lights and transoms, other exterior doors, garage doors, screen doors, thresholds or door saddles, caulking of frames) . . . . ______
    b. Exterior detail (incl. cornices, blocking, porches, hoods, small dormers, shutters, louvers and gable sash) . . . . ______

19. Cabinets and Interior Detail
    a. Kitchen cabinets (incl. base units, counter tops, wall units, sink cabinets and fronts) . . . ______

CONDITION	WORK REQUIRED	ESTIMATED COST

EXHIBIT 4—Page 5

WORK ITEMS | EXISTING CONDITION

19. Cabinets and Interior Detail—Continued
    b. Medicine cabinets . . . . ________
    c. Other cabinets, closets, etc., for special purposes . . . . ________
    d. Clothes closet equipment . . . . ________

20. Stairs
    a. Main stair (incl. walkway, framing, finish, rails) . . . . ________
    b. Basement stair . . . . ________
    c. Attic stair . . . . ________
    d. Disappearing stair . . . . ________
    e. Built-in ladder . . . . ________
    f. Porch or balcony stair . . . . ________
    g. Reinforced concrete stair . . . . ________

21. Special Floors and Wainscot
    a. Finish flooring other than wood . . . . ________
    b. Special interior door saddles or thresholds . . ________
    c. Wainscots . . . . ________
    d. Base not part of wainscot . . . . ________
    e. Bathroom accessories . . . . ________

22. Plumbing
    a. Within the structure for each dwelling unit
        1. Single bathroom and kitchen installation (incl. bathtub, watercloset, lavatory sink, laundry tray, one soil and vent stack, and established length of house drain including excavation and backfill, water piping, valves, sill cocks) . . . . ________
        2. Additional installations duplicating above . ________

CONDITION	WORK REQUIRED	ESTIMATED COST

Exhibit 4—Page 6

WORK ITEMS	EXISTING CONDITI
22. Plumbing—Continued	
3. Water heater and connections	
4. Gas distribution system	
5. Floor drains including connections	
6. Sill cocks (incl. stop and waste valve and connection to cold water piping)	
7. Alternate and additional fixtures (incl. shower cabinet, receptor, etc.)	
8. Accessory equipment (incl. softeners, filters, traps, sewer back water valves) . . .	
9. Installations for other single-family dwellings	
b. House sewer (incl. pipe, fittings, excavation, backfill, street opening, pavement repair, tap charge from outside foundation wall to sanitary sewer)	
c. House water service (same as above to water main)	
d. Gas service connection (same as above to gas main)	
e. Individual gas supply	
f. Individual water supply system	
g. Individual sewage disposal system	
h. Exterior drains	
23. Heating	
a. Space heaters	
b. Floor furnaces	
c. Wall heaters	
d. Gravity warm air system	
e. Forced warm air system	

G CONDITION	WORK REQUIRED	ESTIMATED COST

EXHIBIT 4—Page 7

WORK ITEMS EXISTING CONDITIO

23. Heating—Continued
    - f. Air cooling system . . . . ____________
    - g. Ventilating system . . . . ____________
      Measurement: Unit

24. Electric Wiring
    - a. Service (incl. entrance and distribution panel). ____________
    - b. Distribution system (wiring and outlets) . . . . ____________
    - c. Power outlets . . . . ____________
    - d. Exterior wiring to exterior building . . . . ____________
      Measurement: Units and outlets

25. Lighting Fixtures (incl. interior and exterior) . . . . ____________
    Measurement: Lump-sum amounts

26. Insulation . . . . ____________
    Measurement: Square feet

27. Miscellaneous
    - a. Status of secondary or accessory buildings located on the parcel . . . . ____________
    - b. Fences . . . . ____________
    - c. General landscaping and other on-site improvements present or needed . . . . ____________

28. Yards
    - a. Setback . . . . ____________
    - b. Side yards . . . . ____________
    - c. Rear yards . . . . ____________
    - d. Recommended action and cost involved . . . . ____________

Attachment:

Photographs

Sketch Floor or Plot Plans

CONDITION	WORK REQUIRED	ESTIMATED COST

ESTIMATED TOTAL COST ____________________

EXHIBIT 5

RESIDENTIAL PROPERTY SU

(This form illustrates how one community has incorporated most of th

Project ____________________ Property Address ____________________

Tract ____________________ Block ____________ Lot ____________

Owner ________________________________ Address ____________

Block A—PROPERTY SURVEY

Survey by ________________________________

In company of ____________________ Date ____________

1. Type of property:

   a. ☐ Single-family
   b. ☐ Multi-family
   c. ☐ Commercial
   d. ☐ Other ____________________
   e. Number of DUs ________
   f. Number of stories ________
   g. ☐ Frame
   h. ☐ Masonry

2. Occupancy by:

Unit	Owner	Tenant	Vacant	Name of occupant	Date interv
1					
2					
3					
4					
Basement					
Attic					

3. Admission for inspection of property granted by: ____________________

PERTY SURVEY RECORD

most of the elements of the preceding exhibits into a single form.)

Parcel No. ______________

____

______________ Zone ______________________

____

____

______________ 19___

s ___________

ries ___________

Date occupant interviewed

____

Block B—CONSERVATION SURVEY

Examination by ______________________

Date ______________________ 19___

1. Summary of estimated costs:

a. Building repair costs . . $______________

b. Maintenance . . . . $______________

c. Accessory structure(s) . . . . $______________

d. Landscaping . . . . $______________

e. Comments

By: ______________________ (Estimator)
(Signature)

Attach Sketch Floor Plan

EXHIBIT 5—Page 2

CONSERVATION

	S*	U*	
I. Foundation:			
1. Deteriorated			
2. Settled			
3. Cracked			
4. Sufficient height			
5. Adequate			
II. Sub-Floor Construction:			
1. Access hole			
2. Proper size joists			
3. Proper spacing—joists			
4. Proper size girders			
5. Proper spacing—girders			
6. Underpinning			
7. Piers			
8. Vents			
9. Grade			
10. Dry rot—fungus—termites			
III. Exterior Walls:			
1. Type of cover			
2. Weatherproof			
3. Deteriorated			
4. Windows weatherproof			
5. Painting			
IV. Porches:			
1. Deteriorated			
2. Guard rails			
3. Steps			
V. Roof:			
1. Type of cover			
2. Condition			
3. Gutters and leaders			

* S—Satisfactory * U—Unsatisfactory

VATION SURVEY

J*	REMARKS	REQUIRED WORK	ESTIMATED COST

EXHIBIT 5—Page 3 **CONSERVATION SURVE**

		S	U	
VI.	Frame:			
	1. Proper size—studs			
	2. Proper spacing—studs			
	3. Proper size—ceiling joists			
	4. Proper spacing—ceiling joists			
	5. Proper size—rafters			
	6. Proper spacing—rafters			
	7. Plumb walls			
	8. Adequate window area			
	9. Flooring			
	10. Fire separations			
	11. Interior wall finish			
	12. Attic access			
	13. Required exits			
VII.	Stairway:			
	1. Exterior			
	2. Interior			
	3. Rise and run			
	4. Hand rails			
	5. Adequate			
	6. Safe			
VIII.	Fireplace:			
	1. Foundation			
	2. Hearth			
	3. Chimney			
	4. Safe			
IX.	Plumbing and Heating:			
	1. Watercloset			
	2. Tub or shower			
	3. Adequate fixtures			
	4. Water heater			
	5. Adequate heating system			
	6. Sewer or septic tank			

SURVEY—Continued

	REMARKS	REQUIRED WORK	ESTIMATED COST

Exhibit 5—Page 4

CONSERVATION SURV

	S	U	
IX. Plumbing and Heating—Continued			
7. City or private water supply			
8. General condition			
9. Violations			
X. Electrical:			
1. General condition			
2. Violations			
XI. Accessory Buildings:			
1. Type			
2. Location			
3. Conditions			
XII. Zoning:			
1. Setback			
2. Side yard			
3. Rear yard			
4. Violations			
5. Off-street parking			
XIII. Occupancy:			
1. Room sizes			
2. Overcrowded			
3. Ceiling heights			
4. Housekeeping			
5. Fire hazards			
XIV. Outside Maintenance:			
1. Yard			
2. Walks and drive			
3. Animals or fowl			
4. Rubbish disposal			
5. Fences			
6. Hazards			

ON SURVEY—Continued

U	REMARKS	REQUIRED WORK	ESTIMATED COST

EXHIBIT 5—Page 5

Block A (continued)—PROPERTY SURVEY

4. Condition of property:

a. ☐ good b. ☐ fair c. ☐ poor

5. Recommendations:

a. Satisfactory

b. Conserve

c. Demolish

d. Meets building code requirements for relocation *(subject to City Council approval)* ☐ yes ☐ no

e. Comments:

By ______________________________ Inspector
(Signature)

2.

By

By

Block B (continued)—CONSERVATION SURVEY

2. Recommendations:

a. Recommendation of Real Estate Officer

1. Appraised value before conservation $________

2. Appraised value after conservation $________

3. Recommendation to owner:

By________________________ Date __________, 19________

b. Decision of owner

1. Conserve property ☐ yes ☐ no

2. Sell property to agency ☐ yes ☐ no

3. Other:

By________________________ Date __________, 19________

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URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY
UNITED STATES of AMERICA

TECHNICAL GUIDE
8

neighborhood organization in conservation areas

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

The comprehensive publications program of the Urban Renewal Administration consists of four parts:

URBAN RENEWAL MANUAL. Official Federal policies and requirements essential to implement the Federal urban renewal law. Intended for persons responsible for various phases of local renewal programs. Available on a subscription basis from the Superintendent of Documents, Washington 25, D.C.

THIS IS A TECHNICAL GUIDE. Advice and recommended procedures for carrying out local urban renewal programs. Intended primarily for professional, technical, and administrative staffs at all levels of government; consultants; and others actively engaged in the urban renewal process. *NOTE: Specific examples, cited as exhibits in Technical Guides, are by way of illustration only. Appropriate modifications may be necessary to make them applicable to other situations.* Available from the Superintendent of Documents, Washington 25, D.C.

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All the last three of these publications are issued as a part of the Urban Renewal Service authorized by the Housing Act of 1954 to provide guidance for communities carrying out urban renewal activities.

This Technical Guide for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Price 10 cents.

NEIGHBORHOOD ORGANIZATION IN CONSERVATION AREAS

. . . Why an organization
. . . What the organization can do
. . . The role of the local public agency
. . . The block organization
. . . The neighborhood council
. . . Summary

The experience of communities undertaking conservation programs clearly demonstrates the importance of successfully involving people. This means bringing them together from the very inception of an urban renewal project involving extensive conservation treatment. Thus, they begin to study their problems, help plan the action needed to solve their problems, and then proceed to act together in helping to carry out such action.

Successful neighborhood organizations are based on people's needs—needs they want help from others to satisfy. These needs will differ from neighborhood to neighborhood, from community to community, and from one section of the country to another.

Effective organizations start with people where they are—in their own block—at the grass roots. The primary purpose of such organizations is to help people help themselves and to help stimulate people by making them aware of what they can do by their own efforts or in cooperation with private as well as local and Federal government agencies.

One of the principal purposes of the Housing Act of 1954 is to renew those neighborhoods which are basic-

See Technical Guide 3, Selecting Areas for Conservation, and Technical Guide 4, Implementing Conservation.

ally sound but are beginning to show evidence of deterioration.

It is such a neighborhood that can be upgraded through the cooperative efforts of public agencies and private individuals. More and more communities are revitalizing their middle-aged or older neighborhoods through such a two-pronged attack. The municipality is committed to spend public funds for improvements in public facilities. The individual residences will be improved by the people owning them. Through these combined efforts blighting influences can be eliminated and the desirability of the neighborhood as a place to live can be enhanced.

In each community where urban renewal activity is undertaken, an agency of government is given responsibility for carrying out projects. The agency charged with this responsibility is referred to herein as the Local Public Agency (LPA). No LPA, however, can carry out successful urban renewal without the support and cooperation of the citizens of the community.

why an organization

People are not normally apathetic about their homes and environment. What may appear to be apathy is probably the feeling that there is nothing they can do about the decline of their neighborhood. If it can be demonstrated to them that a real effort is to be made in this direction, their interest can be aroused.

Citizen understanding and support are essential to the acceptance of the objectives of urban renewal, to the enforcement of codes and ordinances, to the finding of rehousing for displaced persons, and to the overall planning for civic improvement. In addition, citizen participation is a part of a Program for Community Improvement (Workable Program), which is the locality's own program for the elimination and prevention of blight. Where conservation is involved, active participation of neighborhood property owners is crucial to its success.

The best medium for obtaining the necessary citizen understanding and support is an organization of neighbors.

The neighborhood organization provides the vehicle for bringing home to the citizen that he is not alone in his desire for a better neighborhood. He will be able to see that his neighbors, his city government, and the Federal Government are all working with him toward the same goal and that something can really be done about upgrading his neighborhood. Mobilizing and involving the residents at the beginning of the program can spur them into willing participation in a program of action to renew their homes and neighborhoods.

what the organization can do

It is within an organization, through cooperative effort, that a plan can best be developed which will receive maximum citizen support, with citizens' needs and desires shaping its framework and professional advice and experience helping to make its goals attainable.

Identify neighborhood needs. Work toward more play space, less traffic, more trees.

The homes in the area must be renewed at the expense of the owners so that the homes are again sound buildings with a useful life of many years. The extent of upgrading must be sufficient to warrant the necessary public and private investment. This means acceptance by the neighbors of standards high enough to make private properties in the area eligible for long-term mortgage financing. The willingness of people to accept these standards and do their part in creating a better neighborhood can be stimulated if they have had a part in the development of the standards. If they have had a hand in the formulation of the plan for upgrading the area and if they consider the plan realistic and attainable, they can identify themselves with the plan and become enthusiastic supporters of it. People like to be involved in developing the plan for their neighborhood. They want to determine their own needs. They do not want to have a plan imposed on them.

Even a man's desire, shared with his neighbors, for a better neighborhood environment and the fact that he has participated in a plan for neighborhood im-

The organization can sponsor and give leadership in specific activities. It can arouse and maintain the interest of the residents in the various undertakings essential to the success of neighborhood upgrading. It can provide the motivation without which the conservation effort is doomed to failure.

provement may still not bring him to act. He must be motivated by the knowledge that he will gain tangible benefits. He will want to be sure his neighbors will do likewise and that the money he spends will not be wasted. He will want to be sure that the city will do its part—that the streets will be paved, the schools improved or new ones built, playgrounds provided, and offensive and inharmonious uses eliminated.

When he sees that an organization is functioning, that leadership has been developed to push the improvements, and that responsibility is fixed for actually making the improvements, he knows his neighbors and his local government are involved in a joint effort. Then it is more likely there will be created in his mind a community pride and spirit which will cause him to do his share and work for the kind of neighborhood he wants for his family.

the role of the local public agency

The predominant role of the LPA should be to help the citizens help themselves in organizing and operating their block or neighborhood organization.

Whenever possible, it is desirable that the formation and operation of any organized effort be the result of the residents' own initiative. The more initiative exercised by the citizens themselves, the better the chance of a strong, smoothly functioning organization.

If the residents seem to be having difficulty getting started, the LPA should give assistance and provide guidance which will stimulate citizen initiative.

Staff Assistance

In some instances it is at once apparent that professional assistance and advice are needed by the citizens to get their organization underway. They may request such help from the LPA. When this occurs, the LPA should make a qualified person available. If it does not have such a person on its staff, the LPA may employ one or it may arrange with a public or private agency to provide the services under contract.

The services rendered may include both assistance in getting the organization underway and in the day-by-day conduct of the group's affairs.

The LPA usually has the responsibility for coordinating and developing all phases of urban renewal activity. Normally, it also maintains contact with the residents of an urban renewal area and provides them with the guidance they may need in organizing their efforts. In some cities, however, other public and private agencies are actively engaged in the community organization and development aspects of urban renewal. These may be any of several kinds of voluntary organizations such as educational groups or social service agencies. In a number of cities these have provided the professional community organizers.

Whether through the LPA itself or another group acting in its behalf, the staff assistance needed by the residents should be readily available. It is important that there be a definite assignment of the responsibility and authority to handle work with neighborhood organizations. In the absence of such clear-cut delegation of authority, there is danger of uncoordinated efforts, sometimes working at cross-purposes, and the creating of confusion among the residents as to where they may look for help.

The person or persons assigned to working with the citizens' groups should be qualified by training and experience to work with people and understand their motivations. The cost of this staff assistance, whether provided by a regular employee of the LPA, by a consultant, or by another organization under contract, is an allowable project expense.

In the organizational stages, the person or persons assigned to the group can assist the local citizens by:

. . . Identifying potential leadership.
. . . Contacting leaders of existing organizations to enlist their interest.
. . . Coordinating the efforts of existing organizations and their members to achieve urban renewal objectives.
. . . Arranging for meetings to organize the residents or to present the urban renewal objectives to existing organizations.
. . . Guiding and training volunteer workers to assist the group.
. . . Securing information helpful to groups to stimulate their discussion and decisions for action.
. . . Marshaling the available material and human resources for action.

Identifying Potential Leaders

In every community there will be individuals who are recognized as potential leaders and will support a

There is leadership talent in every block. It should be identified. recruited, and put to work on behalf of the betterment effort.

program to bring about a way of life wherein the behavior of the area residents is based on:

1. Awareness of civic responsibility.
2. Pride in the physical appearance and social climate of the community.
3. A spirit of neighborliness.

Teachers or clergymen in the area can be constructive in pointing out key people who might spark an organizational effort. The staff of the local settlement house, community center, boys' club, or similar establishment (if one exists in the area) will be familiar with any residents who have shown interest in neighborhood social and related problems, and who might provide leadership in a new group. Elected public officials can be called upon for assistance both in identifying possible leaders and in lending their own talents and prestige to the organization.

City and county officials such as building and health inspectors, welfare workers, and business and professional men operating in the area may contribute clues to finding people who are qualified and willing to lead.

Residents of the neighborhood who may be members of women's clubs, PTA's, and fraternal and social organizations which meet outside the area represent a pool of energy and talent which might be recruited for neighborhood activity. Where existing organizations such as betterment associations or other groups can effectively embrace urban renewal activities in addition to others, they should be encouraged to do so.

Getting the Organization Launched

Once the leaders are identified and their agreement to participate is obtained, a preliminary meeting can be set up. At this meeting a review and evaluation of the needs of the neighborhood are appropriate. How the neighborhood residents can jointly develop with the city officials a plan of action for the renewal of the neighborhood should be discussed. These leaders, who represent the core of neighborhood organizations, should do the planning for the actual formation of such a group. From them should come the outline of the type and composition of organization best suited to the particular neighborhood. This may require more than one session.

Meetings must be well planned . . . live . . . informative

After the organizational plan is formulated a meeting of all the area residents should be scheduled. The leaders can begin to discuss the proposed organization and its policies and objectives with the residents and begin to recruit members. The LPA staff can offer them guidance in the best ways of accomplishing this. House-to-house canvassing is one means, but the process can be supplemented by circulars, individual letters and notices, and other media.

A specific time and place for the general organization meeting should be announced as soon as possible. A school, church, or other public place of assembly, or the home of one of the residents may be used. It is usually most effective to have a keynote speech delivered by a city official, civic leader, or some other person who is known to, and commands the respect of, the citizens. Films, slides, booklets, and other materials describing the urban renewal process should be used if available.

The staff people should advise the neighborhood leaders on how best to organize into a formal working group, and should be present at the meeting to assist in any way possible.

Working With the Organization

When the general meeting is over and the organization formally launched, the staff people can help guide the leaders and members in ways of achieving project objectives. The planning and technical aspects of urban renewal can be presented to the membership either by LPA staff members or by representatives of the appropriate municipal departments. Other individuals may also contribute toward making the urban renewal process clear to the members.

The LPA staff can: explain urban renewal problems and objectives to the members; create awareness of the part the residents can play individually and collectivelly in bettering their neighborhood; help plan organization meetings that are interesting and informative.

At no time should there be any attempt by the LPA or other "outsiders" to dominate the group. The sole objective should be to make available to the residents the personnel to do for them what needs to be done. This means that the staff members should be available as resource people both at meetings and for consultation between meetings. They can help the members in obtaining speakers, programming interesting meetings, and locating films and publications. They can act to enlist the cooperation of public and private resources which might be beyond the ability of the citizens' group to arrange for itself. These may include public officials, contractors, FHA, lending institutions, architects, and others.

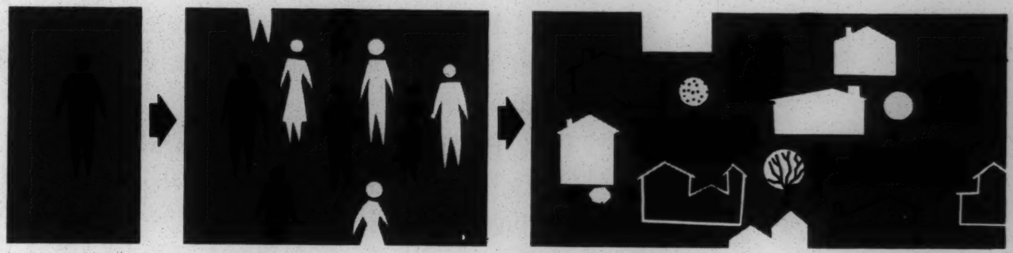
Full explanations of the Urban Renewal Plan, the standards to which individual properties are to be improved, code enforcement, and kindred matters should be given at meetings. In addition, the members should be made familiar with the special long-term, FHA low down-payment mortgage insurance available in urban renewal areas under Sections 220 and 221 of the National Housing Act.

The LPA can also make headquarters space available to neighborhood groups. It is desirable that the facilities be conveniently accessible to the citizens in the project area. One way of assuring convenience is for the LPA to acquire a run-down property, renew it as an example of what can be done, and use it as a project office and for the neighborhood organization's meetings. The cost of acquiring a property for use as a demonstration house may be financed with a Federal loan.

the block organization

Many of those experienced in neighborhood group activity are convinced that the block should be the basic organizational unit as it is the most effective base for a lasting and democratic organization. A "block" organization may cover several contiguous blocks if that is the most promising way of organizing.

The block organization is one of the best means of getting the individual citizen involved. When he is invited to participate in a program by his own immediate neighbors, it is hard for the individual to remain aloof. Furthermore, there is likely to be a more intimate association of each member with the problems of his own environs than is likely if a larger and more complex area is involved.



. . . the individual

. . . the block

. . . the neighborhood

In some neighborhoods organizations already exist for religious, social, civic, or other purposes. It may be possible in some cases for these already functioning groups to embrace urban renewal activities in addition to their established ones.

Should Be Open To All

Whether the organization covers one block, two blocks, or a whole cluster of blocks, its membership must include a representative cross-section of the population within the area it covers. It should be comprised not only of leaders but of followers too. Both property owners and tenants must be represented. Every resident should have the opportunity to become a member.

Because the members all have common interests and problems and are all subject to the same atmosphere and environmental factors in their neighborhood, there is sound basis for them to strive together toward the improvement of their neighborhood.

How the Block Group Can Be Effective

To do its job effectively, it is best that the group have its objectives clearly in mind. It should have the usual officers and as many committees assigned to specific tasks as are necessary. The block organization can then provide the means for:

- . . . Keeping the residents informed of problems and projects through regular meetings and such media as local newsletters.
- . . . Promoting better understanding by the people of how they can cooperate and participate with the LPA, the various city departments, and each other in achieving the objectives of neighborhood betterment.
- . . . Developing greater understanding by the residents of all the resources which are available to individuals and the group.
- . . . Arousing and maintaining the interest of the members in sustained individual effort by explaining the benefits which will accrue to them.
- . . . Explaining to the families the many facets of code enforcement and similar procedures, the effects of zoning regulations and zoning changes on their own block, how the city's general plan for its overall long-range development affects their immediate neighborhood, and what the individual citizen can do about protecting his neighborhood's interests in these matters.
- . . . Providing the members with working tools such as brochures and pamphlets to help them understand the steps involved in urban renewal.
- . . . Stimulating the residents in accepting standards to which individual properties must be improved.
- . . . Aiding the members in solving financing problems.

Sponsoring Specific Programs

The block group can engage in "self-help" programs to improve neighborhood conditions. Some examples are:

- . . . Sponsoring a painting and clean-up campaign.
- . . . Promoting off-street parking by tearing down useless and dilapidated sheds, garages, and outbuildings.
- . . . Conducting garden and lawn improvement campaigns and contests.

. . . Promoting campaigns to close alleys, where possible, or clean up alleys and backyards.

. . . Improving trash and garbage disposal habits.

. . . Encouraging residents to provide new mailboxes and put street numbers on their houses.

Promoting simple projects such as replacement of old oil drums with standard garbage and trash containers and the replanting of street trees has proven very effective. Because these relatively easy-to-do, short-range activities can produce visible results in a short time, they can give the residents a sense of accomplishment and of contribution to neighborhood-wide improvement. Visible proof of what can be accomplished by group action will tend to stimulate the residents' interest and sustain that interest for more complex, long-range activities which will follow as the upgrading effort progresses.

the neighborhood council

A neighborhood is a cluster of blocks. Each block may have its own problems, but a neighborhood-wide approach is necessary to bring about effective action. The Neighborhood Council, composed of representatives of the block organizations, can coordinate the efforts of all who can play a part in neighborhood betterment.

The Neighborhood Council is usually composed of the elected representatives of each of the block organizations. This type of organization can plan and coordinate the activities of the block groups as they relate to the city's plans and programs for betterment of a neighborhood.

By being able to evaluate the respective problems of several blocks or an entire neighborhood, the Neighborhood Council can serve as the communication line to relay the ideas of the citizens to the city officials and vice versa.

In addition to the representatives of each block organization, clergymen, school principals, PTA's, service organizations, business and professional groups, and even citizens living outside the neighborhood who are interested in general civic betterment endeavors can be invited to become participants.

How It Can Operate

The Neighborhood Council should strive to provide overall direction in:

. . . Developing city-neighborhood cooperation which will make use of all resources to arrest and remove blight.

. . . Working with the block groups, publishing a neighborhood paper or newsletter, and creating by personal contacts a spirit of neighborliness among all the residents.

. . . Coordinating, in cooperation with the LPA and other city officials, the efforts of individual residents and block groups.

. . . Coordinating the neighborhood's efforts with the general plan for the city.

. . . Representing the neighborhood before the city's zoning and other bodies and maintaining vigilance to prevent actions adverse to the neighborhood's welfare.

. . . Surveying the neighborhood for existing and potential blighting influences and identifying specific deficiencies.

. . . Proposing methods for curing deficiencies and assisting in gaining the understanding and support of the property owners and residents in a program of remedial action.

. . . Helping overcome complacency of residents regarding the condition of their neighborhood and focusing attention on the environmental and structural deficiencies which need to be eliminated.

. . . Bringing to the attention of area citizens their personal responsibilities for cooperating with the city officials, thereby enhancing the receptiveness of the residents to the need for code enforcement, structural improvements, etc.

. . . Providing the property owner with advice on what needs to be done to his property, how to get it done, and how to finance it.

. . . Establishing a do-it-yourself clinic to teach people how to do minor jobs in connection with property maintenance and renewal.

. . . Establishing a continuing program of long-term maintenance and improvement of the area to insure against a return of blight after completion of the project.

summary

The guiding principles of organizing the people for neighborhood betterment should be:

1. An organization must be based on the people's needs—needs which they feel and needs they want help to satisfy. These needs will differ from neighborhood to neighborhood, from community to community, and from one section of the country to another.
2. The organization should start with people where they are—in their own block—at the grass roots.
3. The organization should be for the purpose of helping people help themselves.
4. Any LPA assistance to the organization should be provided in such a manner that the people will be encouraged to develop their own resources and leadership in carrying out a program of neighborhood upgrading.

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March 1961

URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE

9

determining local relocation standards

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

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of Documents, U.S. Government Printing Office,
Washington 25, D. C. - Price 10 cents

DETERMINING LOCAL RELOCATION STANDARDS

. . . *Need for relocation standards*

. . . *Relationship to other standards*

. . . *Basic elements of standards*

Federal assistance to local urban renewal projects is conditioned upon, among other things, a feasible plan for relocating the site occupants who must be displaced. In its Declaration of National Housing Policy, in the Housing Act of 1949, Congress stated that:

> The general welfare and security of the Nation and the health and living standards of its people require. . . the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family.

Section 105(c) of that Act provides that contracts for financial assistance under Title I must require that:

> There be a feasible method for the temporary relocation of families displaced from the urban renewal area, and that there are or are being provided, in the urban renewal area or in other areas not generally less desirable in regard to public utilities and public and commmercial facilities and at rents or prices within the financial means of the families displaced from the urban renewal area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and reasonably accessible to their places of employment.

In administering this provision of the law, the Urban Renewal Administration requires the Local Public

Agency undertaking the project to assume the responsibility for demonstrating that existing and anticipated local housing resources meeting the above requirements are or will be adequate to meet relocation needs. Furthermore, the Local Public Agency is required to take the steps necessary to insure the relocation of families into decent, safe, and sanitary housing.

The Urban Renewal Administration recognizes that conditions and customs vary widely in different localities. Therefore, it has not prescribed any national standards as to what constitutes an acceptable dwelling for relocation purposes. There are, however, certain basic elements which every Local Public Agency is required to cover in its statement of proposed standards. Guidelines for the development of these basic elements are contained in this Technical Guide.

need for relocation standards

The Local Public Agency is required to state in its project planning reports the standards it proposes to use in determining that the dwelling unit a family moves to is decent, safe, and sanitary, and that the price or rent is within the means of the family. In addition, the Local Public Agency is expected to establish reasonable local policies to determine whether the location of such accommodations is acceptable for rehousing purposes.

These standards form the basis, during the survey and planning stage, for estimating the anticipated availability of resources for rehousing families to be displaced by activities in the project area. They also form the basis, during the project execution stage, for determining the suitability of dwellings to which the Local Public Agency will refer families and for the actual inspection and classification of dwelling units to which site occupants might move or have moved on their own initiative.

Since the statement of standards must be understandable to site occupants and groups cooperating with the Local Public Agency in the relocation process, it must be worded in simple, every-day terms so that it can be readily understood. The statement should be complete in itself without referring to other documents.

relationship to other standards

In preparing its statement, the Local Public Agency should study certain other related standards. It is not suggested that these standards be adopted as criteria for relocation purposes, but merely that the relocation standards bear some reasonable relationship to them. In some instances the related standards may be completely inadequate for relocation purposes.

- *Local Housing Authority's Criteria for Determining Eligibility for Low-Rent Public Housing.* In no case should the Local Public Agency adopt standards which would permit the acceptance of a dwelling unit for relocation purposes that is unsafe, unsanitary, or overcrowded, according to the Local Housing Authority's criteria. These criteria, which are required by the Public Housing Administration, usually consist of a listing of structural and occupancy conditions. The existence of any one of these conditions in a dwelling would make an applicant family eligible for admission to public housing. The relocation standards adopted by the Local Public Agency should, therefore, rule out as an acceptable rehousing resource any dwelling unit in which any of the conditions listed in those criteria are present.

- *Local Codes and Regulations.* No dwelling unit should be classified as standard if it fails to meet the applicable provisions for existing structures of the local building, plumbing, electrical, housing, and occupancy codes. However, in many cities the codes are not yet adequate, and the criteria for rehousing will need to be superior to local code requirements.

Although intended to be used in connection with the adoption of a housing code, three model codes are available, which may be helpful also in the preparation of rehousing standards. These are *A Proposed Housing Ordinance,* published by the American Public Health Association, 170 Broadway, New York 19, New York; *The Uniform Housing Code,* published by the International Conference of Building Officials, 610 South Broadway, Los Angeles 14, California; and *Part IV—Housing,* issued by the Southern Building Congress, Brown-Marx Building, Birmingham, Alabama.

- *Neighborhood Classification.* Relocation standards should not contemplate the use of a dwelling unit for rehousing if it is in a neighborhood that is officially programed for clearance action in the near future. This should include any public activity requiring demolition, such as urban renewal, public housing, highway, school, playground, or any other public improvement program.

basic elements of standards

Although the Urban Renewal Administration does not prescribe detailed criteria to be followed nationally, it does expect that relocation standards include all of the elements listed below. Under each of these elements are indicated criteria of general acceptance and practice for determining the adequacy of a dwelling for relocation purposes.

- *Condition of Structure.* A structure which is safe and sound, weathertight, and in good repair, thus ruling out dwellings in which there are such defects as sagging floors, walls, or roofs, unsafe foundations, holes, open cracks, rotted materials, and other such conditions.

- *Bathroom Facilities.* A lavatory and bathtub or shower, connected to hot and cold running water, and an inside flush toilet, all in good working order, in the dwelling unit, and for the exclusive use of the family.

- *Kitchen Facilities.* For the exclusive use of the family, a sink with hot and cold running water, a cook stove or utility connections for a cook stove, and adequate provisions for storage of utensils and food.

- *Sewage Disposal.* Properly functioning plumbing connected to an adequate sewage disposal system, either public or private.

- *Heating Facilities.* A central heating plant or safe, individual, flue-connected space heaters.

- *Electric Power.* An adequate and safe wiring system for lighting and other electrical services.

- *Natural Light and Ventilation.* One window opening directly to the out-of-doors in each living room and bedroom, and adequately ventilated kitchen, toilet, and bathroom.

- *Size of Space.* Size and number of rooms in adequate proportion to the family's size and composition, to provide privacy and to avoid overcrowding.

- *Safety and Health.* From the standpoint of fire safety, two separate means of egress are desirable. All equipment should be in safe condition. Dwelling units and structures should be free of rats and other vermin, and of accumulations of refuse, garbage, and debris.

- *Codes.* Dwellings should conform at least to all applicable provisions for existing structures of local codes and ordinances.

- *Ability to Pay.* To be considered acceptable for rehousing purposes, a dwelling unit must be available at a rent or sales price within the financial means of the family. In preparing the estimate of rehousing resources during the planning stage, the Local Public Agency will need to establish standards for determining a family's ability to pay for rental and sales housing. For purposes of planning, the statement of standards for rental housing should be in terms of a ratio between the amount of dependable and continuing income and gross rent. Gross rent is defined as contract rent payment plus the cost of utilities (excluding telephone) and fuel for space heating and domestic hot water. During planning, a rule-of-thumb ratio of rent to income in the range of 5–1 or 4–1 may be used for the purpose of arriving at an overall average of ability to pay.

During relocation execution, however, each family's circumstances must be assessed individually to determine the rent it can afford. This may require that a greater or lesser ratio than the average be used, depending on the family's size, composition, and income. With respect to a low-income family, due consideration must be given to all of its minimum subsistence requirement cost before its rent-paying ability can be determined. Information regarding minimum subsistence budgets for low-income families may be obtained from appropriate local, county, or State welfare agencies.

For convenience in planning in the case of sales housing, a standard for determining ability to purchase may be established in terms of a ratio between purchase price and annual income. As a rough measure, a maximum of 2½ times annual income has been traditionally used.

During relocation execution, however, this ratio should be refined by additional considerations in determining whether a specific dwelling is within the means of a specific family. These additional considerations should include take-home pay after taxes, the amount available for making a downpayment, and the total of monthly housing costs. Such costs include amortization, interest, taxes, insurance, utilities (excluding telephone), fuel, and reserves for repairs, maintenance, and replacements. The family's minimum living expenses and any fixed obligations should be considered also.

- *Location Factors.* Specific standards as to convenience of relocation housing to public transportation, to public and commercial facilities, such as schools, recreational facilities, and shopping centers, and to places of employment may be difficult to establish in terms of mileage and transportation costs, and to carry out in actual practice. Accordingly, it is not required that the statement of standards set forth the specific terms of the criteria in these matters.

However, it must be clear from the Local Public Agency's relocation proposals that the policies to be followed will assure equal or better amenities with respect to these utilities, facilities, and conveniences, and will involve no unreasonable or excessive financial burden on project families. During project execution the Local Public Agency is obligated to carry out relocation in accordance with the Section 105(c) statutory provisions relating to these location factors (quoted on Page 1).

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URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE
10

cost estimates for project improvements and site preparation

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COST ESTIMATES FOR PROJECT IMPROVEMENTS AND SITE PREPARATION

. . . Survey and planning application

. . . Steps to be taken

. . . Final project report

. . . The cost estimator's task

. . . Rising construction costs and inflation

. . . Construction plans and specifications

The purpose of this publication is to provide Local Public Agencies undertaking federally aided urban renewal projects with guidelines in preparing cost estimates for project improvements and site preparation work for use in connection with the application submissions, as well as construction plans and specifications during the execution stage.

Estimating methods which will apply to all projects are not established. The suggestions made herein are directed to indicating the types of estimates to be prepared at the several stages, and a basis on which they can be developed.

The information needed to make satisfactory estimates for application submissions is usually readily available when the proper techniques are applied. Some suggestions as to the manner in which the data can be obtained are described in this Guide. These do not preclude variations or modifications or using different kinds of techniques which will produce acceptable estimates for their intended uses.

Prior to contracting for work to be financed with project funds, the LPA is required to submit detailed cost estimates. At this point, the plans and specifications should have been developed to the point that accurate cost estimates are possible. The engineers preparing the construction plans and specifications, or other qualified engineers, should have no difficulty making the cost estimates with the degree of accuracy the LPA is required to file.

survey and planning application

The Survey and Planning Application requires a cost estimate of project improvements, such as streets, utilities, and neighborhood parks and playgrounds, which may be provided as part of the project; and of public facilities expected to be offered as non-cash local grants-in-aid to help finance the local share of Net Project Cost. Separate estimates for clearance and demolition are not required at this stage but instead are usually covered by a percentage allowance for several other costs and contingencies.

Estimates provided at this stage will precede detailed studies of the area and the development of specific plans. Nevertheless, it is important that they be more than rough guesses and that they be realistic in terms of information then available. While a hard and fast formula of documentation is not imposed on LPA's, every feasible means of keeping the estimates within as close a margin of error as is possible should be utilized. If estimates do not reflect the magnitude of the project, and grossly understate costs, the LPA may later find it necessary to cut back the scope of the project because of the inadequacy of local resources or the unavailability of additional Federal capital grant funds. On the other hand, estimates which are obviously too high will not be accepted by the Urban Renewal Administration because they tie up capital grant funds needed for other projects.

In arriving at assumptions on which estimates are to be based and in actual estimating, primary reliance can usually be placed on sources readily available to LPA's. These include city departments, such as public works, park, and planning staffs; experienced developers and real estate men; engineering firms; trade associations; contractors; or the nearest Federal Housing Administration office. Where the community's own resources are limited, officials of the State health department, or other State agencies, or of nearby communities with larger or more experienced staffs, are frequently helpful. As in other instances, an LPA can frequently predicate its estimates on its own experience in other projects. It should be borne in mind, however, that many variable factors, such as major engineering work, will not be the same for each project, and these items must be evaluated in the light of conditions prevailing in the specific project involved.

steps to be taken

The first step is to determine whether there are any difficult engineering problems arising from topography, surface, or subsoil conditions. Some may be obvious, but others may have to be checked with technicians or officials of city departments, builders, and real estate men. Failure to make these checks could result in some unpleasant surprises later on, which may necessitate expensive engineering work, such as fill, drainage, and heavy grading. The magnitude of these engineering costs can usually be ascertained from engineers or from the other technicians listed above. These conditions and the cost of correcting them may also determine to a considerable degree the extent of rehabilitation or clearance and the types of uses which may be suitable. They may also increase redevelopment costs, and thus affect estimates of land disposition proceeds.

Initial estimates of the costs of streets (other than major thoroughfares) and utilities will depend on the extent to which replanning of the area is contemplated and on the uses proposed; these, in turn, are dependent on assumptions of the extent of clearance and rehabilitation. More new street layouts, requiring more extensive street and utility construction, are likely to occur in clearance than in rehabilitation areas, where the existing street patterns, of necessity, will be retained, with perhaps only some modifications to divert through traffic.

Appropriate city departments and sometimes land developers can provide guidance to the LPA regarding new construction or expected reconstruction of streets and utilities; the quantities (in terms of linear feet, etc.) which may be required; and tentative costs. In some instances it may be possible to develop cost estimates on a per acre basis, if the estimator has had sufficient experience in using this basis. In other cases, the LPA may desire to check cost estimates with engineering firms or contractors.

Preliminary assumptions on other types of expected eligible project improvements, as wholly or partly project costs, may usually be made in consultation with other local public officials. Private firms, such as planning, engineering, and architectural consultants, particularly those in regular contact with the city or the LPA, may also be helpful, These sources may supply estimates of requirements based on the intensity of contemplated uses in the project area, as well as the probable costs of the needed facilities. They may also be able to provide information which will be useful in estimating the portion of the cost of the improvements which may be allocated to the project.

Where local capital improvement and capital budget programs have been set up, some improvements and their anticipated costs may already have been projected and these will be available at the offices of the local planning body or the appropriate operating departments.

final project report

In part, the conditions described above under "Survey and Planning Application" also hold true for the Final Project Report, but a much sounder basis for cost estimates will be available at this stage. Specific proposals for project improvements, demolition, and clearance will have been developed, even though their precise scope and character may not have been established. The LPA will have developed sufficient information on project improvements—which may be in the form of maps, sketches, cross-sections, or other illustrative or descriptive material—to provide a basis for reasonably accurate cost estimates. The location and extent of demolition and clearance will have been sufficiently identified to permit cost estimates based on an evaluation of the number and character of structures involved.

Because lack of complete data and definite conclusions on design and similar factors affecting cost is inherent in the Final Project Report, the LPA is not expected to develop cost estimates to the degree of accuracy required in the project execution stage. Hence, time should not be wasted in unnecessary details and refinements. For example, detailed materials and cost breakdowns for street work would serve no useful purpose when quantities based on lineal or area estimates and lump-sum unit prices based on local practices will suffice. It also would be pointless to be concerned with relatively minor variables, such as whether a sewer would be 10 or 12 inches in size or whether the cost might be $4.00 or $4.50 per lineal foot, when the data for determining the answer are not available and will not be available until contract plans are prepared.

The objective is to develop estimates of the cost of proposed project improvements, demolition, and clearance in the Final Project Report. These estimates should be sufficiently accurate to (1) support sound and reasonable budgetary amounts established for this work and (2) eliminate, or at least minimize, the need for budget and contract amendments when the work is carried out.

the cost estimator's task

At the time of submission of the Final Project Report, the scope and character of project improvements, demolition, and clearance may still be of a preliminary nature. Definitive cost estimates for such work cannot be made until the contract documents, including detailed plans and specifications, are prepared for bidding and execution.

The estimator, therefore, is not expected to produce a cost estimate from the contractor's point of view. The data essential for such estimates are not available and would involve knowledge of future local conditions; availability of labor, materials, and equipment; overhead and other costs, including items which only the contractor himself could estimate on the basis of contract drawings and specifications.

The estimator should apply his best judgment and experience to develop estimates which meet the objective of reasonably sound preliminary estimates from the viewpoint of known costs for similar work in the general locality of the project. His estimates must be supported by information on types of units, quantities, and unit-prices used for estimating purposes. Information as to quantities need only be sufficient to establish that the estimates are sound and reasonable, in terms of the proposals as then developed; it need not include details and refinements which would have no useful purpose or validity at this stage.

rising construction costs and inflation

The large increase in construction costs during recent years and the continuing but presently reduced rate of increase are factors well recognized in cost estimating today and must be considered in the urban renewal program, where project execution schedules usually extend several years beyond the initial application date.

One of the widely used construction and building cost indexes is published weekly in *Engineering News-Record,* which also occasionally publishes a cost index review and indexes for various cities. These indexes are helpful in estimating and considering the probable rate of future change in construction costs. Any index must, of course, be used with proper consideration for the effect of local conditions and other circumstances not included in an average index figure.

Although it is impossible to predict accurately the rate and amount of future change in costs, authoritative sources agree that the upward trend is likely to continue. This condition must be considered in estimating project execution costs, particularly for long-term projects. A recent *Engineering News-Record* construction cost index shows an increase of 2.3 percent during 1961. It was also shown that construction cost increases in the largest U.S. cities during that year varied from no change in some cities to over 6 percent in others. It appears that 5 to 10 percent should be added to known current costs of construction to cover an allowance for probable increase in costs for similar project construction work to be done two or more years in the future.

The percentage of any allowance made for this purpose must be clearly shown in the data submitted in support of the cost estimates.

construction plans and specifications

During the execution stage of an urban renewal project, the LPA is required to submit contract plans and specifications for each project improvement or site preparation contract to be financed with project funds. The LPA is also required to submit its engineers' final cost estimates for this work. This estimate of cost of the work to be performed under the proposed contract must be broken down, itemized, and prepared so accurately that it may be used reasonably as a basis for determining the acceptability of bids.

Since contract plans and specifications are then completed, the itemized breakdown should be based on a take-off of quantities of each item of work, priced on the basis of costs then prevailing in the area for the types of work involved.

To arrive at the estimated amount of any proposed contracts involving demolition and site clearance, it is necessary to estimate also the value of the salvable materials specified to become the property of the contractor.

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HOUSING AND HOME FINANCE AGENCY
UNITED STATES of AMERICA

TECHNICAL GUIDE
11

using census data for urban renewal purposes

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

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USING CENSUS DATA FOR URBAN RENEWAL PURPOSES

Using the data
Block data
Enumeration district data
Census tract data
Appraisal of data

The 1960 Census of Housing has produced a great amount of factual data which could prove of inestimable value to Local Public Agencies, Planning Commissions, and other local governmental agencies and officials.

A statement describing the types of data and their significance has been prepared by Daniel B. Rathbun, Chief of the Housing Division of the Bureau of the Census, Department of Commerce. This statement is reprinted here for the information and guidance of local officials engaged in urban renewal activities.

Census Data may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C., or from any Field Office of the Department of Commerce.

using the data

Increasing urbanization is producing some of the most critical problems of our time. A scarcity of objective data on small segments of municipalities makes the already difficult position of public officials even more trying. The 1960 Census of Housing presents facts on city segments that can be helpful in studying some urban problems. The following paragraphs describe briefly the types of information on small areas that are available through the Bureau of the Census, and suggest purposes which the material might serve.[1]

Local officials are frequently unfamiliar with the wealth of housing data on small areas within the community. No doubt, much of this is due to the newness of these data, most of which were collected in 1950 and 1960 only. Yet these data are of great value in the study of urban problems, since they provide information about small identifiable portions of cities. They can help pinpoint overcrowding, blight, unusual property taxes, condition of living accommodations, racial composition, and other pertinent facts, all of which are helpful in making constructive judgments on alternative courses of action.

Obviously, certain census figures "age" rapidly. Some facts become ancient history in six months. On the other hand, in relatively stable areas, 1960 data may still be useful in 1969. In all locations, study of the changes that occurred from 1950 to 1960 may yield valuable clues to their current character. And even if rapid post-1960 change has occurred, the 1960 data may, nevertheless, provide very useful benchmarks.

block data

The smallest land area for which reports are available is for blocks, in all cities with a population of 50,000 or more, and in those smaller cities which paid the extra costs involved in processing block data. There are 421 block reports on 736,000 individual blocks in 467 cities.[2] These provide a capsule description of important economic characteristics of the housing units and inhabitants within blocks in these cities, as well as data on average number of rooms, condition, value, and plumbing facilities in the structures. Other data include the amount of contract rent, population of individual blocks, extent of overcrowding (persons per room), and color of occupants.

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[1] Sources of 1960 Census data on larger areas include Volume I, Series HC(1), *States and Small Areas* (detailed data for each standard metropolitan statistical area and its constituent parts; each urbanized area, places of 1,000 inhabitants or more, and county; and the rural farm and rural nonfarm parts of each county); Volume II, Series HC(2), *Metropolitan Housing* (cross-tabulations of housing and household characteristics for each of the 192 standard metropolitan statistical areas, with separate reports for each of 135 places of 100,000 inhabitants or more); Volume IV, Series HC(4), *Components of Inventory Change*, and Volume V, *Residential Financing* (data for each of 17 selected standard metropolitan statistical areas); and Volume VII, *Housing of Senior Citizens* (cross-tabulations of housing and household characteristics of units occupied by persons 60 years old and over for selected standard metropolitan statistical areas. Tabulations for each of the places of 100,00 inhabitants or more may be ordered).

[2] The cost of reports for individual cities ranges from 20 cents for the smallest places to $3.00 for New York City's five boroughs.

These data may be used in the study of many civic problems. For example, block statistics offer a means of preliminary identification of urban renewal areas from the standpoint of condition of housing in a verifiable manner acceptable to Federal agencies. Data on the size, condition, and plumbing facilities of units offer one way of singling out blocks in need of renewal effort. Information on overcrowding (persons per room), average number of rooms per unit, and rent or value or both may be used in developing a more detailed picture.

These same data may also be useful in assessing the dimensions of a given code enforcement program. Supplemented with the population figures for blocks, the data on housing units are helpful in measuring the need for schools, efficiency of existing distributions of law enforcement officers, or reasonableness of current patterns of welfare expenditures.

Information helpful in coping with the problems produced by population shifts is also found in these reports. Detailed knowledge of the way in which the housing supply is being used helps, of course, in analyzing the impact of the influx or exodus of people. Some effects of suburbanization on the older sections of the city are found by simply comparing 1950 and 1960 value data. Are values "slipping" or are the older sections "holding their own"? What is the probable future of these older sections?

The comparability and impact of property taxes in different sections of the city may be examined by contrasting value-tax ratios in different areas. Rough real property—personal property ratios may be developed for properties in various value brackets from block data.

Other data also offer a quick way of checking on the need for additional housing for low-income families. The number and kind of vacancies in low-rental categories are relevant here. From data on condition and plumbing and overcrowding, a useful independent appraisal of the need for public housing can be developed.[3]

enumeration district data

If data on individual blocks are not available or if larger areas are satisfactory, one can use information on "enumeration districts," the area covered by a single census enumerator. These districts vary in size from a single block to perhaps 10 blocks in sparsely settled towns, and contain an average of 200 to 300 housing units. Most areas are small enough so that they are substantially homogenous, and, like block statistics, the housing data provide summary quantitative measures of the characteristics of the area. In addition, a limited number of facts on the inhabitants are presented, such as age, color, and number of children under 18.

Tabulations for the 270,000 enumeration districts covering the entire United States are not published. However, photocopies of these tables and maps of the areas are available. Tables cost $13.50 per 100,000 inhabitants or fewer, with a minimum order of $67.50. Maps are available at a cost of $1.50 for places with fewer than 25,000 inhabitants, $2.50 for each place of 25,000 to 50,000 inhabitants, and $4.00 for the first 100,000 inhabitants and $2.50 for each additional 100,000 inhabitants of larger places.

census tract data

Next in size are census tracts, reasonably small divisions of large cities, and metropolitan areas. Tract boundaries were designed to achieve some uniformity of housing and population characteristics, and established with the intention of being maintained from census to census. The average tract has about 4,000 residents.[4]

Housing and population data for individual tracts are published in census tract reports for each of 180 metropolitan areas. More owner and property characteristics are presented for tracts than for blocks and enumeration districts, so that more thorough analysis of the tract is possible. In addition to the items available for blocks and enumeration districts, occupation, income, place of work, year moved into unit, and education of residents are among the many items presented; year built, sewage disposal, and source of water in nonurban portions of the areas are among the additional housing items.

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[3] Special tabulations on "substandard" rental housing units in 139 individual cities (*U.S. Census of Housing: 1960, Special Reports for Local Housing Authorities*, Series HC(S1)) provide detailed data on the housing condition of low-income families.

[4] Costs per report range from 30 cents for small areas to $6.25 for New York City.

Supplementary unpublished data on tracts are available in special table PH–2 at $3.75 per 100 tracts. The table shows population data on farm-nonfarm residence of the rural population, place of residence in 1955, characteristics of persons 14 years old and over who are not in the labor force, persons employed in farm occupations, and places of work. Housing data are shown for farm-nonfarm residence by tenure of rural housing units, year moved into unit for owner-occupied units, trailers, source of water, and sewage disposal, as well as the year in which the structure was built.[5]

Thus, these data enable one to assemble a documented picture of the people in any specific tract; their age, income, color, and length of residence; and to study such factors as the composition of residential structures by examining age, condition, plumbing facilities, crowding (persons per room), and type of structure. Presentation of detailed housing and population data in one report facilitates joint analysis of population and housing characteristics. For example, by preparing separate tabulations it is possible to obtain a detailed picture of housing occupied by nonwhites.[6]

appraisal of data

Of basic importance for those who use census figures is an appraisal of these data. The complete-count data were collected by unbiased enumerators; sample questionnaires left with every fourth household were completed by the respondents. After supervisors had reviewed and corrected the work of enumerators, all answers were subjected to clerical and mechanical editing and then tabulated on electronic computers. In addition to offering economies of scale and speeding publication, these computers reduced processing errors. Thus, the figures were checked and rechecked and then tabulated on a near-error-free basis. Those wishing to examine census procedures carefully will find the remarks on field and processing procedures and the measures of sampling variability appearing in each report helpful. A statement on procedures is also now available[7] and publication of the results of comprehensive evaluation studies is scheduled for completion later this year.

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[5] An unpublished special table PH–1 is available upon order at a cost of $3.50 per 100 areas for minor civil divisions and similar areas in the *untracted* portion of the United States. The data in this table include tenure, condition and plumbing, number of rooms, number of persons, persons per room, and population (and value and rent for areas located in cities of 50,000 or more). These may be ordered from Superintendent of Documents, U.S. Government Printing Office, or from any Field Office of the Department of Commerce.

[6] Special census tract tabulations designed to meet the specific analytical needs of users may be purchased from the Bureau of the Census. For example, a set of tables for individual census tracts prepared for the city of Providence shows condition of housing unit by nativity, occupation, and age of occupants, and income of household by place of work.

Without doubt the census programs are subject to limitations not found in sharply focused, locally directed surveys. Census programs reflect the advice of representatives of all major social and vocational groups, and are also designed to cast light on national as well as local problems. As a result, some unique problems of a specific city may be slighted. At the same time, civic officials should not underestimate the substantial advantages of the census data, advantages which locally collected data cannot match. Among them are the availability of well-trained enumerators in all sections of the United States, scientific sampling techniques, the latest in data processing procedures, nationwide comparability, and, very important, public acceptance. Certainly, officials should not be unaware of this vast body of inexpensive readily-available data.

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[7] *U.S. Censuses of Population and Housing, 1960: Principal Data Collection Forms and Procedures*. Washington, D.C., 1961. Available from Superintendent of Documents, U.S. Government Printing Office.

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U.S. GOVERNMENT PRINTING OFFICE : 1962 OF—656332

URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE
12

demolition
and
clearance
practices

URBAN RENEWAL ADMINISTRATION, WASHINGTON, D.C.

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All the last three of these publications are issued as a part of the Urban Renewal Service authorized by the Housing Act of 1954 to provide guidance for communities carrying out urban renewal activities.

This Technical Guide for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Price 10 cents.

DEMOLITION AND CLEARANCE PRACTICES

Investigation and planning
Contract requirements
Termination of utility services
Salvage of materials
Protection against vandalism
Grading and filling
Removal of paving and sidewalks
Separation of costs

A study of Local Public Agency practices indicates that all demolition jobs cannot be accomplished in the same way, and that standards applicable for all urban renewal projects, therefore, cannot be established.

Different practices result in varying rates of progress and varying demolition costs. Emphasis on salvage of materials is not always supported by actual savings in final cost. Lack of coordination with land acquisition and relocation has sometimes caused delays and vandalism. Untended and neglected properties will result in the creation of a public nuisance. But improvement in LPA practices, with a consequent increase in efficiency and reduction in costs, is often possible.

The purpose of this Guide is to point the way to such improvement and to emphasize that the principal objective of all demolition and clearance activities is to clear a site as promptly as possible at the most reasonable cost, with due regard for public safety.

investigation and planning

Generally, it is preferable to undertake investigation and planning of demolition and site clearance in the project "execution" stage. But under some conditions it may be advisable to start this work earlier, as part of the survey and planning activities.

Prepared by Project Planning and Engineering Branch, Division of Technical Standards, Urban Renewal Administration, Washington 25, D.C.

Demolition and site clearance always should be preceded by a special study to determine the best applicable methods. The study should include a detailed cost analysis and development of a feasible plan for accomplishing the work.

The plan should take into consideration the location, number, type, and condition of structures, and the value of salvable materials. It should relate to the schedule of all other site operations. This planning work may be directed either by an LPA staff member or by a consultant with special knowledge and experience in demolition.

Coordination and Timing. Successful planning and coordination with land acquisition and disposition, property management, relocation, and site improvement activities will require special attention to the order and timing of demolition and site clearance. This is essential to avoid delays, insure orderly and expeditious completion of the project, and gain all possible savings in cost.

Contract or Force Account. As a general rule, the contract method of execution will prove to be the most desirable. Force account work as a project expenditure is acceptable to the Housing and Home Finance Agency only under circumstances warranting the use of that method. If the LPA has the required supervisory experience, organization, equipment, and storage and marketing facilities, force account work may be the most economical and desirable method. But large demolition jobs involving chiefly masonry structures are usually best done by contract.

If competent contractors experienced in wrecking work are available, the LPA will profit by letting contracts for demolition of relatively large areas with many structures.

Sometimes, however, the sale of individual one-story frame buildings to non-professional wreckers interested in salvaged materials has proved both successful and economical.

contract requirements

In the demolition contract, the LPA usually will include:
(1) map of the location, parcel number, and street number of each parcel of property containing structures to be demolished;
(2) description of each structure to be demolished, with the type of construction, dimensions of first-floor area, and number of stories; and
(3) schedule of the anticipated order of release of structures to the contractor.

Whenever the length of time cannot reasonably be estimated because property acquisition has to be delayed, or for other reasons, completion time should be a fixed period after the release to the contractor of the last structure included in the contract.

HHFA Form H-673, *Guide Form of Contract Documents for Demolition and Site Clearance,* may be used in the planning and preparation of specifications, drawings, and other documents. Copies may be obtained from HHFA Regional Offices.

Competition in Bidding. Compliance with legal requirements for bid advertising usually will not by itself provide adequate bidding competition among qualified contractors. Contacts with contractors' associations and other sources are encouraged to publicize the proposed bidding as widely as possible, and to notify all interested contractors. Notification of proposed bidding should be as wide as possible.

termination of utility services

Water, gas, and electric services should be disconnected immediately after the property is vacated. Pipes should be capped when necessary to prevent loss or damage. Sanitary sewer lines should be plugged to prevent storm water and debris from entering the collection system during demolition.

salvage of materials

The extent of salvage operations should be based on careful planning. Salvage planning decisions are best made by comparing the actual net profit from the sale of salvaged materials with the savings in time that result from curtailing or eliminating separate salvage operations. If there is no separate salvage operation, the reduction of administrative and overhead costs, earlier completion of project improvements, and earlier sale of cleared land often will make it possible to start the ultimate redevelopment sooner.

The best results usually will be obtained by contracts which turn over the building and its contents to the demolition contractor for disposal of all material as the contractor sees fit, the contract price reflecting the value of the materials considered salvable by the contractor.

Materials of Special Value. Salvage of equipment such as plumbing fixtures in advance of demolition has not generally shown any saving when *all* costs are compared. However, in some very large operations it may be desirable to contract separately for the sale and removal of such materials. If the quantity and value of the materials are sufficient to interest junk dealers in separate contracts satisfactory to the LPA, such salvage operations in advance of demolition may prove profitable. This would be likely where buildings contain substantial quantities of marketable salvable materials, usually metal materials such as plumbing, heating, and electrical equipment, piping, and sash weights, all of which readily can be removed in advance of structural demolition without delaying site clearance.

protection against vandalism

The best protection against vandalism is prompt demolition. While barricading or boarding up of vacant buildings before wrecking normally is not economically justified, it may be required by local ordinances, or may be considered necessary as a safety measure.

Boarding up is generally unsatisfactory because it is impossible, at reasonable cost, to secure vacant buildings completely against trespassers and vandals. It may be better to remove doors, window sashes, and any fixtures worth salvaging, and to leave the building open, depending on available property protection from the police.

Partially vacant buildings often present the greatest problem of vandalism and trespass. These problems are all closely related to LPA property management, maintenance, and relocation.

Every effort should be made to relocate all occupants of multiple-family structures promptly. Problems created by partially vacant buildings can thus be minimized.

grading and filling

Usually, grading and filling will be limited to that necessary to leave the sites of the demolished structures in a clean, safe condition, free from ponding.

Only rough grading should be required normally, to grade levels of the original ground elevations at sidewalks, alleys, and buildings. Perishable materials—debris, brush, and weeds—as well as all other demolished materials not used for site filling should be removed from project sites. Erection of barricades to prevent unauthorized dumping on the site is often necessary.

Demolition Below Ground Level. Masonry footings, and areaway and basement walls are best removed to about one foot below the rough grade elevation—unless future excavation will be required for new structures in the same area. When additional excavation is planned, it is more economical to leave all such removal for redevelopment contractors equipped for general excavation work.

Underground metal tanks should be removed and the areas filled. Basement slabs should be broken up to permit drainage. Septic tanks, cesspools, wells, and masonry cisterns should be broken open and filled with earth or suitable demolished masonry materials. Special precautions may be required by local health and safety codes.

Filling of Basements. Although basements provide a disposal area for demolished materials, it is generally not economical to fill basements where subsequent project improvements or redevelopment operations will involve excavation. Hence it is often advisable to fence unfilled basements when city codes do not require that they be filled. Nevertheless, temporary filling of basements by the demolition contractor (but not with compacted or consolidated fills) for disposal of demolished materials may sometimes be more economical than loading, hauling, and off-site dumping; final disposal of the materials often can be made—at less expense—by the future construction contractor while he is excavating for new buildings.

Permanent Fills. Final compacted or consolidated fills are not recommended if new structures are to be built over the basements of demolished buildings. Such fills would increase the cost of later necessary excavation. Basements in demolition sites to be redeveloped as open areas such as parks and playgrounds, however, may be permanently filled with suitable demolished masonry to a plane six to twelve inches below existing grade. Here, placement methods designed to provide sufficient consolidation of the fills should be used to prevent any objectionable settling.

When a large quantity of permanent basement or other filling is required and when enough demolished masonry is available in the project area, satisfactory fill can be obtained by crushing the masonry to the size and gradation necessary for a properly consolidated fill. On one project site considerable saving in cost was obtained through the use of a nearby crushing and screening plant at which large quantities of demolished masonry (principally brick) could be properly treated.

Materials and methods for permanent fill must meet the project design requirements and applicable local regulations. Design requirements may vary according to the purpose and depths of the fill, and the character of the soil supporting it. A fill to support one-story structures obviously will require different treatment from that on which multiple-story structures are to be built.

Some demolished materials suitable for fill are unsatisfactory for building foundations if the fill has been made solely by dumping from trucks. Such materials, spread in layers of designed thickness and mechanically compacted, can provide satisfactory foundation support for low structures. But specially designed foundations will be required for multiple-story or other heavily loaded structures.

removal of paving and sidewalks

Where a project includes substantial removal of street paving, curbs, gutters, and sidewalks, such work normally is done in connection with construction of streets, pavements, sewer and water lines, and similar project improvements. The most common economical approach is to include pavement removal work in contracts for new pavement. Paving contractors usually have the special equipment and experience for such removal work and can save time and money for the LPA by coordinating the two operations.

Sometimes it is not feasible to postpone removal of existing streets and public improvements—for example, when abandoned street facilities have to be removed on tracts proposed for early disposition and redevelopment. This justifies a separate contract for clearance work.

separation of costs

The urban renewal project accounting system maintained by the LPA requires that demolition and site clearance costs be separated from project improvement costs; therefore, such costs must be separated in bids and contracts involving both types of work.

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URBAN RENEWAL SERVICE

HOUSING AND HOME FINANCE AGENCY

TECHNICAL GUIDE
13

condition of housing units by size of place

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This Technical Guide for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Price 15 cents.

CONDITION OF HOUSING UNITS BY SIZE OF PLACE

At the request of the Urban Renewal Administration, the Bureau of the Census has made a special tabulation of the condition and plumbing facilities of housing units by size of place. These data cover places ranging from 1,000 to 1,000,000 or more inhabitants. Separate tables have been prepared for each of the 50 States and for the District of Columbia.

There are also three summary tables for the entire United States:

Table A shows the number of units by condition and plumbing facilities, by size of place;*

Table B shows percentage distributions by size of place;

Table C shows percentage distributions by condition of units.

The three summary tables also include data for housing units located outside of places having more than 1,000 population—mostly rural areas and small towns. These figures were derived by subtracting the number of housing units in all places over 1,000 from the U.S. totals.

These tabulations can be useful in planning and in urban renewal operations, to compare the condition of housing in a particular community with the condition of housing in other States or in groups of other sizes.

Percentage distributions by size of place for any State may be readily determined by any user. This can be done by obtaining the State totals of housing units according to their condition from the 1960 Census of Housing (final) report, HC(1), State and Small Areas, for the State concerned. Information on number of housing units in rural areas and small towns may be computed by subtracting the totals for places with more than 1,000 population from the State totals.

Other relationships will be of interest to various users of the data. Undoubtedly the geographic patterns from State to State will differ significantly from the U.S. totals, and warrant further study.

It should be noted that the introductory statements in the Census of Housing point out that the information on plumbing facilities appeared as self-enumeration items on the Advance Census Report. Condition of the dwelling unit, however, was determined by the enumerator on the basis of his observation; the respondent was not questioned about the condition of his living quarters. Although detailed oral and written instructions and visual aids were provided to the enumerator, it was not possible to achieve uniform results in applying the criteria for determining the condition of a unit.

The 1960 category "dilapidated," is considered comparable with the 1950 category "dilapidated," and the 1960 categories of "sound" and "deteriorating" combined are comparable with the 1950 category "not dilapidated." It is possible, however, that the change in categories introduced an element of difference between the 1960 and 1950 statistics.

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*These data were earlier reported by the Census Bureau in the Advance Reports, Housing Characteristics, HC(A2)-1, June 1962.

Inspection of the U.S. summary tables will disclose a number of interesting relationships that users of this Guide may wish to compute for one or more States in which they have an interest. For example, nearly half of the dilapidated units in the United States are outside of places with more than 1,000 population, although only 31 percent of all housing units are so located. Also, about 60 percent of the units in both the sound and deteriorating categories that are outside of places with more than 1,000 population, lack some plumbing facilities, even though the sound and deteriorating categories contain only 25 percent of the units with all plumbing facilities. Undoubtedly these relationships reflect the heavy weighting of rural units in the group outside of the over-1,000 places. Within the various size groupings of places over 1,000, the proportion of total units in a dilapidated condition is relatively smaller in places over 25,000 than in places between 1,000 and 25,000.

Less than 10 percent of all the dilapidated units are in places with more than 500,000 population, and less than 25 percent are in places over 50,000. In the major metropolitan cities (those over 1,000,000), dilapidated housing units comprise less than 2.5 percent of the total housing stock, and nearly 87 percent of the units in these cities are rated as sound.

The condition of housing in places between 25,000 and 100,000 is generally somewhat better than in places between 100,000 and 1,000,000. Below 25,000 there is a distinct increase in the proportion of dilapidated units, and below 10,000 there is an increase in the percentage of deteriorating units.

The proportion of sound and deteriorating units that lack only hot water is about 1 percent in all places over 2,500. However, outside of places over 1,000, the units lacking plumbing facilities in sound and deteriorating categories are more than triple the number of dilapidated units.

REVISED TABLE --- URA Technical Guide No. 13, Condition of Housing Units by Size of Place

The table for Virginia on Page 15 is in error. Please substitute the attached revised table for the Virginia table in your copy of this publication.

VIRGINIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	---	---	87,555	191,338	105,042	36,783	74,741	68,052	35,288
Sound:									
With all plumbing facilities	---	---	69,397	156,398	88,285	24,140	57,337	49,352	23,213
Lacking only hot water	---	---	841	2,153	920	715	773	606	3,930
Lacking other plumbing facilities	---	---	2,692	4,989	2,612	1,885	2,854	4,132	
Deteriorating:									
With all plumbing facilities	---	---	7,322	14,367	6,636	3,202	6,144	4,947	2,778
Lacking only hot water	---	---	1,017	2,237	1,363	705	697	596	2,702
Lacking other plumbing facilities	---	---	2,830	5,442	2,147	2,456	3,276	4,282	
Dilapidated	---	---	3,456	5,752	3,079	3,680	3,660	4,137	2,665

1960 CENSUS OF HOUSING CONDITION AND PLUMBING FACILITIES OF HOUSING UNITS BY SIZE OF PLACE

Table A—United States Totals

	U.S. total	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500	Outside of places over 1,000
All units	58,318,279	6,110,260	3,762,935	3,640,068	3,841,311	4,453,225	4,730,055	5,490,410	5,690,291	2,426,688	18,173,054
Sound	47,350,756	5,291,471	3,163,568	3,039,744	3,213,076	3,887,302	4,090,627	4,655,427	4,606,938	1,872,560	13,530,043
With all plumbing facilities	43,149,521	5,037,640	2,962,649	2,870,432	3,047,917	3,734,775	3,930,460	4,470,323	4,335,638	1,700,448	11,059,239
Lacking only hot water	492,198	16,652	23,297	18,433	31,713	28,250	29,170	36,749	49,296	172,112	2,470,804
Lacking other plumbing facilities	3,709,037	237,179	177,622	150,879	133,446	124,277	130,997	148,355	222,004		
Deteriorating	8,075,676	667,837	476,154	464,673	487,127	437,722	483,394	579,707	799,883	410,923	3,268,256
With all plumbing facilities	4,577,584	535,501	340,598	329,543	350,348	318,928	351,488	415,660	538,206	250,536	1,146,776
Lacking only hot water	341,975	11,136	24,160	20,912	32,027	25,175	24,506	31,377	43,310	160,387	2,121,480
Lacking other plumbing facilities	3,156,117	121,200	111,396	114,218	104,752	93,619	107,400	132,670	218,367		
Dilapidated	2,891,865	150,952	123,213	135,651	141,108	128,201	156,034	255,276	283,470	143,205	1,374,755

Table B—Percentage Distribution of U.S. Totals by Size of Place*

	U.S. total	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500	Outside of places over 1,000
All units	100.00	10.48	6.45	6.24	6.59	7.64	8.11	9.41	9.76	4.16	31.16
Sound	100.00	11.17	6.68	6.42	6.79	8.21	8.64	9.83	9.73	3.97	28.56
With all plumbing facilities	100.00	11.67	6.87	6.65	7.06	8.66	9.11	10.36	10.05	3.94	25.63
Lacking only hot water	100.00	3.38	4.73	3.74	6.44	5.74	5.93	7.47	10.01	4.10	58.81
Lacking other plumbing facilities	100.00	6.39	4.79	4.07	3.60	3.35	3.53	4.00	5.98		
Deteriorating	100.00	8.27	5.90	5.76	6.03	5.42	5.99	7.18	9.90	5.09	40.46
With all plumbing facilities	100.00	11.70	7.44	7.20	7.65	6.97	7.68	9.08	11.76	5.47	25.05
Lacking only hot water	100.00	3.26	7.06	6.12	9.36	7.36	7.17	9.18	12.66	4.58	60.65
Lacking other plumbing facilities	100.00	3.84	3.53	3.62	3.32	2.97	3.40	4.20	6.92		
Dilapidated	100.00	5.22	4.26	4.69	4.88	4.43	5.39	8.83	9.80	4.95	47.54

*Components may not add to 100.00 percent.

Table C—Percentage Distribution of U.S. Totals by Condition of Unit*

	U.S. total	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500	Outside of places over 1,000
All units	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
Sound	81.19	86.60	84.07	83.51	83.65	87.29	86.48	84.79	80.96	77.16	74.45
With all plumbing facilities	73.99	82.45	78.73	78.86	79.35	83.87	83.10	81.42	76.19	70.07	60.86
Lacking only hot water	.84	.27	.62	.51	.83	.63	.62	.67	.87	7.09	13.59
Lacking other plumbing facilities	6.36	3.88	4.72	4.14	3.47	2.79	2.77	2.70	3.90		
Deteriorating	13.85	10.93	12.65	12.76	12.68	9.83	10.22	10.56	14.06	16.93	17.98
With all plumbing facilities	7.84	8.76	9.05	9.05	9.12	7.16	7.43	7.57	9.46	10.32	6.31
Lacking only hot water	.59	.18	.64	.57	.83	.57	.52	.57	.76	6.61	11.67
Lacking other plumbing facilities	5.41	1.98	2.96	3.14	2.73	2.10	2.27	2.42	3.84		
Dilapidated	4.96	2.47	3.27	3.73	3.67	2.88	3.30	4.65	4.98	5.90	7.56

*Components may not add to 100.00 because of rounding.

STATE TOTALS

ALABAMA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	--------	--------	109, 151	101, 821	57, 722	78, 780	61, 023	114, 839	34, 812
Sound:									
With all plumbing facilities	--------	--------	74, 495	69, 660	42, 321	50, 180	43, 303	73, 871	19, 771
Lacking only hot water	--------	--------	1, 304	948	381	1, 068	712	1, 378	3, 834
Lacking other plumbing facilities	--------	--------	4, 341	3, 288	1, 937	5, 369	2, 867	7, 173	
Deteriorating:									
With all plumbing facilities	--------	--------	11, 182	12, 566	5, 339	6, 628	4, 614	9, 982	2, 770
Lacking only hot water	--------	--------	1, 682	1, 399	623	954	656	1, 400	4, 761
Lacking other plumbing facilities	--------	--------	7, 413	6, 790	3, 162	7, 448	4, 106	10, 415	
Dilapidated	--------	--------	8, 734	7, 170	3, 959	7, 133	4, 765	10, 620	3, 676

ALASKA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	--------	--------	--------	--------	--------	14, 538	4, 832	9, 747	7, 299
Sound:									
With all plumbing facilities	--------	--------	--------	--------	--------	11, 195	3, 066	7, 130	3, 323
Lacking only hot water	--------	--------	--------	--------	--------	12	8	11	685
Lacking other plumbing facilities	--------	--------	--------	--------	--------	443	249	378	
Deteriorating:									
With all plumbing facilities	--------	--------	--------	--------	--------	1, 653	625	1, 196	944
Lacking only hot water	--------	--------	--------	--------	--------	17	12	17	928
Lacking other plumbing facilities	--------	--------	--------	--------	--------	351	186	385	
Dilapidated	--------	--------	--------	--------	--------	867	686	630	1, 419

ARIZONA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	--------	--------	143, 072	69, 048	--------	11, 422	37, 530	41, 504	16, 550
Sound:									
With all plumbing facilities	--------	--------	122, 440	59, 874	--------	9, 684	29, 200	26, 921	10, 933
Lacking only hot water	--------	--------	498	269	--------	20	122	266	746
Lacking other plumbing facilities	--------	--------	2, 015	1, 033	--------	136	773	1, 171	
Deteriorating:									
With all plumbing facilities	--------	--------	10, 540	4, 355	--------	784	4, 069	6, 497	2, 276
Lacking only hot water	--------	--------	622	269	--------	13	209	471	950
Lacking other plumbing facilities	--------	--------	2, 554	1, 052	--------	99	1, 077	1, 745	
Dilapidated	--------	--------	4, 403	2, 196	--------	686	2, 080	4, 433	1, 645

ARKANSAS

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	--------	--------	--------	37, 044	37, 372	35, 052	59, 970	82, 274	32, 369
Sound:									
With all plumbing facilities	--------	--------	--------	28, 913	28, 009	21, 774	38, 162	49, 070	17, 669
Lacking only hot water	--------	--------	--------	146	111	264	545	712	3, 006
Lacking other plumbing facilities	--------	--------	--------	1, 618	1, 209	1, 938	2, 816	4, 487	
Deteriorating	--------	--------	--------						
With all plumbing facilities	--------	--------	--------	3, 401	3, 926	4, 417	5, 807	9, 619	3, 579
Lacking only hot water	--------	--------	--------	170	249	306	551	911	4, 362
Lacking other plumbing facilities	--------	--------	--------	1, 246	1, 877	2, 873	4, 837	8, 194	
Dilapidated	--------	--------	--------	1, 550	1, 991	3, 480	7, 252	9, 281	3, 753

STATE TOTALS—CONTINUED

CALIFORNIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	936, 202	502, 818	274, 760	448, 215	633, 321	633, 928	520, 021	320, 008	98, 806
Sound:									
With all plumbing facilities	831, 917	427, 721	243, 080	397, 244	583, 067	584, 416	462, 136	260, 032	76, 285
Lacking only hot water	653	405	172	224	412	469	505	546	2, 324
Lacking other plumbing facilities	26, 091	31, 324	7, 172	8, 645	7, 788	7, 711	5, 832	6, 054	
Deteriorating:									
With all plumbing facilities	53, 884	23, 318	16, 836	28, 288	30, 332	29, 879	34, 959	34, 398	12, 217
Lacking only hot water	262	99	77	125	123	204	329	523	1, 937
Lacking other plumbing facilities	10, 632	11, 860	3, 242	5, 710	4, 001	3, 232	4, 027	4, 869	
Dilapidated	12, 763	8, 091	4, 181	7, 979	7, 598	8, 017	12, 233	13, 586	6, 043

COLORADO

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	------	174, 124	------	52, 578	52, 281	57, 064	54, 178	23, 106
Sound:									
With all plumbing facilities	------	------	143, 336	------	40, 893	46, 155	50, 436	41, 396	16, 652
Lacking only hot water	------	------	144	------	70	59	81	120	1, 272
Lacking other plumbing facilities	------	------	10, 238	------	2, 483	1, 291	1, 141	1, 833	
Deteriorating:									
With all plumbing facilities	------	------	12, 329	------	5, 256	3, 339	3, 426	6, 270	3, 063
Lacking only hot water	------	------	44	------	57	41	39	144	1, 066
Lacking other plumbing facilities	------	------	5, 368	------	1, 725	772	766	1, 726	
Dilapidated	------	------	2, 665	------	2, 094	624	1, 175	2, 689	1, 053

CONNECTICUT

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	------	------	195, 190	129, 206	167, 166	49, 435	40, 485.	16, 828
Sound:									
With all plumbing facilities	------	------	------	153, 730	114, 359	147, 844	41, 863	32, 294	13, 574
Lacking only hot water	------	------	------	2, 087	865	1, 248	440	618	937
Lacking other plumbing facilities	------	------	------	9, 060	3, 240	2, 973	1, 033	1, 103	
Deteriorating:									
With all plumbing facilities	------	------	------	18, 724	6, 535	9, 672	3, 602	4, 099	1, 313
Lacking only hot water	------	------	------	1, 470	598	767	398	496	572
Lacking other plumbing facilities	------	------	------	4, 504	1, 519	1, 331	492	734	
Dilapidated	------	------	------	5, 615	2, 090	3, 331	1, 607	1, 141	432

DELAWARE

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	------	------	------	33, 171	------	3, 263	12, 944	8, 402
Sound:									
With all plumbing facilities	------	------	------	------	26, 269	------	2, 790	10, 160	6, 241
Lacking only hot water	------	------	------	------	122	------	3	161	652
Lacking other plumbing facilities	------	------	------	------	927	------	73	778	
Deteriorating:									
With all plumbing facilities	------	------	------	------	4, 179	------	222	662	638
Lacking only hot water	------	------	------	------	116	------	11	87	534
Lacking other plumbing facilities	------	------	------	------	543	------	39	470	
Dilapidated	------	------	------	------	1, 015	------	125	626	337

STATE TOTALS—CONTINUED

DISTRICT OF COLUMBIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	262, 639	------	------	------	------	------	------	------
Sound:									
With all plumbing facilities	------	223, 107	------	------	------	------	------	------	------
Lacking only hot water	------	195	------	------	------	------	------	------	------
Lacking other plumbing facilities	------	14, 913	------	------	------	------	------	------	------
Deteriorating:									
With all plumbing facilities	------	16, 758	------	------	------	------	------	------	------
Lacking only hot water	------	69	------	------	------	------	------	------	------
Lacking other plumbing facilities	------	4, 056	------	------	------	------	------	------	------
Dilapidated	------	3, 541	------	------	------	------	------	------	------

FLORIDA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	------	214, 942	148, 853	166, 738	162, 281	158, 048	227, 158	67, 253
Sound:									
With all plumbing facilities	------	------	169, 391	112, 833	144, 813	132, 695	127, 601	178, 399	46, 877
Lacking only hot water	------	------	4, 989	2, 701	1, 775	3, 228	3, 345	5, 244	4, 572
Lacking other plumbing facilities	------	------	6, 729	5, 624	3, 237	3, 646	4, 206	7, 059	
Deteriorating:									
With all plumbing facilities	------	------	14, 614	11, 215	7, 468	9, 547	7, 983	12, 880	4, 506
Lacking only hot water	------	------	5, 471	4, 040	2, 443	2, 971	3, 213	4, 754	5, 673
Lacking other plumbing facilities	------	------	4, 666	5, 202	3, 233	4, 053	4, 277	7, 878	
Dilapidated	------	------	9, 082	7, 238	3, 769	6, 141	7, 423	10, 944	5, 625

GEORGIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	------	154, 177	82, 106	60, 962	47, 169	109, 812	131, 327	60, 180
Sound:									
With all plumbing facilities	------	------	114, 876	56, 664	37, 487	34, 114	73, 567	81, 249	33, 668
Lacking only hot water	------	------	1, 180	1, 741	1, 418	515	1, 747	2, 466	6, 571
Lacking other plumbing facilities	------	------	4, 780	2, 131	2, 197	1, 418	5, 585	7, 662	
Deteriorating:									
With all plumbing facilities	------	------	12, 845	8, 294	6, 401	4, 065	8, 515	11, 257	5, 094
Lacking only hot water	------	------	2, 451	2. 205	2, 163	741	1, 850	2, 546	8, 072
Lacking other plumbing facilities	------	------	6, 461	4, 448	4. 940	2, 495	7, 726	11, 928	
Dilapidated	------	------	11, 584	6, 623	6, 356	3, 821	10, 822	14, 219	6, 775

HAWAII

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------	------	80, 729	------	------	13, 227	10, 014	13, 183	9, 165
Sound:									
With all plumbing facilities	------	------	61, 049	------	------	10, 608	8, 810	6, 935	4, 855
Lacking only hot water	------	------	374	------	------	444	151	423	914
Lacking other plumbing facilities	------	------	1, 791	------	------	314	72	236	
Deteriorating:									
With all plumbing facilities	------	------	9, 041	------	------	943	425	2, 078	1, 003
Lacking only hot water	------	------	834	------	------	303	83	621	1, 531
Lacking other plumbing facilities	------	------	1, 466	------	------	162	85	748	
Dilapidated	------	------	6, 174	------	------	453	388	2, 142	862

STATE TOTALS—CONTINUED

IDAHO

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	----------	----------	32, 553	37, 342	35, 341	19, 313
Sound:									
With all plumbing facilities	----------	----------	----------	----------	----------	26, 326	30, 850	27, 851	13. 783
Lacking only hot water	----------	----------	----------	----------	----------	32	64	54	908
Lacking other plumbing facilities	----------	----------	----------	----------	----------	1, 145	1, 065	983	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	----------	----------	3, 312	3, 601	3, 896	2, 819
Lacking only hot water	----------	----------	----------	----------	----------	29	19	51	761
Lacking other plumbing facilities	----------	----------	----------	----------	----------	850	623	809	
Dilapidated	----------	----------	----------	----------	----------	859	1, 120	1. 697	1, 042

ILLINOIS

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	1, 214, 555	----------	----------	76, 778	267, 915	277, 418	336, 567	342, 919	132, 905
Sound:									
With all plumbing facilities	953, 319	----------	----------	61, 803	223. 629	234, 938	297, 839	274, 161	94, 604
Lacking only hot water	3, 768	----------	----------	340	1, 391	1, 193	1, 384	3, 584	9, 735
Lacking other plumbing facilities	80, 213	----------	----------	3, 628	9. 012	9. 244	7. 347	12, 419	
Deteriorating:									
With all plumbing facilities	101, 141	----------	----------	6. 118	18, 181	18, 403	17, 279	27, 688	12, 850
Lacking only hot water	2, 478	----------	----------	207	1. 589	1, 089	1, 195	2, 644	8, 487
Lacking other plumbing facilities	43, 549	----------	----------	2, 325	7, 016	5. 894	5, 247	10, 346	
Dilapidated	30, 087	----------	----------	2, 357	7, 097	6, 657	6. 276	12, 077	7, 229

INDIANA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	158, 729	229, 535	65, 603	130. 520	131, 726	153, 807	70, 667
Sound:									
With all plumbing facilities	----------	----------	121, 256	186, 388	46, 514	99, 193	103, 109	117, 385	52, 144
Lacking only hot water	----------	----------	784	1, 296	564	839	910	1. 562	5, 208
Lacking other plumbing facilities	----------	----------	7, 785	8, 031	4, 016	5, 169	5, 101	7, 656	
Deteriorating:									
With all plumbing facilities	----------	----------	15, 062	20, 455	6, 891	14, 057	12. 658	14, 070	6, 310
Lacking only hot water	----------	----------	974	1, 427	560	758	723	1. 084	4, 208
Lacking other plumbing facilities	----------	----------	6, 819	5, 117	3. 672	4. 162	4, 061	6, 182	
Dilapidated	----------	----------	6, 049	6, 821	3, 386	6, 342	5, 164	5, 868	2, 797

IOWA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	71, 756	144, 287	70, 952	55, 589	131, 820	72, 719
Sound:									
With all plumbing facilities	----------	----------	----------	53, 000	113, 015	53, 897	43, 374	99, 108	52, 371
Lacking only hot water	----------	----------	----------	113	946	284	291	1, 061	5, 715
Lacking other plumbing facilities	----------	----------	----------	4, 074	8, 006	3, 616	2, 569	6, 700	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	7, 425	11, 526	7, 574	5, 042	14, 233	7, 606
Lacking only hot water	----------	----------	----------	227	613	364	313	926	4, 196
Lacking other plumbing facilities	----------	----------	----------	3, 553	5, 421	2, 822	2, 016	5, 184	
Dilapidated	----------	----------	----------	3, 364	4, 760	2, 395	1, 984	4, 608	2, 831

STATE TOTALS—CONTINUED

KANSAS

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------------	------------	88,478	80,537	------------	44,581	112,718	92,956	55,581
Sound:									
With all plumbing facilities	------------	------------	72,102	59,572	------------	36,443	88,746	73,158	39,598
Lacking only hot water	------------	------------	76	159	------------	24	185	181	1,854
Lacking other plumbing facilities	------------	------------	2,623	3,829	------------	1,470	3,432	2,251	
Deteriorating:									
With all plumbing facilities	------------	------------	8,750	9,475	------------	3,877	12,860	11,484	9,250
Lacking only hot water	------------	------------	65	238	------------	47	269	177	2,139
Lacking other plumbing facilities	------------	------------	2,236	3,155	------------	1,257	2,911	2,193	
Dilapidated	------------	------------	2,626	4,109	------------	1,463	4,315	3,512	2,740

KENTUCKY

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------------	------------	128,238	------------	40,546	55,325	55,393	103,829	49,579
Sound:									
With all plumbing facilities	------------	------------	96,242	------------	27,822	40,129	41,292	73,392	31,722
Lacking only hot water	------------	------------	367	------------	52	334	419	878	4,907
Lacking other plumbing facilities	------------	------------	7,842	------------	2,368	3,026	2,203	6,123	
Deteriorating:									
With all plumbing facilities	------------	------------	12,353	------------	5,205	4,727	4,502	9,668	4,106
Lacking only hot water	------------	------------	427	------------	120	470	364	812	5,218
Lacking other plumbing facilities	------------	------------	6,067	------------	1,792	3,030	2,661	6,312	
Dilapidated	------------	------------	4,940	------------	3,187	3,609	3,952	6,644	3,626

LOUISIANA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------------	202,632	------------	99,976	36,026	44,107	91,141	105,498	41,060
Sound:									
With all plumbing facilities	------------	142,764	------------	73,908	25,356	31,295	61,545	64,347	22,490
Lacking only hot water	------------	5,238	------------	1,231	362	701	1,850	2,417	4,608
Lacking other plumbing facilities	------------	5,849	------------	4,463	1,574	1,876	4,186	6,376	
Deteriorating:									
With all plumbing facilities	------------	21,824	------------	8,509	2,692	3,707	8,614	10,924	3,732
Lacking only hot water	------------	5,337	------------	1,412	327	642	1,662	2,061	5,761
Lacking other plumbing facilities	------------	7,461	------------	5,088	2,684	2,738	4,876	8,997	
Dilapidated	------------	14,159	------------	5,365	3,031	3,148	8,408	10,376	4,469

MAINE

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	------------	------------	------------	------------	26,289	25,245	53,883	57,730	25,353
Sound:									
With all plumbing facilities	------------	------------	------------	------------	20,401	18,471	41,831	39,844	18,029
Lacking only hot water	------------	------------	------------	------------	102	249	755	412	3,050
Lacking other plumbing facilities	------------	------------	------------	------------	2,283	2,071	3,232	4,875	
Deteriorating:									
With all plumbing facilities	------------	------------	------------	------------	2,358	2,442	4,276	5,900	1,823
Lacking only hot water	------------	------------	------------	------------	91	226	333	355	1,501
Lacking other plumbing facilities	------------	------------	------------	------------	498	1,052	1,988	3,109	
Dilapidated	------------	------------	------------	------------	556	734	1,468	3,235	950

STATE TOTALS—CONTINUED

MARYLAND

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	---	290,078	---	---	73,821	60,259	101,911	53,597	27,145
Sound:									
With all plumbing facilities	---	241,615	---	---	71,260	51,907	91,327	45,567	19,198
Lacking only hot water	---	842	---	---	51	160	468	226	1,947
Lacking other plumbing facilities	---	2,981	---	---	215	1,222	2,304	1,591	
Deteriorating:									
With all plumbing facilities	---	32,323	---	---	1,277	4,298	4,097	3,374	2,984
Lacking only hot water	---	1,200	---	---	12	164	258	170	1,638
Lacking other plumbing facilities	---	2,010	---	---	160	1,054	1,604	1,121	
Dilapidated	---	9,107	---	---	846	1,454	1,853	1,548	1,378

MASSACHUSETTS

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	---	238,845	---	189,732	354,489	291,222	134,718	71,007	46,326
Sound:									
With all plumbing facilities	---	174,935	---	144,192	291,702	250,259	115,963	58,254	36,614
Lacking only hot water	---	1,621	---	7,173	7,350	2,627	1,392	1,000	3,448
Lacking other plumbing facilities	---	14,696	---	8,779	13,938	5,977	3,365	2,947	
Deteriorating:									
With all plumbing facilities	---	27,100	---	17,748	27,121	21,232	9,180	5,558	3,801
Lacking only hot water	---	1,539	---	3,163	2,801	1,457	730	476	1,518
Lacking other plumbing facilities	---	9,695	---	3,133	5,537	2,916	1,772	1,057	
Dilapidated	---	9,259	---	5,544	6,040	6,754	2,316	1,715	945

MICHIGAN

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	553,106	---	---	191,831	250,224	212,469	181,526	180,141	92,434
Sound:									
With all plumbing facilities	464,740	---	---	159,637	217,445	188,899	151,959	142,401	69,077
Lacking only hot water	715	---	---	359	634	455	688	1,381	5,624
Lacking other plumbing facilities	12,305	---	---	6,000	5,600	4,318	4,830	6,319	
Deteriorating:									
With all plumbing facilities	53,967	---	---	18,740	17,582	13,449	15,405	17,471	10,002
Lacking only hot water	433	---	---	360	615	344	622	1,130	4,012
Lacking other plumbing facilities	6,388	---	---	2,898	3,337	1,804	3,472	4,915	
Dilapidated	14,558	---	---	3,837	5,011	3,200	4,549	6,524	3,719

MINNESOTA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	---	---	273,202	36,567	12,352	68,327	131,708	129,590	72,065
Sound:									
With all plumbing facilities	---	---	216,455	27,125	11,892	61,394	112,663	102,722	50,853
Lacking only hot water	---	---	435	77	3	93	533	909	6,472
Lacking other plumbing facilities	---	---	17,229	2,916	92	1,879	4,806	7,597	
Deteriorating:									
With all plumbing facilities	---	---	21,227	3,350	223	2,847	7,674	9,543	6,999
Lacking only hot water	---	---	369	121	4	28	378	559	4,680
Lacking other plumbing facliities	---	---	9,401	2,016	58	767	2,700	4,463	
Dilapidated	---	---	8,086	962	80	1,319	2,954	3,797	3,061

STATE TOTALS—CONTINUED

MISSISSIPPI

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	42,780	----------	77,362	52,387	75,793	35,590
Sound:									
With all plumbing facilities	----------	----------	----------	33,546	----------	48,164	31,269	45,197	19,264
Lacking only hot water	----------	----------	----------	430	----------	752	717	1,059	4,747
Lacking other plumbing facilities	----------	----------	----------	1,228	----------	2,658	3,192	5,752	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	4,328	----------	8,926	5,443	6,827	2,659
Lacking only hot water	----------	----------	----------	398	----------	1,085	639	942	----------
Lacking other plumbing facilities	----------	----------	----------	1,558	----------	6,015	5,012	7,720	5,295
Dilapidated	----------	----------	----------	1,292	----------	9,762	6,115	8,296	3,625

MISSOURI

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	262.977	178.597	----------	99,686	61,603	127,718	180,592	73,850
Sound:									
With all plumbing facilities	----------	181.204	134,678	----------	80,240	52,475	107,169	133,643	50,071
Lacking only hot water	----------	4,316	255	----------	474	118	791	2,153	6,815
Lacking other plumbing facilities	----------	19,543	12,626	----------	4,194	1,505	4,006	8,727	
Deteriorating:									
With all plumbing facilities	----------	24,324	18,582	----------	8,462	4,182	7.301	16,259	6,696
Lacking only hot water	----------	5,609	295	----------	412	163	641	1,906	6,169
Lacking other plumbing facilities	----------	16,443	6.512	----------	3.009	1,235	3,411	9,608	
Dilapidated	----------	11,538	5,649	----------	2,895	1,925	4.399	8,296	4,099

MONTANA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	----------	36,226	21,644	23,173	33,120	20,952
Sound:									
With all plumbing facilities	----------	----------	----------	----------	27,671	15,568	18.335	25.020	14,319
Lacking only hot water	----------	----------	----------	----------	12	8	17	33	1,233
Lacking other plumbing facilities	----------	----------	----------	----------	1,627	2,084	1,296	1,601	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	----------	4.027	2,354	2,108	3.884	2,839
Lacking only hot water	----------	----------	----------	----------	14	13	24	49	981
Lacking other plumbing facilities	----------	----------	----------	----------	1,536	868	594	1,172	
Dilapidated	----------	----------	----------	----------	1,339	749	799	1,361	1,580

NEBRASKA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	97,276	43,307	----------	8,656	42,793	52,178	37,831
Sound:									
With all plumbing facilities	----------	----------	78,014	33,337	----------	7.009	34.915	41,153	28,330
Lacking only hot water	----------	----------	202	101	----------	13	160	216	2,166
Lacking other plumbing facilities	----------	----------	4,485	1,243	----------	328	1,475	1,916	
Deteriorating:									
With all plumbing facilities	----------	----------	8,527	5,817	----------	805	3,833	5,567	4,313
Lacking only hot water	----------	----------	265	88	----------	20	180	154	1,792
Lacking other plumbing facilities	----------	----------	2,975	1,286	----------	228	960	1.429	
Dilapidated	----------	----------	2,808	1,435	----------	253	1,270	1,743	1.230

STATE TOTALS—CONTINUED

NEVADA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	-----	42, 391	-----	14, 393	10, 557	5, 623
Sound:									
With all plumbing facilities	-----	-----	-----	-----	36, 345	-----	12, 789	7, 992	4, 404
Lacking only hot water	-----	-----	-----	-----	90	-----	32	10	182
Lacking other plumbing facilities	-----	-----	-----	-----	1, 972	-----	97	260	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	-----	2, 351	-----	967	1, 410	644
Lacking only hot water	-----	-----	-----	-----	29	-----	4	23	166
Lacking other plumbing facilities	-----	-----	-----	-----	708	-----	258	193	
Dilapidated	-----	-----	-----	-----	896	-----	246	669	227

NEW HAMPSHIRE

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	-----	28, 867	29, 230	32, 708	21, 266	15, 779
Sound:									
With all plumbing facilities	-----	-----	-----	-----	23, 141	23, 926	26, 541	15, 981	11, 071
Lacking only hot water	-----	-----	-----	-----	657	170	296	206	989
Lacking other plumbing facilities	-----	-----	-----	-----	695	765	1, 240	868	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	-----	2, 593	2, 767	2, 846	2, 558	2, 253
Lacking only hot water	-----	-----	-----	-----	471	199	164	145	629
Lacking other plumbing facilities	-----	-----	-----	-----	440	481	689	588	
Dilapidated	-----	-----	-----	-----	870	922	932	920	837

NEW JERSEY

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	226, 743	155, 443	235, 097	344, 344	366, 938	304, 331	52, 303
Sound:									
With all plumbing facilities	-----	-----	159, 653	122, 144	208, 314	302, 734	336, 014	267, 850	44, 027
Lacking only hot water	-----	-----	3, 160	1, 165	787	3, 286	1, 099	2, 285	2, 026
Lacking other plumbing facilities	-----	-----	9, 184	5, 100	3, 736	6, 651	4, 446	5, 488	
Deteriorating:									
With all plumbing facilities	-----	-----	31, 402	16, 702	15, 467	20, 012	16, 902	18, 785	3, 531
Lacking only hot water	-----	-----	2, 986	1, 023	636	1, 397	755	1, 060	1, 182
Lacking other plumbing facilities	-----	-----	8, 617	3, 424	2, 356	3, 681	2, 322	2, 696	
Dilapidated	-----	-----	11, 741	5, 885	3, 801	6, 583	5, 400	6, 167	1, 537

NEW MEXICO

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	76, 727	-----	46, 985	34, 929	34, 698	11, 295
Sound:									
With all plumbing facilities	-----	-----	-----	64, 366	-----	37, 322	28, 643	22, 993	6, 347
Lacking only hot water	-----	-----	-----	180	-----	109	93	195	1, 111
Lacking other plumbing facilities	-----	-----	-----	2, 695	-----	1, 021	720	2, 464	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	4, 205	-----	4, 727	2, 819	4, 511	1, 588
Lacking only hot water	-----	-----	-----	47	-----	171	105	126	1, 511
Lacking other plumbing facilities	-----	-----	-----	2, 162	-----	1, 516	897	2, 276	
Dilapidated	-----	-----	-----	3, 072	-----	2, 119	1, 652	2, 133	738

STATE TOTALS—CONTINUED

NEW YORK

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	2,757,420	177,224	107,258	244,274	223,369	271,627	396,393	315,255	130,949
Sound:									
With all plumbing facilities	2,230,117	139,807	87,414	196,585	193,686	235,160	350,245	266,446	105,304
Lacking only hot water	10,312	244	177	1,136	425	836	1,229	1,647	5,736
Lacking other plumbing facilities	106,129	7,165	4,420	8,432	4,986	6,215	5,743	7,036	
Deteriorating:									
With all plumbing facilities	270,672	20,778	10,626	24,127	15,710	19,385	26,942	27,199	12,623
Lacking only hot water	6,542	104	142	1,099	525	695	1,196	1,237	3,160
Lacking other plumbing facilities	53,116	2,711	1,827	5,492	2,492	3,403	3,531	4,009	
Dilapidated	80,532	6,415	2,652	7,403	5,545	5,933	7,507	7,681	4,126

NORTH CAROLINA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	131,653	89,634	87,472	101,681	126,730	76,779
Sound:									
With all plumbing facilities	----------	----------	----------	102,095	67,414	59,810	69,312	82,214	48,809
Lacking only hot water	----------	----------	----------	2,094	1,015	2,041	2,200	2,461	7,453
Lacking other plumbing facilities	----------	----------	----------	3,009	2,493	4,070	4,563	7,614	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	10,580	9,222	7,583	8,831	11,341	6,423
Lacking only hot water	----------	----------	----------	3,907	1,443	2,629	2,570	2,654	7,814
Lacking other plumbing facilities	----------	----------	----------	3,215	3,043	5,815	6,409	10,075	
Dilapidated	----------	----------	----------	6,753	5,004	5,524	7,796	10,371	6,280

NORTH DAKOTA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	----------	----------	42,410	10,594	12,852	24,451
Sound:									
With all plumbing facilities	----------	----------	----------	----------	----------	34,438	8,775	9,778	17,004
Lacking only hot water	----------	----------	----------	----------	----------	110	36	76	2,639
Lacking other plumbing facilities	----------	----------	----------	----------	----------	2,886	457	922	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	----------	----------	2,781	823	1,090	2,004
Lacking only hot water	----------	----------	----------	----------	----------	61	20	40	1,622
Lacking other plumbing facilities	----------	----------	----------	----------	----------	1,264	242	544	
Dilapidated	----------	----------	----------	----------	----------	870	241	402	1,182

OHIO

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	454,572	435,906	88,157	208,606	256,603	338,306	290,277	107,093
Sound:									
With all plumbing facilities	----------	348,354	347,953	68,556	183,860	217,009	289,348	241,406	80,630
Lacking only hot water	----------	987	474	130	335	370	648	945	6,849
Lacking other plumbing facilities	----------	23,226	16,999	3,154	4,697	6,781	6,822	8,470	
Deteriorating:									
With all plumbing facilities	----------	46,117	45,929	11,030	13,014	20,012	27,192	22,766	9,950
Lacking only hot water	----------	921	302	80	215	307	549	689	5,621
Lacking other plumbing facilities	----------	18,787	11,350	1,891	3,264	5,297	5,546	6,761	
Dilapidated	----------	16,180	12,899	3,316	3,221	6,827	8,201	9,240	4,043

STATE TOTALS—CONTINUED

OKLAHOMA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	208, 261	----------	19, 491	58, 266	103, 207	113, 927	51, 315
Sound:									
With all plumbing facilities	----------	----------	164, 792	----------	15, 859	45, 820	77, 666	77, 433	32, 369
Lacking only hot water	----------	----------	338	----------	12	134	211	345	2, 450
Lacking other plumbing facilities	----------	----------	7, 412	----------	472	1, 664	2, 893	3, 542	
Deteriorating:									
With all plumbing facilities	----------	----------	21, 405	----------	1, 640	6, 398	12, 961	17, 939	8, 553
Lacking only hot water	----------	----------	314	----------	20	116	452	496	3, 909
Lacking other plumbing facilities	----------	----------	6, 294	----------	437	1, 337	3, 407	5, 564	
Dilapidated	----------	----------	7, 706	----------	1, 051	2, 797	5, 617	8, 608	4, 034

OREGON

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	143, 012	----------	16, 926	16, 273	63, 741	80, 570	25, 922
Sound:									
With all plumbing facilities	----------	----------	117, 075	----------	13, 899	13, 518	50, 888	63, 995	19, 095
Lacking only hot water	----------	----------	80	----------	11	----------	72	81	630
Lacking other plumbing facilities	----------	----------	6, 313	----------	492	383	1, 419	2, 284	
Deteriorating:									
With all plumbing facilities	----------	----------	11, 763	----------	1, 781	1, 642	7, 732	9, 747	4, 374
Lacking only hot water	----------	----------	40	----------	8	4	66	76	569
Lacking other plumbing facilities	----------	----------	3, 817	----------	286	250	1, 170	1, 182	
Dilapidated	----------	----------	3, 924	----------	449	476	2, 394	3, 205	1, 254

PENNSYLVANIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	648, 977	196, 129	----------	115, 512	317, 254	207, 196	420, 831	492, 644	177, 486
Sound:									
With all plumbing facilities	557, 547	137, 521	----------	94, 645	267, 145	175, 195	350, 764	402, 251	132, 984
Lacking only hot water	1, 204	221	----------	291	561	447	976	1, 393	11, 373
Lacking other plumbing facilities	12, 441	14, 987	----------	4, 010	9, 855	6, 154	13, 091	18, 061	
Deteriorating:									
With all plumbing facilities	55, 837	25, 398	----------	11, 030	25, 068	16, 097	35, 325	46, 566	18, 256
Lacking only hot water	1, 421	287	----------	220	718	330	770	1, 101	8, 120
Lacking other plumbing facilities	7, 515	9, 506	----------	2, 061	5, 749	3, 257	8, 003	10, 114	
Dilapidated	13, 012	8, 209	----------	3, 255	8, 158	5, 716	11, 902	13, 158	6, 753

RHODE ISLAND

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	73, 027	69, 333	40, 617	28, 458	8, 435	3, 116
Sound:									
With all plumbing facilities	----------	----------	----------	54, 633	59, 289	31, 531	22, 011	6, 793	2, 579
Lacking only hot water	----------	----------	----------	1, 782	2, 227	1, 506	1, 906	104	238
Lacking other plumbing facilities	----------	----------	----------	4, 681	1, 574	1, 281	1, 536	365	
Deteriorating.									
With all plumbing facilities	----------	----------	----------	6, 943	3, 603	3, 180	1, 164	773	204
Lacking only hot water	----------	----------	----------	1, 166	916	717	617	67	48
Lacking other plumbing facilities	----------	----------	----------	1, 720	644	820	560	172	
Dilapidated	----------	----------	----------	2, 102	1, 080	1, 582	664	161	47

STATE TOTALS—CONTINUED

SOUTH CAROLINA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	----------	69, 773	34, 969	41, 736	95, 043	48, 963
Sound:									
With all plumbing facilities	----------	----------	----------	----------	47, 192	22, 883	26, 500	60, 016	29, 685
Lacking only hot water	----------	----------	----------	----------	1, 662	647	1, 054	2, 418	4, 783
Lacking other plumbing facilities	----------	----------	----------	----------	2, 563	1, 324	1, 641	4, 855	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	----------	5, 532	3, 610	3, 279	8, 081	4, 349
Lacking only hot water	----------	----------	----------	----------	2, 407	941	1, 184	2, 359	5, 786
Lacking other plumbing facilities	----------	----------	----------	----------	4, 004	2, 712	3, 063	7, 594	
Dilapidated	----------	----------	----------	----------	6, 413	2, 852	5, 015	9, 720	4, 360

SOUTH DAKOTA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	----------	----------	19, 979	13, 323	26, 547	23, 580	18, 828
Sound:									
With all plumbing facilities	----------	----------	----------	----------	16, 875	10, 983	21, 113	16, 317	12, 644
Lacking only hot water	----------	----------	----------	----------	65	8	271	110	1, 888
Lacking other plumbing facilities	----------	----------	----------	----------	832	437	1, 741	1, 319	
Deteriorating:									
With all plumbing facilities	----------	----------	----------	----------	1, 136	1, 162	1, 964	3, 338	1, 902
Lacking only hot water	----------	----------	----------	----------	36	17	93	119	1, 457
Lacking other plumbing facilities	----------	----------	----------	----------	526	391	769	1, 335	
Dilapidated	----------	----------	----------	----------	509	325	596	1, 042	937

TENNESSEE

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	----------	151, 972	132, 359	----------	45, 109	102, 859	99, 517	41, 979
Sound:									
With all plumbing facilities	----------	----------	118, 195	85, 507	----------	34, 695	79, 978	66, 767	25, 776
Lacking only hot water	----------	----------	1, 271	1, 071	----------	232	453	804	4, 704
Lacking other plumbing facilities	----------	----------	7, 208	5, 835	----------	1, 243	3, 104	5, 534	
Deteriorating:									
With all plumbing facilities	----------	----------	10, 808	17, 244	----------	4, 601	7, 702	10, 095	3, 409
Lacking only hot water	----------	----------	1, 309	2, 063	----------	293	560	964	4, 670
Lacking other plumbing facilities	----------	----------	7, 515	9, 023	----------	1, 924	4, 794	7, 402	
Dilapidated	----------	----------	5, 666	11, 616	----------	2, 121	6, 268	7, 951	3, 420

TEXAS

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	----------	717, 453	203, 886	260, 983	226, 350	199, 419	304, 952	359, 377	146, 049
Sound:									
With all plumbing facilities	----------	569, 782	158, 539	205, 324	169, 742	150, 131	218, 987	240, 185	92, 039
Lacking only hot water	----------	7, 996	1, 312	2, 098	1, 882	1, 981	3, 429	4, 451	9, 768
Lacking other plumbing facilities	----------	16, 583	6, 995	5, 270	5, 711	5, 599	12, 110	15, 139	
Deteriorating:									
With all plumbing facilities	----------	68, 161	18, 400	25, 627	22, 741	18, 524	31, 511	41, 414	17, 488
Lacking only hot water	----------	8, 258	1, 226	2, 718	2, 483	1, 744	2, 936	4, 731	12, 566
Lacking other plumbing facilities	----------	19, 093	6, 788	6, 476	7, 988	7, 108	14, 446	21, 943	
Dilapidated	----------	27, 580	10, 626	13, 470	15, 803	14, 332	21, 533	31, 514	14, 188

STATE TOTALS—CONTINUED

UTAH

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	64,274	21,768	9,542	26,144	46,761	19,600
Sound:									
With all plumbing facilities	-----	-----	-----	52,945	18,094	8,138	23,649	39,959	14,479
Lacking only hot water	-----	-----	-----	42	28	4	-----	45	343
Lacking other plumbing facilities	-----	-----	-----	2,287	266	88	338	530	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	6,611	2,353	1,080	1,608	4,359	3,182
Lacking only hot water	-----	-----	-----	22	13	-----	8	29	716
Lacking other plumbing facilities	-----	-----	-----	879	474	53	158	474	
Dilapidated	-----	-----	-----	1,488	540	179	383	1,365	850

VERMONT

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	-----	-----	10,686	9,734	27,414	13,179
Sound:									
With all plumbing facilities	-----	-----	-----	-----	-----	8,377	7,871	20,884	10,230
Lacking only hot water	-----	-----	-----	-----	-----	110	65	151	659
Lacking other plumbing facilities	-----	-----	-----	-----	-----	365	261	907	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	-----	-----	1,269	974	3,497	1,271
Lacking only hot water	-----	-----	-----	-----	-----	65	51	240	517
Lacking other plumbing facilities	-----	-----	-----	-----	-----	174	137	434	
Dilapidated	-----	-----	-----	-----	-----	326	375	1,301	502

VIRGINIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	87,555	191,338	105,042	36,783	74,741	68,052	35,288
Sound:									
With all plumbing facilities	-----	-----	69,397	156,398	88,285	24,140	57,337	49,352	23,213
Lacking only hot water	-----	-----	841	2,153	920	715	773	606	3,930
Lacking other plumbing facilities	-----	-----	2,692	4,989	2,612	1,885	2,854	4,132	
Deteriorating:									
With all plumbing facilities	-----	-----	7,322	14,367	6,636	3,202	6,144	4,947	2,778
Lacking only hot water	-----	-----	1,017	2,237	1,363	705	697	596	2,702
Lacking other plumbing facilities	-----	-----	2,830	5,442	2,147	2,456	3,276	4,282	
Dilapidated	-----	-----	3,456	5,752	3,079	3,680	3,660	4,137	2,665

WASHINGTON

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	215,981	-----	122,938	-----	66,517	90,200	88,640	43,137
Sound:									
With all plumbing facilities	-----	176,603	-----	99,999	-----	54,662	76,679	70,625	32,963
Lacking only hot water	-----	114	-----	104	-----	45	70	107	755
Lacking other plumbing facilities	-----	13,887	-----	5,629	-----	2,237	2,210	1,490	
Deteriorating:									
With all plumbing facilities	-----	15,567	-----	10,734	-----	6,781	7,862	11,028	6,521
Lacking only hot water	-----	67	-----	68	-----	44	84	105	951
Lacking other plumbing facilities	-----	4,794	-----	3,223	-----	1,251	1,119	1,223	
Dilapidated	-----	4,949	-----	3,181	-----	1,497	2,176	4,062	1,947

STATE TOTALS—CONCLUDED

WEST VIRGINIA

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	-----	75,632	42,861	43,756	60,272	48,018
Sound:									
With all plumbing facilities	-----	-----	-----	-----	58,790	35,036	35,210	43,896	30,397
Lacking only hot water	-----	-----	-----	-----	71	69	303	180	3,179
Lacking other plumbing facilities	-----	-----	-----	-----	2,198	806	1,082	2,044	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	-----	9,020	4,755	4,336	8,053	6,173
Lacking only hot water	-----	-----	-----	-----	99	50	179	180	4,439
Lacking other plumbing facilities	-----	-----	-----	-----	2,106	593	925	2,035	
Dilapidated	-----	-----	-----	-----	3,348	1,552	1,721	3,884	3,830

WISCONSIN

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	241,587	-----	39,550	105,179	144,131	102,636	140,645	72,359
Sound:									
With all plumbing facilities	-----	199,236	-----	33,294	92,680	116,816	90,279	115,125	54,995
Lacking only hot water	-----	1,118	-----	72	407	1,129	739	1,577	6,095
Lacking other plumbing facilities	-----	12,468	-----	2,765	3,180	5,485	2,821	6,254	
Deteriorating:									
With all plumbing facilities	-----	18,930	-----	2,340	6,080	12,478	5,523	10,599	5,833
Lacking only hot water	-----	670	-----	58	263	783	451	782	3,241
Lacking other plumbing facilities	-----	4,980	-----	663	1,235	3,553	1,647	3,168	
Dilapidated	-----	4,185	-----	358	1,334	3,887	1,176	3,140	2,195

WYOMING

	1,000,000 inhabitants or more	500,000 to 1,000,000	250,000 to 500,000	100,000 to 250,000	50,000 to 100,000	25,000 to 50,000	10,000 to 25,000	2,500 to 10,000	1,000 to 2,500
All units	-----	-----	-----	-----	-----	27,605	13,622	21,883	9,037
Sound:									
With all plumbing facilities	-----	-----	-----	-----	-----	23,104	10,281	16,720	7,089
Lacking only hot water	-----	-----	-----	-----	-----	12	8	28	382
Lacking other plumbing facilities	-----	-----	-----	-----	-----	830	267	659	
Deteriorating:									
With all plumbing facilities	-----	-----	-----	-----	-----	2,323	2,133	2,826	1,035
Lacking only hot water	-----	-----	-----	-----	-----	22	8	25	249
Lacking other plumbing facilities	-----	-----	-----	-----	-----	556	279	594	
Dilapidated	-----	-----	-----	-----	-----	758	646	1,031	282

Source: U.S. Department of Commerce, Bureau of the Census, Washington 25, D.C.

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The Emergence of a Policy

The Federal Government's housing policy, until recent years, has been largely a response to crisis. Its seeds were sown in the urgency of World War I when housing near industrial sites proved inadequate and the Government stepped cautiously into the scene as money lender and house builder. It took firm root in the economic collapse of the thirties when the Government turned to housing as a major weapon to stabilize and stimulate the Nation's economy. And it grew in the massive defense effort of World War II when the Government faced up to the problem of providing housing for workers during war and then for returning servicemen in peacetime. Its full potential has not yet been reached. That lies in the future.

TENTATIVE BEGINNINGS

The first fleeting expression of Federal interest in housing occurred in 1892, when Congress appropriated $20,000 to investigate slums in large cities.[1] The study provoked nothing in the way of legislation but it indicated an official awareness of the fact that slums did exist and did involve problems.[2] It also reflected a change—what had once been an essentially rural nation was now fast becoming urbanized. Three cities, New York, Chicago, and Philadelphia, had populations in excess of 1 million. There were 28 cities, each with a population of over 100,000, whereas 20 years before there had been only 14.

Negroes were already coming to the cities in large numbers. By 1890, 1,500,000, or one-fifth of the 7,500,000 Negroes in the United States lived in urban areas. By 1910, the former figure would almost double. As yet, however, their increasing number was obscured by the rapid growth of the cities, themselves. The housing problems of urbanized Negroes were not yet deemed national problems worthy of congressional notice.

By 1913, Dr. George Haynes, professor of sociology at Fisk University, could define the outlines of the problem of residential segregation. In an article titled "Condition Among Negroes in the Cities" Haynes said, in part: [3]

> Migration to the city is being followed by segregation into districts and neighborhoods within the city . . . . Thus the Negro Ghetto is growing up. . . . [The Negroes] seek other neighborhoods, just as the European immigrants who are crowded into segregated sections of our cities seek better surroundings when they are economically able to secure them. But a prejudiced opposition from his prospective white neighbors confronts the Negro . . . . Intelligence and culture do not often discount color of skin. Professions of democratic justice in the North and deeds of individual kindness in the South have not yet secured to Negroes the unmolested residence in blocks with white fellow-citizens. In northern cities where larger liberty in some avenues obtains, the home life, the church life, and much of the business and community life of Negroes are carried on separately and apart from the common life of the whole people.
>
> In southern communities, with separate streetcar laws, separate places of amusement and recreation, separate hospitals and separate cemeteries, there is sharp cleavage between whites and Negroes, living and dead.

The first positive congressional action in the field of housing came during the emergency of World War I. On March 1, 1918, Congress authorized the United States Shipping Board Emergency Fleet Corporation to provide housing for shipyard employees.[4] This program was based on direct loans to real estate companies incorporated by the shipbuilders. Housing projects were constructed under this program in 24 localities. They included 9,000 houses, 1,100 apartments, 19 dormitories, and 8 hotels. On May 16[5] and June 4, 1918,[6] Congress expanded its housing activities by authorizing and appropriating funds for the housing of war workers in general. The Bureau of Industrial Housing and Transportation was established within the Department of Labor and the United States Housing Corporation was created by Executive order. The Bureau, working through the United States Housing Corporation (USHC) built, organized, and managed 25 community projects containing more than 5,000 single-dwelling units, as well as apartments, dormitories, and hotels. The USHC also considered and adjusted rent grievances. Investigations were made in more than 100 cities, plans were drawn for 128 sites in 71 communities, and work started on 140 projects. The war's end, however, stopped these activities. The USHC was in operation for only 109 days. Almost all Federal housing was sold to private owners and the Government hastily withdrew from the housing business.[7]

During the 1920's there was some demand for legislation that would ease home mortgage credit,[8] but none resulted. It was only with the advent of the economic collapse of the early 1930's that Congress again passed housing legislation. Again it was a crisis that prompted Federal action. This emergency was of a nature different from war and the means that Congress used to meet it were as different—and more far-reaching.

RESPONSE TO ECONOMIC CRISIS

On July 21, 1932, Congress passed the Emergency Relief and Construction Act—the first Federal legislation to meet the crisis of the Great Depression.[9] This measure authorized the Reconstruction Finance Corporation (RFC) to make loans to State-regulated, limited-dividend corporations chartered to provide housing for low-income families or for the reconstruction of slums. The corporations were subject to State and local laws as to rents, charges, capital structures, and rates of return. Under this law a loan of $8,059,000 was made to finance Knickerbocker Village in New York City, but the program was not received with widespread enthusiasm.

The President's Conference

A year and a half earlier, in December 1931, President Hoover had called a conference on home building and home ownership. Its only immediate result was the Federal Home Loan Bank Act, but the conference had more profound and far-reaching effects. The reports of its committees occupied 11 volumes.[10] Its findings and recommendations covered such areas as slum clearance, public housing, cooperative housing companies, and neighborhood planning. Significantly, an entire volume was devoted to the problems of housing for Negroes.[11] Negro migration to the cities had begun to take on significant proportions. In the 20-year period prior to 1930, the Negro population of New York City had almost quadrupled; in Philadelphia, it had more than doubled; in Chicago, it had more than quintupled; in Detroit, it had increased more than twenty-fold. After considering the uniqueness of the housing problems of Negroes, the President's Conference offered 16 recommendations to improve their situation. Some of these consisted of general suggestions for changing the climate of public opinion and inducing "civic-minded people" to establish adequate financing agencies to provide loans at reasonable interest rates. The report also recommended that a National Housing Commission and State commissions be established to promote adequate State housing laws. It recommended that permanent commissions be established on the community level to investigate housing conditions and propose specific controls. It also recommended that interracial groups be established to secure local housing improvements. In connection with the construction of low-priced apartments, it recommended that "consideration be given to the intervention by public funds either through tax relief or through direct subsidy."[12] Finally, the report recommended the organization of local cooperative associations of Negro homeowners and prospective homeowners for the purpose of enabling community groups to bargain collectively for financing facilities.

The importance of the President's Conference lies in the fact that for the first time a federally constituted body had studied the housing field in all its aspects and made proposals for dealing with it as a problem that was national in character.

Creation of the Federal Home Loan Bank System

The only immediate result of the President's Conference was the enactment on July 22, 1932, of the Federal Home Loan Bank Act,[13] which created the Federal Home Loan Bank System. This was the first long-term government measure in the area of home financing and is still the basic law governing the network of financial institutions within the Federal Home Loan Bank System. It was a bold device to integrate local credit institutions into a national system that would be supported on a permanent basis by central reserve facilities. It provided a reserve credit pool exclusively for home financing institutions, independent of the commercial banking system. The Federal Home Loan Bank System (FHLBS) was patterned somewhat after the Federal Reserve System in that it had a central governing board, called the Federal Home Loan Bank Board, appointed by the President, and a group of regional banks (Federal Home Loan Banks). Under this system, 11 of the latter were established with an original capital stock of $125 million subscribed by the Secretary of the Treasury.[14] Building and loan associations, savings and loan associations, homestead associations, savings and cooperative banks, and insurance companies were eligible to become members of the system. In 1933, the credit activities of the Federal Home Loan Banks were broadened by the provision in the Home Owners' Loan Act authorizing the chartering of Federal

Savings and Loan Associations.[15] And as part of the National Housing Act of 1934, the Federal Savings and Loan Insurance Corporation was created under the direction of the Federal Home Loan Bank Board to insure savings in Federally chartered associations and in State chartered associations which met prescribed qualifications.[16] Thus the Federal Government had moved away from the gingerly, tentative approach of the World War I measures. The Federal Home Loan Bank Act also marked a change in emphasis. The chief function of the Federal Government in housing would be to facilitate credit, not to build homes.

Home Owners' Loan Corporation

An additional step, one intended to counteract the flood of mortgage foreclosures throughout the country,[17] came on June 13, 1933, when Congress authorized the creation of the Home Owners' Loan Corporation.[18] The HOLC had a capitalization of $200 million and a loan authorization of $4.75 billion to be used for taking over and refinancing mortgages on one- to four-family dwellings that were either delinquent or held in lending institutions whose assets were frozen. Congress later provided for a guaranty as to principal and interest of HOLC bonds.[19] During its first 3 years, the agency financed 1,017,821 homes, or 1 out of 5 of all mortgages on owner-occupied homes in the nonfarm areas of the Nation.[20] It put $3.5 billion in loans and, when it stopped operating on May 29, 1951, it had accumulated a balance of nearly $14 million, which was presented to the U.S. Treasurer.[21]

The initial emphasis of these programs had been on restoring public confidence in the country's financial institutions.[22] To a large extent the effort succeeded and helped pave the way for a resumption of lending activity. The problem now was to devise methods to encourage building and to increase the supply of funds for new lending. To do this Congress in 1934 started in a new direction with a new and independent agency. It was named, significantly, the *Federal* Housing Administration (FHA). The enabling act was entitled, even more significantly, the *National* Housing Act.[23]

FHA and the new era of mortgage financing

The act of 1934 was revolutionary in its approach. FHA was given authority to insure private lending institutions against losses on long-term, first-mortgage, home loans, and on unsecured loans for home repairs. Similar mortgage insurance had been offered by private companies in the past, but for the Federal Government to engage in this operation was a radical departure from previous practice.[24]

The National Housing Act also provided for the establishment of national mortgage associations "to purchase and sell first mortgages and such other first liens as are commonly given to secure advances on real estate . . . under the laws of the state in which the real estate is located."[25] These associations were to be privately owned but governed by FHA. They were to deal directly with financial institutions rather than with the borrower. In short they were devices for assuring the financial community that FHA mortgages would have a ready market. Draftsmen of the act had anticipated that the financial community might respond with some hesitancy to the FHA-insured mortgage. Financiers were accustomed to short term, low loan-to-value ratio, unamortized mortgages. The FHA mortgage, with its low interest rate, high loan-to-value ratio, and long term might be considered too risky—despite government insurance—if there were no ready market for it.

Until these private associations were organized, however, the need for a secondary market had to be satisfied. On January 31, 1935, therefore, Congress authorized the creation of the RFC Mortgage Company "to assist in the reestablishment of a normal mortgage market."[26] This new subsidiary of the RFC was utilized temporarily to provide the secondary market function, while Congress waited confidently for the organization of the private associations. None were established.[27] The Government was forced to take a more direct hand.

In February 1938, at the request of the President, the RFC established the Federal National Mortgage Association (FNMA).[28] Now known as "Fannie Mae," it was originally expected to serve two purposes in aiding the Federal housing program. First, it made FHA mortgages more desirable by offering an assured secondary market to mortgage lenders concerned with liquidity. The mere fact that FNMA was available was a source of comfort and an inducement for many financial institutions to enter the mortgage market, even though they actually made little or no use of the Federal agency. Secondly, it facilitated the geographic spreading of mortgage capital. The reluctance of private enterprise to form private national mortgage associations was not repeated when FNMA notes were offered to the public. The initial offering of $29 million was oversubscribed many times.

Public housing

Up to this point, the main thrust of the Federal Government's housing policy had been to facilitate credit. The 1934 National Housing Act was aimed primarily at relieving economic conditions, and only incidentally at improving housing conditions. At the same time, however, the Government was taking some direct housing action. The first emergency legislation enacted during the depression, the Emergency

Relief and Construction Act of 1932,[29] had been designed to provide housing for families of low income, and for the reconstruction of slum areas.[30] On June 16, 1933, Congress passed the National Industrial Recovery Act,[31] which, among other things, provided for the "construction under public regulation or control of low-cost housing and slum-clearance projects." [32] The Public Works Administration (PWA) was established to make loans and grants to public agencies meeting two statutory requirements—reasonable security and self-liquidation. Under this legislation and subsequent appropriations by Congress, 50 low-rent public housing projects containing 21,600 units were built in 37 cities. In addition, loans were made for 7 limited-dividend projects which had 3,065 dwelling units.[33]

In 1937, Congress passed the United States Housing Act, creating the United States Housing Authority (USHA).[34] Unlike the earlier public housing laws, this was long-range in purpose. USHA was established as a permanent corporate body. Pursuant to this new legislation, the construction, ownership, and operation of public housing properties were to be under the jurisdiction of local housing authorities. The new Federal agency was empowered to make them loans representing 90 percent of the cost and to pay annual subsidies which, as it developed, were usually sufficient to meet the loan carrying charges. The municipalities concerned were required to contribute annual amounts equivalent to 20 percent of the Federal payments.

The earlier New Deal housing legislation, such as the Home Loan Bank Act, the Home Owners Loan Act, and the National Housing Act, had been within the broad category of "pump-priming" measures and did not encroach upon the domain of the private housing industry. The entrance of the Federal Government into public housing in the depression years was a radical departure from the traditional concept of the function of government, for it was the first major long-range effort on the part of the Federal Government to provide housing directly—housing for the underprivileged at rents they could afford.

By 1938, the basic machinery was established. The essential legislative tools were now at hand, available to serve a housing policy that had not yet evolved. The FHLBB, FHA, and "Fannie Mae" provided the basis for continuing Federal influence on home finance. The PWA, and later the USHA, engaged the Government directly in the business of putting good roofs over the heads of low-income families. These measures were, generally, emergency measures, measures of expediency, with no grand design other than to bring the Nation's resources to bear in overcoming economic catastrophe. Now, however, the Government was no longer merely an interested bystander, but an active instrument of public welfare. Though the machinery would be refined, sharpened, and even elaborated in the years to come, the Federal Government was in housing to stay.

PROBLEMS OF RACIAL DISCRIMINATION

When the Federal Government entered the housing scene in the 1930's, it was immediately confronted with a problem that has been with it ever since: The problem of racial discrimination. Since World War I, when Negroes first moved north in significant numbers, discrimination against them in residential areas had been fairly common in roughly its present form.[35] By 1933, racial discrimination had become an operating practice of the private housing industry. But the Constitution and statutes of the United States imposed different standards on Government—Federal, State, and local—from those followed by private enterprise.

More than 60 years before, Congress had passed the Civil Rights Act of 1866.[36] Part of the United States Code, it provided that: [37]

> All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white persons thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.

The 14th amendment was a guaranty that this right could not be denied on the State or local level. As early as 1917, the Supreme Court of the United States, in *Buchanan* v. *Warley* [38] had ruled unconstitutional a city zoning ordinance requiring racial segregation in housing. This principle had become firmly established through other Supreme Court rulings by the time the Federal housing program got in full swing.[39] But what the Supreme Court had declared unconstitutional when attempted through municipal zoning, the private housing industry practiced at will.

Federal policy in the housing field reflected and even magnified the attitudes of private industry. The FHA indeed encouraged racial discrimination. Its explanation for doing so was the widespread belief that property values of a residential neighborhood suffered when the residents were not of the same social, economic, and racial group. Thus the FHA in its "Underwriting Manual" of 1938 declared: "If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same social and racial groups." [40] The Manual carried this principle a step further by recommending the use of restrictive covenants to insure against "inharmonious racial groups." [41] It even contained a model covenant and thereby gave great impetus to the spread of racial discrimination in residential areas throughout the country—for the inclusion of the restrictive covenant in real estate sales contracts became almost a prerequisite of FHA mortgage insurance.[42] When land was sold to Negroes or Mexican-Americans, under FHA policy, adjoining land generally would be classed as undesirable.[43]

One housing expert has concluded that FHA's discriminatory policy widened the gap between the living conditions of whites and Negroes and increased the concentration of racial minorities in the older, more deteriorated neighborhoods.[44] It did this, he has said, by aiding the increase of the total supply of new housing, particularly in the suburbs, while denying the minority groups access to it, thus forcing them into existing, substandard housing. Another observer has characterized the FHA policy as "separate for whites and nothing for blacks." [45]

Other Federal agencies dealing with the private housing industry adopted similar attitudes. The FHLBB and HOLC openly followed policies favoring the homogeneity of racial groups in residential neighborhoods.[46] When HOLC acquired homes in white neighborhoods and offered them for sale, Negroes could not buy them. And when this agency made loans, its policy was to do so only if they were used to preserve racial segregation.[47]

In public housing, however, the Federal Government adopted a different policy—one based on the equitable participation of minorities, not only as tenants, but also in construction and management.[48] Fourteen of the 49 projects built by PWA were for Negroes and 17 were for joint occupancy by Negroes and whites. As a result one of every four tenants housed by PWA was a Negro.[49] When USHA was established in 1937 to take over the Federal public housing program, PWA's racial policies were continued and expanded. The USHA created a racial relations service with responsibility to review public housing programs to promote racial equity.[50] By May 1940, about 48,000 of the 140,000 USHA-aided housing units under contract were for Negro occupancy as were one-fourth of the 75,000 dwelling units provided by the program in urban areas of the North.[51] It is true that the majority of the public housing projects were either all Negro or all white. This was, and still is, treated as strictly within the jurisdiction of local public housing authorities. However, the Federal Government's public housing program did provide decent housing for Negroes which they could rarely get elsewhere and it was a breach, however small, in the wall of discrimination which the Federal Government had helped to erect.

RESPONSE TO WAR

By 1940, the thrust of the Federal Government into housing had slackened and the trend was toward withdrawal from this field. The FHA had become a self-sustaining institution with no need for further direct appropriations. The Federal Home Loan Bank System had reason to hope that soon it, too, would be self-sustaining. HOLC was being liquidated and Congress had ignored urgent requests from the USHA for additional authorization. In 1940, however, the Nation was girding itself for war.

The defense effort required a sudden expansion in industry which in turn required an expansion of the housing supply. This reversed the trend of Federal withdrawal from the housing scene. On October 14, 1940, the Lanham Act,[52] the basic war-housing law, was passed. Funds were appropriated directly for both temporary and permanent housing for war workers, and for related facilities. On March 28, 1941, Congress amended the National Housing Act to authorize more liberal mortgage insurance to private builders or buyers of new homes in critical defense areas.[53] The Nation needed housing quickly and the Federal Government assumed much of the financial obligation of providing it.

In 1942, the housing agencies of the Federal Government—the Federal Home Loan Bank Board, the FHA, the USHA (now called the Federal Public Housing Authority), and the newly born wartime housing agencies—were combined by Executive order into a new super agency, the National Housing Agency (NHA).[54] A unique function given this new agency during the war emergency was that of "programing," *i.e.*, of determining the location, amount, price-range, and ratio of rentals to sales for all new residential construction to be undertaken, as well as the method, whether public or private, by which the construction was to be done. As economic crisis was replaced by war, the criterion for government activity in the housing field was no longer one of stabilizing the Nation's economic system, but of providing houses as fast as possible.

The end of the war did not end the housing emergency. There had been an enormous wartime migration of workers to the cities and these people had come to stay. There had been a high marriage and birth rate during the war years. Moreover, servicemen were coming home. As a result, the housing shortage continued and so did the emergency powers of the Federal Government in the immediate postwar period. The principal concern was with veterans. On June 22, 1944, Congress passed the Servicemen's Readjustment Act,[55] or GI bill, providing Veterans Administration guarantees for financing homes and business ventures at low interest rates. In contrast to the FHA method of reimbursing an insured lender with long-term debentures, the GI loan plan provided for cash payment in case of default. The GI loan was, like the FHA-insured mortgage, a device to encourage mortgage lending through Government guaranty against loss. But there was a difference. The purpose now was not to stimulate the economy but to provide housing for veterans.

Further measures in this early postwar period, such as the creation of the office of Housing Expediter[56] (to formulate plans and programs for dealing with the emergency housing shortage) and the Veterans' Emergency Housing Act of 1946[57] (which extended and strengthened

Federal control over rents and housing supply) meant continued intimate participation by the Federal Government in housing. In July 1947, Congress accepted the President's plan for reorganizing the housing agencies.[58] The plan established the Housing and Home Finance Agency (HHFA) under a single administrator and made permanent the centralized direction of Federal housing activities which had first been effected through the wartime National Housing Agency.

NATIONAL GOAL IN HOUSING

After the early postwar years America struggled with the need for a long-range Federal housing policy. But the piecemeal approach of earlier days lingered on through 1948. In that year, Congress passed the Housing Act of 1948 [59] and also enacted a measure [60] giving explicit legislative authorization for FNMA and authorizing it to purchase and sell VA mortgages.[61] Until then there had been the possibility that private mortgage associations would be established, as the National Housing Act of 1934 had hopefully contemplated. The 1948 act, in constituting FNMA as a Government corporation, expressly extinguished this possibility. Other housing programs were also extended, but no major reorganization occurred.

The Housing Act of 1949

With the opening of the Eighty-first Congress, the legislative battle for a master housing program was joined again. In his State of the Union message to Congress on January 5, 1949, President Truman underlined the need for new Federal action by calling attention to the fact that "five million families were still living in slums and fire-traps" [62] and that "three million families share their homes with others." [63] On July 15, 1949, slightly more than 15 years after the enactment of the National Housing Act of 1934, Congress passed the Housing Act of 1949,[64] and stated for the first time an overall national goal in housing: [65]

> The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, *and the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family,* thus contributing to the development and

> redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation.

The policies to be followed in attaining this goal were also set forth: [66] (1) Private enterprise shall be encouraged to serve as large a part of the total need as it can; (2) governmental assistance shall be utilized where feasible to enable private enterprise to serve more of the total need; (3) appropriate local public bodies shall be encouraged and assisted to undertake positive programs of encouraging and assisting the development of well-planned, integrated residential neighborhoods, the development and redevelopment of communities, and the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life; (4) governmental assistance to eliminate substandard and other inadequate housing through the clearance of slums and blighted areas, to facilitate community development and redevelopment, and to provide adequate housing for urban and rural nonfarm families with incomes so low that they are not being decently housed in new or existing housing shall be extended to those localities which estimate their own needs and demonstrate that these needs are not being met through reliance solely upon private enterprise, and without such aid.

The Housing Act of 1949 not only set these goals and policies but established new programs to achieve them. It initiated a program of Federal assistance to localities for redevelopment and slum-clearance projects to be executed by the administrator of the HHFA. A fund of $1 billion was made available for loans to assist localities in financing slum-clearance and redevelopment projects. The public low-rent housing program was revived and expanded and HHFA was authorized to start a broad program of technical and economic research in the field of residential construction and finance. In addition a decennial census of housing was authorized in conjunction with each decennial census of population.

For the first time Congress had declared that the general welfare demanded that "every American family" have "a decent home and a suitable living environment" and had committed the Federal Government to massive action in achieving this goal. Housing was no longer incidental to some other national purpose, nor was the goal merely to build more houses. The Government started also to attack the larger problem of community redevelopment. Here was a new concept of housing that demanded imagination and daring. Housing and Home Finance Administrator Robert C. Weaver restated this concept 12 years later: [67]

> When we talk of housing we are talking of more than simply shelter. We are talking of cities, we are talking of transportation, we are talking of the various facilities that make up the communities in which we live. And of course we are also talking of people.

The act provided a basic framework for the long-range comprehensive plan toward which the Nation, through experimentation, had been moving. The task of the Government in the years since the Housing Act of 1949 has largely been to expand this framework and to embody it with sinew and substance.

During the years following the Housing Act of 1949, the Federal Government continued to institute specialized housing programs to cover new and special needs as they arose. In 1950, the Community Facilities Administration (CFA) was created and authorized to administer a college program "to assist educational institutions in providing housing for their students and faculties. . . ."[68] Later CFA was authorized to make loans to municipalities for public works planning (1954) and for public works in small cities (1955).

In 1950 the VA was authorized to lend money directly to veterans for home purchase or repair in areas where the administrator found that private capital was not available for such financing.[69] In 1954 FNMA received authority to engage in direct Government lending by purchasing certain types of home mortgages under special housing programs for "segments of the national population which are unable to obtain adequate housing under established home-finance programs."[70] Categories for which special assistance has been authorized by Congress or the President include housing for victims of major disasters, housing in Guam and Alaska, urban renewal, defense and military housing, and cooperative housing.[71] In addition, special assistance has been authorized in connection with housing for the elderly, a program instituted in 1956.[72]

Similarly in 1954 the Voluntary Home Mortgage Credit Program (VHMCP) was instituted[73] with the specific purpose of making FHA-insured or VA-guaranteed loans available to minority groups, as well as to people in small communities. This program has consisted of an informal arrangement between Government and private financial institutions by which the Government offers its encouragement and the use of certain facilities to enable financiers to meet a demand that is not being otherwise satisfied. The VHMCP constituted the first legislative recognition of the lack of equal opportunity in home financing for minority citizens and the first legislative attempt to rectify this inequality. It also signaled recognition by the private financial community of its responsibility in this regard.[74]

The advent of urban renewal

Urban renewal in the Housing Act of 1949 was a pioneering concept in housing. Soon, however, it became obvious that the scope of the 1949 program, with its emphasis on slum clearance and rebuilding, was too limited to meet the needs of the Nation's cities. In 1953, therefore, President Eisenhower appointed a citizen's committee to study and make recommendations for "a new and revitalized housing program. That program should meet the problems of housing and sound community development through a series of related actions." [75] In December 1953, the committee rendered its report. The first recommendation was that: [76]

> The program of Federal loans and grants established by Title I of the Housing Act of 1949 should be broadened. It should provide assistance to communities for rehabilitation and conservation of areas worth saving as well as for the clearance and redevelopment of wornout areas. It should make Federal loans and grants available for well-planned neighborhood projects at any stage of the urban renewal process provided they will clear blight and establish sound healthy neighborhoods.

The report suggested the establishment of urban renewal services in an "Urban Renewal Administration," as a new constituent of the HHFA, "to provide technical and professional assistance to communities for the planning and development of programs for urban renewal." [77] The committee further recommended that FHA be empowered to insure loans on liberal terms for the rehabilitation of existing properties and for the construction of new dwellings in renewal areas.[78] The key to the report, however, lay in the following statement: [79]

> To see to it that Federal assistance as related to local programs which actually face up to the local problems, the Committee recommends that extension of Federal financial assistance and the insurance of mortgages in urban renewal areas be conditioned upon submission by the local communities of a *workable program* to attack the problem of urban decay.

This was a broadened concept from that of the 1949 act. The committee observed, "there is no justification for Federal assistance except to cities which will face up to the whole process of urban decay and undertake long-range programs." [80] In effect, it recommended a shift of emphasis to overall planning rather than "project planning on a limited, piecemeal, few-blocks-at-a-time basis." [81]

All of the committee's recommendations, and more, were enacted into law in the Housing Act of 1954.[82] This was a direct response to the urgent need for rehabilitation of our cities. It was a major attempt to achieve comprehensive, long-range planning in a tremendous Federal-local cooperative venture. Each community was given the responsibility of developing an overall "workable program" that would include a master city plan, housing codes, rehousing of displaced families, along with financing, administrative organization, and citizen participation.

Special FHA mortgage insurance terms were authorized to stimulate housing construction in project areas with special regard for displaced families within or outside such areas.

The Housing Act of 1949 had been the initial attempt to meet the problems of increasing urbanization. The 1954 act carried it beyond slum clearance and redevelopment to include the total community. Subsequent legislation has aimed principally at refinement and more effective implementation. The implications of this legislation for all Americans are profound and still largely unrealized.

THE CHANGING POLICY

World War II brought the first hints of a change in Federal policy toward the housing needs of minorities. War turned what had been a stream into a great river of Negro migrants moving to urban production centers. In August of 1942 the newly created National Housing Agency announced its basic policy that "no discrimination shall be made on account of race, creed, color, or national origin." [83] In 1943 the War Manpower Commission noted a steady increase in the employment of Negroes in war industries and a trebling of Negro enrollment in war training programs over a 12-month period. Recognizing the necessity of providing adequate housing to meet this new demand, NHA observed: [84]

> Every effort is to be made to assure that the housing programs to be developed reflect the viewpoints and war housing needs of all representative elements in the community. It is to be continuously kept in mind that the selection of sites and the provision of war housing without undue delay for all eligible war workers is the war-time job of the NHA.

Such directives were by no means antisegregation orders. War housing was still programed separately for whites and nonwhites. Rather, they were aimed at assuring equitable shares for Negroes in housing as it became available. Some administrative machinery was established within the NHA organization to execute this policy, but it was entirely inadequate. Nonetheless, a degree of success was achieved in public war housing, where Negroes ultimately received about 15 percent of all the units—although only on a segregated basis.[85] This represented almost 6 times as many units as were provided for Negro occupancy under the larger FHA program of private war housing—84,000 as compared with 15,000 units.[86] The "racial equity" policy of public housing, which has existed from the beginning, at least succeeded in securing for Negroes a semblance of an equitable share of low-rent housing, although principally on a segregated basis.[87]

The national emergency caused no appreciable change in FHA policy. Throughout the war—while the NHA was attempting to satisfy the need for adequate housing for Negroes—FHA adhered to the segregation policies of its "Underwriting Manual." Economic considerations remained the principal criteria governing FHA policy and the significant decisions on financing were still made by private financial institutions over which there was no government control.[88] Of the total private, priority war-housing planned, under construction, and completed during the war, only 4.3 percent was for Negroes.[89] By the end of 1944 they had only 2.4 percent of the private, nonpriority war housing.[90] Thus, although the NHA expressly recognized the housing needs of Negroes, its failure adequately to implement its new policy and the failure of both the NHA and the FHA to encourage nonsegregated, privately financed housing for war workers restricted Negro participation in the war housing program and further institutionalized residential segregation.[91] Still, the Government's policies during World War II represented a significant change in outlook. If the NHA policy of nondiscrimination was only a response to the urgent requirements of war, it was a beginning.

Prompted by criticism from various groups, the FHA in 1947 took some hesitant steps in the same direction. It established a Racial Relations Service to serve the minority group segment of the housing market.[92] The 1947 edition of its "Underwriting Manual," substituting terms such as "user groups" and "incompatible groups," carried no direct reference to race. Statements on the relation of user group changes to property values were couched in more cautious and qualified language, and the manual stressed the physical, social, and economic, rather than the racial, factors in the decline of property values. In addition restrictive covenants were no longer recommended. Appraisers were advised to study the significance of "a mixture of user groups" or a change in occupancy from one user group to another, but the revised manual added that "additional risk is not necessarily involved in such change."[93] The impetus for a vital alteration in FHA policy, however, would come from outside the executive or legislative branches of government.

In August 1945, just before the close of World War II, a Negro family in St. Louis named Shelley purchased some real estate from a white owner named Josephine Fitzgerald. The property was subject to a 50-year racially restrictive covenant agreed to in 1911. By 1961, Negroes and orientals would be eligible to own property there. The Shelleys were 16 years early. A Mr. and Mrs. Kraemer, who owned other property subject to the same restrictive covenant, brought suit to enforce it. (In 1926 the United States Supreme Court in *Corrigan* v. *Buckley*[94] had ruled in effect that such restrictive covenants were not constitutionally invalid, but the Court had never ruled on their *enforceability.*) For nearly 2 years the Shelley case made its slow progress through the Missouri State courts in the cautious manner of the judicial process. During this period, Congress did nothing and the executive branch did very little with respect to housing discrimination. Then on June 23, 1947, the U.S. Supreme Court agreed to review the decision of the Missouri Supreme Court which had declared that the covenant was enforceable.

On May 3, 1948, the U.S. Supreme Court announced its unanimous decision in *Shelley* v. *Kraemer*.[95] It ruled that the Missouri State courts could not enforce the restrictive covenant. To do so, the Supreme Court held, would constitute State action in violation of the 14th amendment of the Federal Constitution.[96] The Court did not disturb the earlier *Corrigan* ruling, but rested its decision on a distinction between validity and enforceability of restrictive covenants.[97]

The *Shelley* decision brought a gradual but real change in Federal policy.[98] In December 1949, a year and a half after the Supreme Court decision, FHA ruled that it would not provide mortgage insurance for property on which restrictive covenants were recorded after February 15, 1950. At the same time it announced that the racial composition of a neighborhood "is not a consideration in establishing eligibility." [99] The agency was still a long way from sponsoring a policy of open occupancy, but if an application should happen to be made for the insurance of a mortgage on an open occupancy development, FHA would be willing.

In 1951 FHA announced that all repossessed FHA-insured housing would be administered and sold on a nonsegregated basis.[100] In 1952 in connection with the programing of housing for nonwhite defense workers during the Korean War, it directed its field offices to give "some preference" to proposals for open-occupancy developments as against all-minority projects.[101] Two years later, the FHA commissioner announced the intention of taking "active steps to encourage the development of demonstration open-occupancy projects in suitable key areas." [102] Thus, in the 7 years from 1947 to 1954, FHA had moved from a policy requiring segregation to one expressly encouraging open occupancy. Despite these changes it remained a fundamental principle of FHA that builders and lenders should be entirely free to make their own decisions on who could buy or rent houses built with the aid of Federal mortgage insurance. The discriminatory practices of the private real estate-home building industry and the financial community have continued for the most part unabated. Huge FHA-insured projects, for example, have been built with an acknowledged policy of excluding Negroes. Thus the governmental policy in favor of open occupancy has clearly emerged but it awaits full implementation. More recently, however, in States that have enacted antidiscrimination laws, FHA has adopted a policy of refusing to insure loans for discriminatory builders.[103]

VISION OF THE FUTURE

There is now no question that housing is a matter of governmental concern. The Housing Act of 1949 settled this with renewed purpose and committed the Federal Government to massive action. "A decent home and a suitable living environment for every American family" is the national housing goal and the legislative tools created in the context of depression and war have been reshaped in an effort to achieve it. The goal has not yet been achieved; 14 million American families currently live in substandard or deteriorating homes.[104] It is a declaration of legislative purpose awaiting fulfillment. But it is a vision of the Nation's future.

Alongside this legislative program, developing tardily but with increasing sureness, has been the recognition of an overall Federal responsibility to insure that this goal is achieved for *all* Americans, on a basis of equal opportunity. It, too, has thus far failed of achievement. Of the 6 million nonwhite households, one-third live in substandard housing.[105] Discrimination is still widespread—often with governmental indifference, sometimes with governmental help. Equality of opportunity is short of fulfillment. But it has developed with increasing clarity as governmental policy.

A total housing policy has emerged: "A decent home and a suitable living environment for every American family." This is the solemn pledge of the Federal Government. There is a depth of meaning to this pledge for it rests upon the firm basis of equal opportunity. And there is a nobility to the reaffirmation declared by President Kennedy before Congress 12 years after it was made: "We must still redeem this pledge." [106]

NOTES: HOUSING, Chapter 2

1. Act of July 20, 1892, 27 Stat. 399 [no longer in effect].
2. See H.R. Doc. No. 532, 82d Cong., 2d Sess. 1 (1952).
3. Quoted in 6 Report of the President's Conference on Home Building and Home Ownership 199–200 (1931).
4. Act of March 1, 1918, ch. 19, 40 Stat. 438 [no longer in effect].
5. Act of May 16, 1918, ch. 74, 40 Stat. 550 [no longer in effect].
6. Act of June 4, 1918, ch. 92, 40 Stat. 594 [no longer in effect].
7. This haste is exemplified by the decision, after the Armistice was signed, to abandon all projects not in an advanced construction stage. Chiefly as a result of this decision, a large deficit was incurred by the United States Housing Corporation, which, on its liquidation in 1945, had a final deficit to the Government of nearly $34 million or 44.5 percent of the total investment. See U.S. Housing and Home Finance Agency, *1st Annual Report* II–3, 4 (1947).
8. For example, there were proposals for the establishment of a central mortgage bank with the power of loan and discount, the discount of home mortgages by Federal Reserve Banks, and for the expansion of the Land Bank System to cover urban as well as farm mortgages. See Colean, *The Impact of Government on Real Estate Finance in the United States* 92 (1950).
9. Emergency Relief and Construction Act of 1932, ch. 520, 47 Stat. 709 [no longer in effect].
10. Report of the President's Conference on Home Building and Home Ownership (1931).
11. 6 *id.*
12. *Id.* at 115.
13. Federal Home Loan Bank Act, ch. 522, 47 Stat. 725 (1932), 12 U.S.C. sec. 1421 (1958).
14. Through the years, the Treasury stock was gradually retired, until completely retired in July 1951.
15. Home Owners' Loan Act of 1933, ch. 64, sec. 5(a), 48 Stat. 132, 12 U.S.C. sec. 1464 (1958).
16. National Housing Act, ch. 847, secs. 402(a), 403, 48 Stat. 1256–57 (1934), 12 U.S.C. secs. 1725(a), 1726 (1958).
17. It has been estimated that at the time HOLC was established, foreclosures of homes were taking place at the rate of 1,000 a day. H.R. Doc. No. 532, *supra,* note 2, at 5.
18. 48 Stat. 129(1933) [no longer in effect].
19. Act of April 27, 1934, 48 Stat. 643 [no longer in effect]. Also under this act, HOLC invested $223 million in purchasing the shares of savings and loan associations which were members of the Federal Home Loan Banks. This sum has been completely repaid.
20. H.R. Doc. No. 532, *supra,* note 2, at 5.
21. *Ibid.*

22. In addition to the creation of HOLC and the Federal Home Loan Bank System, Congress, in 1933, had also created the Federal Deposit Insurance Corporation (48 Stat. 168), designed to insure depositors in State and national banks which became members. The Federal Savings and Loan Insurance Corporation (FSLIC) was similarly constituted to insure accounts in approved associations.
23. 48 Stat. 1246 (1934), 12 U.S.C. sec. 1701 (1958).
24. Private "mortgage guaranty companies had flourished briefly and collapsed spectacularly in the years just past." Colean, *op. cit. supra* note 8, at 97.
25. National Housing Act, ch. 847, sec. 301(a)(1), 48 Stat. 1253 (1934) [no longer in effect]. The background and development of the secondary mortgage market is discussed in detail in Haar, *Federal Credit and Private Housing,* ch. 4 (1960).
26. Act of January 31, 1935, ch. 2, 49 Stat. 3 [no longer in effect].
27. Between 1935 and 1938, Congress enacted such measures as easing the capital requirements and providing tax exemptions for these private associations in an unsuccessful attempt to induce their organization.
28. FNMA was originally called the National Mortgage Association of Washington.
29. See note 9, *supra.*
30. Moreover, the World War I housing measures had been in terms of providing housing for war workers.
31. National Industrial Recovery Act, 48 Stat. 195 (1933) [no longer in effect].
32. National Industrial Recovery Act, ch. 90, sec. 202, 48 Stat. 201 [no longer in effect].
33. H.R. Doc. No. 532, *op. cit. supra,* note 2, at 6.
34. United States Housing Act of 1937, 50 Stat. 888, 42 U.S.C. sec. 1401 (1958). The USHA was succeeded in 1942 by the Federal Public Housing Authority, which was in turn succeeded by the Public Housing Administration (PHA), a constituent agency of the Housing and Home Finance Agency.
35. See Weaver, *The Negro Ghetto,* ch. 4 (1948).
36. Act of April 9, 1866, ch. 31, sec. 1, 14 Stat. 27, reenacted in act of May 31, 1870, ch. 114, sec. 18, 16 Stat. 144.
37. 42 U.S.C. sec. 1982 (1958).
38. 245 U.S. 60 (1917).
39. *Harmon* v. *Tyler,* 273 U.S. 668 (1926); *City of Richmond* v. *Deans,* 281 U.S. 704 (1930).
40. FHA Underwriting Manual, sec. 937 (1938).
41. *Id.,* sec. 980.

42. Abrams, *Forbidden Neighbors* 235 (1955).
43. *Id.* at 236.
44. Weaver, *op. cit. supra* note 35, at 72.
45. Abrams, *op. cit. supra* note 42, at 237.
46. "Neighborhood Rating" (Suggestions drawn up by Division of Research and Statistics of Federal Home Loan Bank Board), *Review of the Society of Residential Appraisers,* Aug. 1940.
47. Abrams, *op. cit. supra* note 42, at 237. Various reasons have been advanced to explain this unique adoption of discrimination policies on the part of the newly created public agencies. One reason was that these new agencies enlisted "experts" from private fields where discrimination was an operative business practice. Perhaps the principal explanation is that the focus of the New Deal housing legislation was primarily on improving economic conditions by concentrating on the Nation's credit machinery, and only secondarily on improving housing conditions. The FHA and the Home Loan Bank Board were, above all, concerned with creating business volume for their agencies. Their concern was with financial success and not with insuring equality in the marketplace. The path of least resistance did not lead to experimentation in interracial harmony.
48. Weaver, *op. cit. supra* note 35, at 158.
49. *Id.* at 73–74.
50. McEntire, *Residence and Race* 317–18 (1960).
51. Weaver, *op. cit. supra* note 35, at 74.
52. 54 Stat. 1125 (1940).
53. Act of March 28, 1941, 55 Stat. 55, 12 U.S.C. sec. 1737 (1958).
54. Exec. Order No. 9070, 7 *Fed. Reg.* 1529 (1942).
55. 58 Stat. 284; 38 U.S.C. sec. 1801 (1958).
56. Exec. Order No. 9686, 11 *Fed. Reg.* 1033 (1946).
57. 60 Stat. 207 [no longer in effect].
58. Reorganization Plan No. 3 of 1947, 61 Stat. 954, 5 U.S.C. sec. 133y–16 note (1958).
59. Act of July 1, 1948, ch. 784, 62 Stat. 1206, 12 U.S.C. sec. 1716 (1958).
60. 62 Stat. 1268, 12 U.S.C. sec. 1716 (1958).
61. During the period from 1948 to 1950, FNMA made widespread use of the "advance commitments" procedure principally in connection with VA mortgages. Under this procedure, the builder and lender secured a commitment from FNMA to purchase mortgages at a specified price, before construction started, thus effectively eliminating any risk to the lender. This FNMA activity helped to make more lower-priced housing available during this period. In

1950, however, Congress repealed this "advance commitment" authority.

62. 95 *Cong. Rec.* 74 (1949).
63. *Ibid.*
64. 63 Stat. 413 (1949), 42 U.S.C. sec. 1441 (1958).
65. *Ibid.* [Emphasis added.]
66. *Ibid.*
67. *Hearings on the Nomination of Robert C. Weaver To Be Housing and Home Finance Agency Administrator Before the Senate Committee on Banking and Currency,* 87th Cong., 1st Sess. 9 (1961).
68. Act of April 20, 1950, ch. 94, tit. IV, sec. 401(a), 64 Stat. 77, 12 U.S.C. sec. 1749(a) (1958).
69. Act of April 20, 1950, ch. 94, tit. III, sec. 301(h), 64 Stat. 75, 38 U.S.C. sec. 1811 (1958).
70. Housing Act of 1954, ch. 649, tit. II, sec. 201, 68 Stat. 612, 12 U.S.C. sec. 1716 (1958).
71. Significantly, recognized spokesmen for minority groups have been unenthusiastic about authorizing special assistance programs for members of minority groups, apparently not wishing to confuse their campaign for equal rights with special governmental assistance on the basis of race. Bills introduced to accomplish this have not been enacted. McEntire, *op. cit. supra* note 50, at 310–11.
72. 70 Stat. 1104 (1956), 42 U.S.C. sec. 1402 (2) (1958).
73. Housing Act of 1954, ch. 649, tit. VI, sec. 603, 68 Stat. 637–38, 12 U.S.C. sec. 1750aa (1958).
74. The VHMCP is more fully discussed in ch. 3 B at 53, *infra.*
75. *A Report of the President's Advisory Committee on Government Housing Policies and Programs: Government Housing Policies and Programs 1 (1953).*
76. *Id.* at 5.
77. *Id.* at 6.
78. *Id.* at 7.
79. *Ibid.* [Emphasis added.]
80. *Id.* at 112.
81. *Id.* at 123.
82. 68 Stat. 590 (1954), 42 U.S.C. sec. 1450 (1958).
83. NHA, Administrator's Order No. 9, Aug. 10, 1942, sec. 12, p. 10.
84. NHA Memorandum, 15–1, issued July 21, 1943.
85. McEntire, *op. cit. supra* note 50, at 318. For a detailed account of the experience of public housing during the war, see Weaver, *op. cit. supra* note 35, ch. X.
86. McEntire, *op. cit. supra* note 50, at 318.
87. See ch. 5 *infra* for a full discussion of public housing.
88. Weaver, *op. cit. supra* note 35, at 143–44.

89. *Id.* at 144.
90. *Id.* at 145.
91. *Id.* at 148.
92. In 1958, the Racial Relations Service was changed to Intergroup Relations Service in order to avoid the connotation of racial separateness.
93. Federal Housing Administration, Underwriting Manual, 1947, sec. 1320(2).
94. 271 U.S. 323 (1926).
95. 334 U.S. 1 (1948).
96. In a companion case involving covenants written in the District of Columbia, the Court reached the same conclusion on the principal basis of the Civil Rights Act of 1866. *Hurd* v. *Hodge,* 334 U.S. 24 (1948).
97. In 1953, the Supreme Court extended the *Shelley* decision in holding that money damages could not be recovered for breach of a racial restrictive covenant. *Barrows* v. *Jackson,* 346 U.S. 249 (1953). But although such covenants are now clearly unenforceable either by way of injunction or money damages, they are still apparently valid. See, for example, *Rice* v. *Sioux City Memorial Park Cemetery,* 60 N.W. 2d 110 (1953), cert. granted, 347 U.S. 942, aff'd per curiam by evenly divided Court 348 U.S. 880 (1954), vacated and cert. denied as improvidently granted, 349 U.S. 70 (1955).
98. The policy of the VA has been similar to that of FHA, with perhaps greater emphasis on a neutral position. See ch. 3 *infra,* for the discussion of VA policies.
99. FHA *Underwriting Manual,* sec. 303 (Dec. 1949).
100. See ch. 3C at 67, *infra,* for a discussion of the effectiveness of this policy.
101. See McEntire, *op. cit. supra* note 50, at 305.
102. *Ibid.*
103. See ch. 3C at 63, *infra,* for a discussion of FHA's relation to State antidiscrimination laws.
104. President Kennedy's Special Message on Housing and Community Development, 107 *Cong. Rec.* 3408 (daily ed. Mar. 9, 1961).
105. *Ibid.*
106. *Ibid.*

Rehabilitation See Section 110 c7
and Section 110c
and Sec 314 on page 31

110c –

In this situation an urban renewal area is designated in which the treatment called for is completely or partially rehabilitation.

The existing owners are told that they must improve their buildings according to the controls of the Urban Renewal plan or face condemnation of their property. The owner will have access to certain FHA insured loans because the property is part of an Urban Renewal area. And he will have access to technical help from the Local Agency.

If he refuses to fix his property ~~and~~ the City does condem and acquire it. Then the City sells it to a person who buys under condition that he will rehabilitate the property according to the Urban Renewal plan. The Federal Govt. pays $\frac{2}{3}$ of the difference between what the City pays for the property when it condemns and what the city gets in the sale of. the property.

110 C7-

In this case the Local Agency acquires property in an Urban Renewal area for demonstration purposes. They acquire either 100 units or 5% of the units in the area. The Local Agency performs the work, to the Federal Govt. pays $\frac{2}{3}$ of the acquisition price plus the cost of rehabilitation minus the sales price when the rehabilitated property is sold to a private party.

FEDERAL LAWS
Urban Renewal

Excerpts from

HOUSING ACT OF 1949

And Related Laws
As Amended Through June 30, 1961

HOUSING AND HOME FINANCE AGENCY
Washington 25, D.C.

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INTRODUCTORY STATEMENT

Federal Laws Authorizing Assistance to Urban Renewal

Title I, Housing Act of 1949, as amended

Title I of the Housing Act of 1949, as amended, Public Law 171, 81st Congress, approved July 15, 1949, is the principal Federal law authorizing Federal assistance to slum clearance and urban renewal. As originally enacted, title I authorized Federal aid to the clearance and redevelopment of slums. The Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, broadened the provisions of title I to authorize Federal assistance to the prevention of the spread of slums and urban blight through the rehabilitation and conservation of blighted and deteriorating areas, in addition to the clearance and redevelopment of slums. The Housing Act of 1954 also provided (section 312) that communities carrying out slum clearance and urban redevelopment projects prior to enactment of the 1954 Act would be permitted to complete such projects under the provisions of title I of the Housing Act of 1949 as in effect prior to the enactment of the 1954 Act. Section 312 is set forth in this compilation.

The Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, again liberalized title I of the Housing Act of 1949 in several respects. These included, among others, the addition of provisions to title I authorizing relocation payments to individuals, families and business concerns for moving expenses and losses of property resulting from their displacement by an urban renewal project, and the making of Federal advances for the preparation of "General Neighborhood Renewal Plans". The Housing Act of 1957, Public Law 104, 85th Congress, approved July 12, 1957, amended title I to increase the capital grant authorization and to provide a new alternative capital grant formula. Several miscellaneous amendments were also made in title I by the Housing Act of 1957.

The Housing Act of 1959, Public Law 86–372, approved September 23, 1959, again increased the authorization in title I of the Housing Act of 1949 for Federal financial assistance to urban renewal and enacted new provisions for Federal grants to "Community Renewal Programs". The limits on the amounts of relocation payments were increased and relocation payments were authorized to be made when displacement from an urban renewal area results from acquisition of real property by the urban renewal agency or any other public body in an urban renewal area, from code enforcement in connection with an urban renewal project, or programs of voluntary repair and rehabilitation in accordance with an urban renewal plan. A number of other changes were made in the law by the 1959 Act.

Title I was again amended by the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, to increase the authorization for Federal grants by $2 billion, and to increase from two-thirds to three-fourths the Federal contribution to urban renewal where the municipality has a population of 50,000 or less (150,000 or less for a municipality in an economically distressed area). Among other amendments to title I made by the 1961 Act, local urban renewal agencies were authorized to pool their surplus local grant-in-aid credits between projects on the two-thirds basis and projects on a three-fourths basis. The local urban renewal agencies were also authorized to carry out rehabilitation demonstrations in urban renewal areas. In addition, the Small Business Administration was authorized by the Housing Act of 1961 to make loans on special terms to displaced small business concerns.

Title I of the Housing Act of 1949 is set forth in this compilation as amended through June 30, 1961. The footnotes give a complete history of the amendments that have been made in the law since its original enactment in 1949.

Housing Act of 1954

In addition to section 312 of the Housing Act of 1954, provisions of the Housing Act of 1954 which (1) authorize Federal grants to communities to assist in developing, testing, and demonstrating activities for urban renewal, (2) authorize Federal grants to urban planning, and (3) relate to urban renewal are included in this compilation, together with such amendments thereto as have subsequently been enacted.

National Housing Act

Excerpts from the National Housing Act, as amended, Public Law 479, 73d Congress, are included in this compilation. These provisions authorize special Federal Housing Administration loan and mortgage insurance programs (sections 220 and 221) to assist in financing the construction and rehabilitation of housing in urban renewal areas and for families displaced by urban renewal activities or other governmental action. Other provisions of the National Housing Act may provide assistance to urban renewal but are not included in this compilation because they are available for all areas whether part of an urban renewal program or not. These include FHA insurance of (1) loans for the modernization and repair of homes, (2) mortgages for rehabilitation of multifamily housing under the regular rental housing provisions of section 207, (3) mortgages for the purchase of existing housing, and (4) "open end" mortgages whereby property owners may obtain additional funds for modernization or basic improvements and repay them as part of the existing mortgage without the expense of complete refinancing.

Title III of the National Housing Act (the Federal National Mortgage Association Charter Act) is also not included in this compilation although some assistance to urban renewal is authorized by its provisions. Under title III, the Federal National Mortgage Association assists in the provision of credit for FHA section 220 and 221 urban renewal and relocation housing by purchasing the mortgages financing the housing from lenders and making advance commitments to make such purchases.

United States Housing Act of 1937

Excerpts from the United States Housing Act of 1937, as amended, Public Law 412, 75th Congress, are also set forth in this compilation. These include, among others, provisions that require preferences in the admission of families to low-rent public housing who have been displaced by urban renewal activities, and the elimination of an equal number of slum dwellings for the number of low-rent public housing units provided with Federal assistance in a community.

Administration of Federal Assistance

Most of the functions of the Housing and Home Finance Administrator with respect to Federal assistance to slum clearance and urban renewal are administered by the Urban Renewal Administration, a constituent of the Housing and Home Finance Agency. The mortgage insurance program for urban renewal housing is administered by the Federal Housing Administration, and the Federal National Mortgage Association provides a secondary market for the mortgages. These two agencies are also constituent agencies of the Housing and Home Finance Agency. The low-rent public housing program is assisted by the Public Housing Administration, another constituent agency of the Housing and Home Finance Agency, with the housing being owned and operated by local public housing agencies.

Information about any phase of urban renewal aids and applications for their use in any locality is provided through the seven regional offices of the Housing and Home Finance Agency, where the specialized field services of the Urban Renewal Administration are also centered. Information about FHA mortgage insurance or low-rent public housing can also be obtained from the field offices of the Federal Housing Administration or the Public Housing Administration.

All initial inquiries and dealings with the Federal Government on urban renewal should be directed to the Regional Administrator, Housing and Home Finance Agency, at the following addresses:

Region I	346 Broadway, New York 13, N.Y.; Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York.
Region II	1004 Widener Building, Chestnut and Juniper Streets, Philadelphia 7, Pa.; Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, West Virginia, Virginia.
Region III	Rm. 645, Peachtree-Seventh Bldg., Atlanta 23, Ga.; Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida.
Region IV	Bankers Building, 105 West Adams Street, Chicago 3, Ill.; Michigan, Ohio, Indiana, Illinois, Wisconsin, Iowa, Minnesota, North Dakota, South Dakota, Nebraska.
Region V	Federal Center, 300 West Vickery Boulevard, Fort Worth 4, Tex.; Kansas, Missouri, Arkansas, Louisiana, Oklahoma, Texas, Colorado, New Mexico.
Region VI	3rd Floor, 989 Market Street, San Francisco 3, Calif.; Washington, Oregon, California, Idaho, Nevada, Arizona, Utah, Montana, Wyoming, Alaska, Hawaii, Guam.
Region VII	P.O. Box 9093, 1608 Ponce de Leon Avenue, Santurce 17, Puerto Rico; Puerto Rico, Virgin Islands.

URBAN RENEWAL PROVISIONS OF THE HOUSING ACT OF 1949, AS AMENDED THROUGH JUNE, 1961[1]

Public Law 171, 81st Congress

(Chapter 338—1st Session)
(S. 1070)

(63 Stat. 413, 414; 42 U.S.C. 1441 and 1450 et seq.)

An Act

To establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing Act of 1949".

Declaration of National Housing Policy

Sec. 2. The Congress hereby declares that the general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation. The Congress further declares that such production is necessary to enable the housing industry to make its full contribution toward an economy of maximum employment, production, and purchasing power. The policy to be followed in attaining the national housing objective hereby established shall be: (1) private enterprise shall be encouraged to serve as large a part of the total need as it can; (2) governmental assistance shall be utilized where feasible to enable private enterprise to serve more of the total need; (3) appropriate local public bodies shall be encouraged and assisted to undertake positive programs of encouraging and assisting the development of well-planned, integrated residential neighborhoods, the development and redevelopment of communities, and the production, at lower costs, of housing of sound standards of design, construction, livability, and size for adequate family life; (4) governmental assistance to eliminate substandard and other inadequate housing through the clearance of slums and blighted areas, to facilitate community development and redevelopment, and to provide adequate housing for urban and rural nonfarm families with incomes so low that they are not being decently housed in new or existing housing shall be extended to those localities which estimate their own needs and demonstrate that these needs are not being met through reliance solely upon private enterprise, and without such aid; and (5) governmental assistance for decent, safe, and sanitary farm dwellings and related facilities shall be extended where the farm owner demonstrates that he lacks sufficient resources to provide such housing on his own account and is unable to secure necessary credit for such housing from other sources on terms and conditions which he could reasonably be expected to fulfill. The Housing and Home Finance Agency and its constituent agencies, and any other departments or agencies of the Federal Government having powers, functions, or duties with respect to housing, shall exercise their powers, functions, and duties under this or any other law, consistently with the national housing policy declared by this Act and in such manner as will facilitate sustained progress in attaining the national housing objective hereby established, and in such manner as will encourage and assist (1) the production of housing of sound standards of design, construction, livability, and size for adequate family life; (2) the reduction of the costs of housing without sacrifice of such sound standards; (3) the use of new designs, materials, techniques, and methods in residential construction, the use of standardized dimensions and methods of assembly of home-building materials and equipment, and the increase of efficiency in residential construction and maintenance; (4) the development of well-planned, integrated, residential neighborhoods and the development and redevelopment of communities; and (5) the stabilization of the housing industry at a high annual volume of residential construction.

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[1] The urban renewal provisions of the Housing Act of 1949 have been amended by Public Law 370, 82d Congress, approved June 3, 1952, 66 Stat. 98; Housing Amendments of 1953, Public Law 94, 83d Congress, approved June 30, 1953, 67 Stat. 121; Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590; Housing Amendments of 1955, Public Law 345, 84th Congress, approved August 11, 1955, 69 Stat. 635; the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091; the Housing Act of 1957, Public Law 85–104, 85th Congress, approved July 12, 1957, 71 Stat. 294; the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654; the Area Redevelopment Act, Public Law 87–27, approved May 1, 1961, 75 Stat. 47; and the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149.

Title I—Slum Clearance and Urban Renewal[2] Urban Renewal Fund

Sec. 100.[3] The authorizations, funds, and appropriations available pursuant to sections 102 and 103 hereof shall constitute a fund, to be known as the "Urban Renewal Fund", and shall be available for advances, loans, and grants[4] to local public agencies for urban renewal projects in accordance with the provisions of this title, and all contracts, obligations, assets, and liabilities existing under or pursuant to said sections prior to the enactment of the Housing Act of 1954 are hereby transferred to said Fund.

Local Responsibilities

Positive Programs

Sec. 101. (a)[5] In entering into any contract for advances for surveys, plans, and other preliminary work for projects under this title or[6] for grants pursuant to section 103(d), the Administrator shall give consideration to the extent to which appropriate local public bodies have undertaken positive programs (through the adoption, modernization, administration, and enforcement of housing, zoning, building and other local laws, codes and regulations relating to land use and adequate standards of health, sanitation, and safety for buildings, including the use and occupancy of dwellings) for (1) preventing the spread or recurrence in the community of slums and blighted areas, and (2) encouraging housing cost reductions through the use of appropriate new materials, techniques, and methods in land and residential planning, design, and construction, the increase of efficiency in residential construction, and the elimination of restrictive practices which unnecessarily increase housing costs.

Metropolitan Area Basis

(b) In[7] the administration of this title, the Administrator shall encourage the operations of such local public agencies as are established on a State, or regional (within a State), or unified metropolitan basis or as are established on such other basis as permits such agencies to contribute effectively toward the solution of community development or redevelopment problems on a State, or regional (within a State), or unified metropolitan basis. The[8] Administrator shall particularly encourage the

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[2] Prior to amendment by the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 622, the heading of Title I was "Slum Clearance and Community Development and Redevelopment".

[3] Section 100 was added by the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 622.

[4] Sec. 417(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676, substituted "grants" for "capital grants".

[5] As originally enacted subsection (a) read as follows:

"Sec. 101. In extending financial assistance under this title, the Administrator shall—

"(a) give consideration to the extent to which appropriate local public bodies have undertaken positive programs (1) for encouraging housing cost reductions through the adoption, improvement, and modernization of building and other local codes and regulations so as to permit the use of appropriate new materials, techniques, and methods in land and residential planning, design, and construction, the increase of efficiency in residential construction, and the elimination of restrictive practices which unnecessarily increase housing costs, and (2) for preventing the spread or recurrence, in such community, of slums and blighted areas through the adoption, improvement, and modernization of local codes and regulations relating to land use and adequate standards of health, sanitation, and safety for dwelling accommodations; and".

Subsection (a) was amended to read as set forth in the text, except for subsequent amendments noted by footnotes indicated in the text, by sec. 303 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 623.

[6] Sec. 417(2) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 677, inserted "or for grants pursuant to section 103(d)".

[7] The first sentence of subsection (b) was amended to read as set forth in the text by sec. 303 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 623. As originally enacted subsection (b) was part of one sentence which also contained subsection (a). Without subsection (a) this sentence read as follows:

"Sec. 101. In extending financial assistance under this title, the Administrator shall—

"(a) * * *

"(b) encourage the operations of such local public agencies as are established on a State, or regional (within a State), or unified metropolitan basis or as are established on such other basis as permits such agencies to contribute effectively toward the solution of community development or redevelopment problems on a State, or regional (within a State), or unified metropolitan basis."

See footnotes to subsection (a) for history of provisions of that subsection.

[8] This sentence was added by sec. 401 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 670.

Utilization of State Agencies as Local Public Agencies

utilization of local public agencies established by the States to operate on a statewide basis in behalf of smaller communities within the State which are undertaking or propose to undertake urban renewal programs whenever that arrangement facilitates the undertaking of an urban renewal program by any such community, or provides an effective solution to community development or redevelopment problems in such communities, and is approved by resolution or ordinance of the governing bodies of the affected communities.

Workable Program

(c)[9] No contract shall be entered into for any loan or capital grant under this title, or for annual contributions or capital grants pursuant to the United States Housing Act of 1937, as amended,[10] for any project or projects not constructed or covered by a contract for annual contributions prior to August 1, 1956, and no mortgage shall be insured, and no commitment to insure a mortgage shall be issued, under section 220 or section 221(d)[11](3) of the National Housing Act, as amended, unless (1) there is presented to the Administrator by the locality a workable program for[12] community improvement (which shall include an official plan of action, as it exists from time to time, for effectively dealing with the problem of urban slums and blight within the community and for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life) for utilizing appropriate private and public resources to eliminate, and prevent the development or spread of, slums and urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated, or slum areas, or to undertake such of the aforesaid activities or other feasible community activities as may be suitably employed to achieve the objectives of such a program, and (2) on the basis of his review of such program, the Administrator determines that such program meets the requirements of this subsection and certifies to the constituent agencies affected that the Federal assistance may be made available in such community: *Provided*, That this sentence shall not apply to the insurance of, or commitment to insure, a mortgage under section 220 of the National Housing Act, as amended, if the mortgaged property is in an area referred to in clause (A) (i) of paragraph (1) of[13] section 220(d) of the National Housing Act: *And provided further*, That, notwithstanding any other provisions of law which would authorize such delegation or transfer, there shall not be delegated or transferred to any other official (except an officer or employee of the Housing and Home Finance Agency serving as Acting Administrator during the absence or disability of the Administrator or in the event of a vacany in that office) the final authority vested in the Administrator (i) to determine whether any such workable program meets the requirements of this subsection, (ii) to make the certification that

Delegation Prohibited

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[9] Subsection (c) added by sec. 303 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 623.

[10] Sec. 402 of the Housing Act of 1956, Public Law 1020, 70 Stat. 1091, 1103, reinserted reference to the U.S. Housing Act of 1937 (previously removed by sec. 108 of the Housing Amendments of 1955, Public Law 345, 84th Congress, approved August 11, 1955, 69 Stat. 635, 638) which makes the workable program requirement applicable to contracts for low-rent public housing.

Sec. 108(b) of the Housing Amendments of 1955 removed the following requirements from Sec. 10(i) of the United States Housing Act of 1937, as amended, 50 Stat. 888, 42 U.S.C. 1401, which were prerequisites to communities entering into new contracts for Federal assistance to low-rent public housing units: (1) that the community must be carrying on a slum clearance and urban redevelopment project, or a slum clearance and urban renewal project, assisted under title I of the Housing Act of 1949, as amended, and (2) that the local governing body of the community must certify that the new public housing project is necessary to assist in meeting the relocation requirements of section 105(c) of the Housing Act of 1949, as amended.

See excerpts from the United States Housing Act of 1937 starting on page 49.

[11] Sec. 101(b)(1) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 153 substituted "section 221(d)(3)" for "or 221".

See excerpts from the National Housing Act starting on page 34.

[12] Sec. 314(a) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 172 inserted "for community improvement".

[13] Sec. 101(b)(2) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 153, struck out "of section 220(d), or under section 221 of the National Housing Act, as amended, if the mortgaged property is in an area described in clause (3) of section 221(a) of said Act, or in a community referred to in clause (2)(B) of said section" and inserted in lieu thereof "of section 220(d) of the National Housing Act".

Federal assistance of the types enumerated in this subsection may be made available in such community,[14] or (iii) to determine that the relocation requirements of section 105(c) of this title have been met.

Urban Renewal Service

(d) [15] The Administrator is authorized to establish facilities (1) for furnishing to communities, at their request, an urban renewal service to assist them in the preparation of a workable program as referred to in the preceding subsection and to provide them with technical and professional assistance for planning and developing local urban renewal programs, and (2) for the assembly, analysis and reporting of information pertaining to such programs

Loans

Temporary and Definitive Loans

Early Land Acquisition

Sec. 102. (a) To [16] assist local communities in the elimination of slums and blighted or deteriorated or deteriorating areas, in preventing the spread of slums, blight or deterioration, and in providing maximum opportunity for the redevelopment, rehabilitation, and conservation of such areas by private enterprise, the Administrator may make temporary and definitive loans to local public agencies in accordance with the provisions of this title for the undertaking of urban renewal projects. Such loans (outstanding at any one time) shall be in such amounts not exceeding the estimated [17] expenditures to be made by the local public agency [18] for such purposes, bear interest at such rate (not less than the applicable going Federal rate), be secured in such manner, and be repaid within such period (not exceeding, in the case of definitive loans, forty years from the date of the bonds or other obligations [19] evidencing such loans), as may be deemed advisable by the Administrator. In [20] any case where, in connection with its undertaking and carrying out of an urban renewal project, a local public agency is authorized (under the circumstances in which the temporary loan herein provided is requested) to acquire real property in the urban renewal area, the Administrator, in addition to all other authority under this title and notwithstanding any other provisions of this title, regardless of the stage of development of the urban renewal plan and whether before or after the approval thereof, may make a temporary loan or loans to any such local public agency to finance the acquisition of such real property: *Provided*, That no loan for such purpose shall be made unless (1) the governing body of the locality involved shall have approved by resolution or ordinance the acquisition of real property in the urban renewal area, and (2) either (A) the Administrator shall have determined that such loan is reasonably secured by a first mortgage or other prior lien upon such real property or is otherwise reasonably secured, or (B) the governing body of the locality shall have assumed the responsibility to bear any loss that may arise as the result of such acquisition in the event that the property so acquired is not used for urban renewal purposes because the urban renewal plan for the project is not approved, or is amended to omit any of the acquired property, or is abandoned for any reason: *Provided further*, That the Administrator may, in his discretion and subject to such conditions as he may impose, permit any structure so acquired to be demolished and removed, and may include in any loan authorized by this section the cost of such demolition and removal, together [21] with administrative, relocation, and other related costs and payments, if the approval of the local governing body extends to such demolition and removal: *And provided further*, That the loan contract shall provide that the local public agency shall not dispose of such real property (except in lieu of foreclosure) until the local governing body of the locality involved shall have either approved the urban renewal plan for the project or consented to the disposal of such real property.

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[14] Sec. 101(b)3 of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 153, deleted clause (iii) and renumbered clause iv as clause (iii). Prior to deletion, clause (iii) read as follows: "(iii) to make the certifications as to the maximum number of dwelling units needed for the relocation of families to be displaced as a result of governmental action and who would be eligible to rent or purchase dwelling accommodations in properties covered by mortgage insurance under section 221 of the National Housing Act, as amended,".

[15] Subsection (d) added by sec. 303 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 624.

[16] This sentence amended to read as set forth in the text by sec. 304 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 624. As originally enacted this sentence read as follows: "To assist local communities in eliminating their slums and blighted areas and in providing maximum opportunity for the redevelopment of project areas by private enterprise, the Administrator may make temporary and definitive loans to local public agencies for the undertaking of projects for the assembly, clearance, preparation, and sale and lease of land for redevelopment."

[17] Sec. 304 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 624, inserted the word "estimated".

[18] Sec. 402(a) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–671, substituted "for such purposes" for "as part of the gross project cost".

[19] Sec. 304 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 624, inserted "or other obligations".

[20] Sec. 403 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–671, added this sentence.

Loans for Public Facilities

(b) In connection with any project on land which is open or predominantly open, the Administrator may make temporary loans to municipalities or other public bodies for the provision of public buildings or facilities necessary to serve or support the new uses of such land in the project area. Such temporary loans shall be in such amounts not exceeding the expenditures to be made for such purpose, bear interest at such rate (not less than the applicable going Federal rate), be secured in such manner, and be repaid within such period (not exceeding ten years from the date of the obligations evidencing such loans), as may be deemed advisable by the Administrator.

Private Financing

Incontestable Federal Obligation in Private Financing

(c) Loans made pursuant to subsection (a) or (b) hereof may be made subject to the condition that, if at any time or times or for any period or periods during the life of the loan contract the local public agency can obtain loan funds from sources other than the Federal Government at interest rates lower than provided in the loan contract, it may do so with the consent of the Administrator at such times and for such periods without waiving or surrendering any rights to loan funds under the contract for the remainder of the life of such contract, and, in any such case, the Administrator is authorized to consent to a pledge by the local public agency of the loan contract, and any or all of its rights thereunder, as security for the repayment of the [22] principal of and the interest on the loan funds so obtained from other sources. In [23] connection with any such pledge of a loan contract, including loan payments thereunder, as security for the repayment of obligations of the local public agency held by other than the Federal Government, the Administrator is authorized to agree to pay, through operations of a paying agent or agents, and to pay or cause to be paid when due, from funds obtained pursuant to subsection (e) of this section, to the holders of such obligations (or to their agents or designees) the principal of and the interest on such obligations, subject to such conditions as the Administrator may determine but without regard to any other condition or requirement.[23] Notwithstanding any other provision of law, any contract or other instrument executed by the Administrator which, by its terms, includes an obligation of the Administrator to make payment pursuant to this subsection shall be construed by all officers of the United States separate and apart from the loan contract and shall be incontestable in the hands of a bearer and the full faith and credit of the United States is pledged to the payment of all amounts agreed to be paid by the Administrator pursuant to this subsection.

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[21] Sec. 314(b) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 172 added "together with administrative, relocation, and other related costs and payments".

[22] Sec. 402(b) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–671, inserted "the principal of and the interest on".

[23] Sec. 302(a) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 166, added this sentence.

Planning Advances

(d) [24] The Administrator may make advances of funds to local public agencies for surveys [25] of urban areas to determine whether the undertaking of urban renewal projects therein may be feasible and for surveys and plans for urban renewal projects which may be assisted under this title, including, but not limited to, (i) plans for carrying out a program of voluntary repair and rehabilitation of buildings and improvements, (ii) plans for the enforcement of State and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements, and (iii) appraisals, title searches, and other preliminary work necessary to prepare for the acquisition of land in connection with the undertaking of such projects. The contract for any such advance of funds shall be made upon the condition that such advance of funds shall be repaid, with interest at not less than the applicable going Federal rate, out of any moneys which become available to the local public agency for the undertaking of the project involved. No contract for any such advances of funds for surveys and plans for urban renewal projects which may be assisted under this title shall be made unless the governing body of the locality involved has by resolution or ordinance approved the undertaking of such surveys and plans and the submission by the local public agency of an application for such advance of funds. Notwithstanding [26] section 110(h) or the use in any other provision of this title of the term "local public agency" or "local public agencies" the Administrator may make advances of funds under this subsection for surveys and plans for an urban renewal project (including General Neighborhood Renewal Plans as hereinafter defined) to a single local public body which has the authority to undertake and carry out a substantial portion, as determined by the Administrator, of the surveys and plans or the project respecting which such surveys and plans are to be made: *Provided*, That the application for such advances shows, to the satisfaction of the Administrator, that the filing thereof has been approved by the public body or bodies authorized to undertake the other portions of the surveys and plans or of the project which the applicant is not authorized to undertake.

General Neighborhood Renewal Plans

In [27] order to facilitate proper preliminary planning for the attainment of the urban renewal objectives of this title, the Administrator may also make advances of funds (in addition to those authorized above) to local public agencies for the preparation of General Neighborhood Renewal Plans (as herein defined) for urban renewal areas of such scope that the urban renewal activities therein may have to be carried out in stages, consistent with the capacity and resources of the respective local public agency, over an estimated period of not more than ten years. No contract for advances for the preparation of a General Neighborhood Renewal Plan may be made unless the Administrator has determined that:

(1) in the interest of sound community planning, it is desirable that the urban renewal area be planned for urban renewal purposes in its entirety;

(2) the local public agency proposes to undertake promptly an urban renewal project embracing at least 10 per centum of such area,

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[24] As originally enacted subsection (d) read as follows:

"(d) The Administrator may make advances of funds to local public agencies for surveys and plans in preparation of projects which may be assisted under this title, and the contracts for such advances of funds may be made upon the condition that such advances of funds shall be repaid, with interest at not less than the applicable going Federal rate, out of any moneys which become available to such agency for the undertaking of the project or projects involved."

Sec. 304 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 624, amended subsection (d) to read as set forth in the text, except for subsequent amendments noted by footnotes indicated in the text.

[25] Sec. 303(b) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1100, inserted "surveys of urban areas to determine whether the undertaking of urban renewal projects therein may be feasible and for".

[26] This sentence was added by sec. 301 of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1097.

[27] This paragraph was added by sec. 303(a) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1099.

upon completion of the General Neighborhood Renewal Plan and the preparation of an urban renewal plan for such project; and

(3) the governing body of the locality has by resolution or ordinance (i) approved the undertaking of the General Neighborhood Renewal Plan and the submission of an application for such advance and (ii) represented that such plan will be used to the fullest extent feasible as a guide for the provision of public improvements in such area and that the plan will be considered in formulating codes and other regulatory measures affecting property in the area and in undertaking other local governmental activities pertaining to the development, redevelopment, rehabilitation, and conservation of the area.

The contract for any such advance of funds for a General Neighborhood Renewal Plan shall be made upon the condition that such advance shall be repaid, with interest at not less than the applicable going Federal rate, out of any moneys which become available to the local public agency for the undertaking of the first urban renewal project in such area: *Provided*, That in the event of the undertaking of any other project or projects in such area an appropriate allocation of the amount of the advance, with interest, may be effected to the end that each such project may bear its proper allocable part, as determined by the Administrator, of the cost of the General Neighborhood Renewal Plan. As used herein, a General Neighborhood Renewal Plan means a preliminary plan (conforming, in the determination of the governing body of the locality, to the general plan of the locality as a whole and to the workable program of the community meeting the requirements of section 101) which outlines the urban renewal activities proposed for the area involved, provides a framework for the preparation of urban renewal plans and indicates generally, to the extent feasible in preliminary planning, the land uses, population density, building coverage, prospective requirements for rehabilitation and improvement of property, and any portions of the area contemplated for clearance and redevelopment.

Obtaining Funds for Loans

(e) The [28] total amount of loan contracts outstanding at any one time under this title shall not exceed the aggregate of the estimated expenditures to be made by local public agencies as part of the gross project cost of the projects assisted by such contracts. To obtain funds for advance and loan disbursements under this title, the Administrator may issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount which shall not, unless authorized by the President, exceed $1,000,000,000. For the purpose of establishing unpaid obligations as of a given date against the authorization contained in the preceding sentence, the Administrator shall estimate the maximum amount to be required to be borrowed from the Treasury and outstanding at any one time with respect to loan commitments in effect on such date.

(f) Notes or other obligations issued by the Administrator under this title shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Administrator, with the approval of the Secretary of the Treasury. Such

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[28] Subsection (e) was amended to read as set forth in the text by sec. 404 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–671. As originally enacted subsection (e) read as follows:

"(e) To obtain funds for loans under this title, the Administrator, on and after July 1, 1949, may, with the approval of the President, issue and have outstanding at any one time notes and obligations for purchase by the Secretary of the Treasury in an amount not to exceed $25,000,000, which limit on such outstanding amount shall be increased by $225,000,000 on July 1, 1950, and by further amounts of $250,000,000 on July 1 in each of the years 1951, 1952, and 1953, respectively: *Provided,* That (subject to the total authorization of not to exceed $1,000,000,000) such limit, and any such authorized increase therein, may be increased, at any time or times, by additional amounts aggregating not more than $250,000,000 upon a determination by the President, after receiving advice from the Council of Economic Advisers as to the general effect of such increase upon the conditions in the building industry and upon the national economy, that such action is in the public interest."

Executive Order 10530, issued May 10, 1954, 19 Fed. Reg. 2709, empowered the Housing and Home Finance Administrator to issue obligations to the Treasury without the approval, ratification, or other action of the President, as provided at that time in subsection (e).

Terms of Administrator's Notes

notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of such notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Administrator issued under this title and for such purpose is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

Tax Exemption

(g) Obligations, including interest thereon, issued by local public agencies for projects assisted pursuant to this title, and income derived by such agencies from such projects, shall be exempt from all taxation now or hereafter imposed by the United States.

Capital Grants

SEC. 103. (a) (1) The Administrator may make capital grants to local public agencies in accordance [29] with the provisions of this title for urban renewal projects: *Provided*, That the Administrator shall not make any contract for capital grant with respect to a project which consists of open land.

Open Land

Capital Grants

(2) [30] The aggregate of such capital grants with respect to all of the projects of a local public agency (or of two or more local public agencies in the same municipality) on which contracts for capital grants have been made under this title shall not exceed the total of—

(A) two-thirds of the aggregate net project costs of all such projects to which neither subparagraph (B) nor subparagraph (C) applies, and

(B) three-fourths of the aggregate net project costs of any of such projects which are located in a municipality having a population of fifty thousand or less (one hundred fifty thousand or less in the case of a municipality situated in an area which, at the time the contract or contracts involved are entered into or at such earlier time as the Administrator may specify in order to avoid hardship, is designated as a redevelopment area under the second sentence of section 5(a) of the Area Redevelopment Act) according to the most recent decennial census, and

(C) three-fourths of the aggregate net project costs of any of such projects (not falling within subparagraph (B)) which the Administrator, upon request, may approve on a three-fourths capital grant basis.

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[29] Sec. 305 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625, substituted "in accordance with the provisions of this title for urban renewal projects" for "to enable such agencies to make land in project areas available for redevelopment at its fair value for the uses specified in the redevelopment plans".

[30] The balance of this subsection was amended to read as set forth in the text by sec. 301(a) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 165.

As originally enacted this part of the subsection read as follows: "The aggregate of such capital grants with respect to all the projects of a local public agency on which contracts for capital grants have been made under this title shall not exceed two-thirds of the aggregate of the net project costs of such projects, and the capital grant with respect to any individual project shall not exceed the difference between the net project cost and the local grants-in-aid actually made with respect to the project."

Sec. 302(1) of the Housing Act of 1957, Public Law 85–104, 85th Congress, approved July 12, 1957, 71 Stat. 294, 299, amended this part of the subsection to read as follows: "The aggregate of such capital grants with respect to all the projects of a local public agency on which contracts for capital grants have been made under this title, exclusive of projects referred to in the proviso hereto, shall not exceed two-thirds of the aggregate of the net project costs of such nonexcluded projects: *Provided*, That the aggregate of such capital grants may exceed two-thirds but not three-fourths of the aggregate net project costs of those projects which the Administrator, at the request of a local public agency, may approve on such a three-fourths capital grant basis. A capital grant with respect to any individual project shall not exceed the difference between the net project cost and the local grants-in-aid actually made with respect to the project."

(3) A capital grant with respect to any individual project shall not exceed the difference between the net project cost and the local grants-in-aid actually made with respect to the project.

Grant Authorization

Mass Transportation Demonstration Projects

(b) The [31] Administrator may, with the approval of the President,[32] contract to make grants under this title aggregating not to exceed $4,000,000,000: *Provided*, That of such sum the Administrator may, without regard to other provisions of this title, contract to make grants aggregating not to exceed $25,000,000 for mass transportation demonstration projects which he determines will assist in carrying out urban transportation plans and research, including but not limited to the development of data and information of general applicability on the reduction of urban transportation needs, the improvement of mass transportation service, and the contribution of such service toward meeting total urban transportation needs at minimum cost. Such [31] grants shall not be used for major long-term capital improvement; shall not exceed two-thirds of the cost, as determined or estimated by the Administrator, of the project for which the grant is made; and shall be subject to such other terms and conditions as he may prescribe. The [31]Administrator is authorized, nothwithstanding the provisions of section 3648 of the Revised Statutes, as amended, to make advance or progress payments on account of any grant contracted to be made pursuant to this section. The faith of the United States is solemnly pledged to the payment of all [33] grants contracted for under this title, and there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such payments: *Provided*,[34] That any amounts so appropriated shall also be available for repaying to the Secretary of the Treasury, for application to notes of the Administrator, the principal amounts of any funds advanced to local public agencies under this title which the Administrator determines to be uncollectible because of the termination of activities for which such advances were made, together with the interest paid or accrued to the Secretary (as determined by him) attributable to notes given by the Administrator in connection with such advances, but all such repayments shall constitute a charge against the authorization to make contracts for grants contained in this section: *Provided further*,[34] That no such determination of the Administrator shall be construed to prejudice the rights of the United States with respect to any such advance.

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[31] The first three sentences of this subsection were inserted by sec. 303 of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 166, in lieu of the following sentence: "The Administrator, on and after July 1, 1949, may with the approval of the President, contract to make grants under this title aggregating not to exceed $1,350,000,000, which limit shall be increased by $350,000,000 on the date of enactment of the Housing Act of 1959, and by $300,000,000 on July 1, 1960."

As originally enacted the foregoing sentence read as follows:

"(b) The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make capital grants, with respect to projects assisted under this title, aggregating not to exceed $100,000,000, which limit shall be increased by further amounts of $100,000,000 on July 1 in each of the years 1950, 1951, 1952, and 1953, respectively: *Provided,* That (subject to the total authorization of not to exceed $500,000,000) such limit, and any such authorized increase therein, may be increased, at any time or times, by additional amounts aggregating not more than $100,000,000 upon a determination by the President, after receiving advice from the Council of Economic Advisers as to the general effect of such increase upon the conditions in the building industry and upon the national economy, that such action is in the public interest."

Sec. 106(a) of the Housing Amendments of 1955, Public Law 345, 84th Congress, approved August 11, 1955, 69 Stat. 635, 637, struck out "$100,000,000, which limit shall be increased by further amounts of $100,000,000 on July 1 in each of the years 1950, 1951, 1952, and 1953, respectively: *Provided*, That (subject to the total authorization of not to exceed $500,000,000)" and substituted "$500,000,000, which limit shall be increased by further amounts of $200,000,000 on July 1 in each of the years 1955 and 1956, respectively: *Provided,* That".

Sec. 301 of the Housing Act of 1957, Public Law 85–104, 85th Congress, approved July 12, 1957, 71 Stat. 294, 299, amended the language preceding the proviso to read as follows:

"(b) The Administrator, on and after July 1, 1949, may, with the approval of the President, contract to make capital grants, with respect to projects assisted under this title, aggregating not to exceed $900,000,000, which limit shall be increased by $350,000,000 on the date of enactment of the Housing Act of 1957:".

Sec. 405(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–672 amended the sentence to read as it read immediately prior to its deletion by the Housing Act of 1961.

[32] Executive Order 10530, issued May 10, 1954, 19 Fed. Reg. 2709, empowers the Housing and Home Finance Administrator to perform this function without the approval, ratification, or other action of the President.

[33] Sec. 417(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676, struck out the word "capital" before "grants".

[34] Sec. 405(2) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–672, added this proviso.

(c) [35] Notwithstanding any other provision of this or any other Act, if financial assistance authorized by this title to be made available to a locality or local public agency may be made available to any locality or local public agency within the limitations provided in sections 102(e), 103(b), and 106(e), and the second paragraph following the paragraph numbered (6) of section 110(c), the amount of such financial assistance made available to any locality or local public agency upon submission and processing of proper application therefor shall not otherwise be restricted except on the basis of (1) urgency of need, and (2) feasibility, as determined by the Administrator.

Grants for Community Renewal Programs

(d) [36] The Administrator may contract to make grants for the preparation or completion of community renewal programs, which may include, without being limited to, (1) the identification of slum areas or blighted, deteriorated, or deteriorating areas in the community, (2) the measurement of the nature and degree of blight and blighting factors within such areas, (3) determination of the financial, relocation, and other resources needed and available to renew such areas, (4) the identification of potential project areas and, where feasible, types of urban renewal action contemplated within such areas, and (5) scheduling or programing of urban renewal activities. Such programs shall conform, in the determination of the governing body of the locality, to the general plan of the locality as a whole. The Administrator may establish reasonable requirements respecting the scope and content of such programs. No contract for a grant pursuant to this subsection shall be made unless the governing body of the locality involved has approved the preparation or completion of the community renewal program and the submission by the local public agency of an application for such a grant. Notwithstanding section 110(h) or the use in any other provision of this title of the term "local public agency" or "local public agencies", the Administrator may make grants pursuant to this subsection for the preparation or completion of a community renewal program to a single local public body authorized to perform the planning work necessary to such preparation or completion. No grant made pursuant to this subsection shall exceed two-thirds of the cost (as such cost is determined or estimated by the Administrator) of the preparation or completion of the community renewal program for which such grant is made.

Requirements for Local Grants-in-Aid

SEC. 104.[37] Every contract for capital grants under this title shall require local grants-in-aid in connection with the project involved. Such local grants-in-aid, together with the local grants-in-aid to be provided in connection with all other projects of the local public agency (or two or more local public agencies in the same municipality) on which contracts for capital grants have theretofore been made, shall be at least equal to the total of one-third of the aggregate net project costs of such projects undertaken on a two-thirds capital grant basis and one-fourth of the aggregate net project costs of such projects undertaken on a three-fourths capital grant basis.

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[35] Sec. 405(3) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–672, added this subsection.

[36] Sec. 405(3) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–672, added this subsection.

[37] As originally enacted section 104 read as follows: "Every contract for capital grant under this title shall require local grants-in-aid in connection with the project involved which, together with the local grants-in-aid to be provided in connection with all other projects of the local public agency on which contracts for capital grants have theretofore been made, will be at least equal to one-third of the aggregate net project costs involved (it being the purpose of this provision and section 103 to limit the aggregate of the capital grants made by the Administrator with respect to all the projects of a local public agency on which contracts for capital grants have been made under this title to an amount not exceeding two-thirds of the difference between the aggregate of the gross project costs of all such projects and the aggregate of the total sales prices and capital values referred to in section 110(f) of land in such projects)."

Sec. 306 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625, substituted "of the property" for "of land" near the end of the section.

Sec. 306 of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1101, amended section 104 to read as follows:

"Every contract for capital grants under this title shall require local grants-in-aid in connection with the project involved. Such local grants-in-aid, together with the local grants-in-aid to be provided in connection with all other projects of the local public agency on which contracts for capital grants have theretofore been made, shall not be required in excess of one-third of the aggregate net project costs of all projects of the local public agency on which contracts for capital grants have been made."

Sec. 302(2) of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 300, added at the end of the section "on the two-thirds basis, or in excess of one-fourth of the aggregate net project costs of all projects of the local public agency on which contracts for capital grants have been made on the three-fourths basis".

Sec. 301(b) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 166, amended the second sentence to read as set forth in the text.

Local Determinations

SEC. 105. Contracts for loans or capital grants [38] shall be made only with a duly authorized local public agency and shall require that—

Approval of Plan

(a)[39] The urban renewal plan [39a] for the urban renewal area be approved by the governing body of the locality in which the project is situated, and that such approval include findings by the governing body that (i) the financial aid to be provided in the contract is necessary to enable the project to be undertaken in accordance with the urban renewal plan; (ii) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (iii) the urban renewal plan conforms to a general plan for the development of the locality as a whole; and [40] (iv) the urban renewal plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan;

Obligation of Purchasers, etc.

(b)[41] When real property acquired or held by the local public agency in connection with the project is sold or leased, the purchasers or lessees and their assignees shall be obligated (i) to devote such property to the uses specified in the urban renewal plan for the project area; (ii) to begin within a reasonable time any improvements on such property required by the urban renewal plan; and (iii) to comply with such other conditions as the Administrator finds, prior to the execution of the contract for loan or capital grant pursuant to this title, are necessary to carry out the purposes of this title: *Provided*, That clause (ii) of this subsection shall not apply to mortgagees and others who acquire an interest in such property as the result of the enforcement of any lien or claim thereon: *And provided further*, That, with respect to any improvements of a type which it is otherwise authorized to undertake, any Federal agency (as defined in section 3(b) of the Federal Property and Administrative Services Act of

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[38] Sec. 307(1) of the Housing Act of 1954, Public Law, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625, substituted "loans or capital grants" for "financial aid".

[39] As originally enacted subsection (a) read as follows:

"(a) The redevelopment plan for the project area be approved by the governing body of the locality in which the project is situated, and that such approval include findings by the governing body that (i) the financial aid to be provided in the contract is necessary to enable the land in the project area to be redeveloped in accordance with the redevelopment plan; (ii) the redevelopment plans for the redevelopment areas in the locality will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of such areas by private enterprise; and (iii) the redevelopment plan conforms to a general plan for the development of the locality as a whole;".

Subsection (a) was amended to read as set forth in the text by sec. 307(2) of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625, except as indicated by subsequent footnotes.

[39a] Sec. 302(a) of the Housing Act of 1956 Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1097, deleted "(including any redevelopment plan constituting a part thereof)".

[40] Sec. 315 of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 172 added clause (iv).

[41] Subsection (b), down through the first proviso, was amended to read as set forth in the text by sec. 307 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625. The second proviso was added by sec. 406 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 673.

As originally enacted subsection (b) read as follows:

"(b) When land acquired or held by the local public agency in connection with the project is sold or leased, the purchasers or lessees shall be obligated (i) to devote such land to the uses specified in the redevelopment plan for the .project area; (ii) to begin the building of their improvements on such land within a reasonable time; and (iii) to comply with such other conditions as the Administrator finds, prior to the execution of the contract for loan or capital grant pursuant to this title, are necessary to carry out the purposes of this title;"

1949, as amended, and also including the District of Columbia or any agency thereof) is hereby authorized to become obligated in accordance with this subsection, except that clause (ii) of this subsection shall apply to such Federal agency only to the extent that it is authorized (and funds have been made available) to make the improvements involved;

Relocation Requirements

(c) There be a feasible method for the temporary relocation of families displaced from the urban renewal[42] area, and that there are or are being provided, in the urban renewal[42] area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families displaced from the urban renewal[42] area, decent, safe, and sanitary dwellings equal in number to the number of and available to such displaced families and reasonably accessible to their places of employment.[43]

Public Hearing

(d) No land for any project to be assisted under this title shall be acquired by the local public agency except after public hearing following notice of the date, time, place, and purpose of such hearing.

Public Disclosure by Redevelopers

(e)[44] No understanding with respect to, or contract for, the disposition of land within an urban renewal area shall be entered into by a local public agency unless the local public agency shall have first made public, in such form and manner as may be prescribed by the Administrator, (1) the name of the redeveloper, together with the names of its officers and principal members, shareholders and investors, and other interested parties, (2) the redeveloper's estimate of the cost of any residential redevelopment and rehabilitation, and (3) the redeveloper's estimate of rentals and sales prices of any proposed housing involved in such redevelopment and rehabilitation: *Provided*, That nothing in this subsection shall constitute a basis for contesting the conveyance of, or title to, such land.

General Provisions

SEC. 106. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Administrator, notwithstanding the provisions of any other law, shall—

Director

(1) appoint a Director[45] to administer the provisions of this title under the direction and supervision of the Administrator and the basic rate of compensation of such position shall be the same as the basic rate of compensation established for the heads of the constituent agencies of the Housing and Home Finance Agency;

Budget Program

(2) prepare annually and submit a budget program as provided for wholly owned Government corporations by the Government Corporation Control Act, as amended;

Accounts and Audits

(3) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That such financial transactions of the Ad-

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[42] Sec. 307(3) of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625, substituted "urban renewal" for "project".

[43] Sec. 307(4) of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625, deleted the following proviso from the end of this subsection: "*Provided*, That in view of the existing acute housing shortage, each such contract entered into prior to July 1, 1951, shall further provide that there shall be no demolition of residential structures in connection with the project assisted under the contract prior to July 1, 1951, if the local governing body determines that the demolition thereof would reasonably be expected to create undue housing hardship in the locality."

[44] Subsection (e) added by Sec. 407 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–673.

[45] The Administrator's Reorganization Order No. 1, effective December 23, 1954, 19 Fed. Reg. 9303 (redesignated Dec. 7, 1956, as Administrator's Organizational Order No. 1), established the Urban Renewal Administration as a constituent of the Housing and Home Finance Agency, provided that the office of the Director referred to in this section was transferred to the Urban Renewal Administration, and that the title of the officer was changed to "Urban Renewal Commissioner". The Order also provided that the slum clearance and urban renewal functions of the Housing and Home Finance Administrator under title I of the Housing Act of 1949, except the nondelegable authorities vested in the Administrator pursuant to sec. 101(c) of the Act, should be administered by the Urban Renewal Commissioner under the supervision and direction of the Administrator.

ministrator as the making of advances of funds, loans, or [46] grants and vouchers approved by the Administrator in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

Checking Account With Treasurer

(b) Funds made available to the Administrator pursuant to the provisions of this title shall be deposited in a checking account or accounts with the Treasurer of the United States. Receipts and assets obtained or held by the Administrator in connection with the performance of his functions under this title shall be available for any of the purposes of this title (except for [46] grants pursuant to section 103 hereof), and all funds available for carrying out the functions of the Administrator under this title (including appropriations therefor, which are hereby authorized), shall be available, in such amounts as may from year to year be authorized by the Congress, for the administrative expenses of the Administrator in connection with the performance of such functions: *Provided*,[47] That necessary expenses of inspections and audits, and of providing representatives at the site, of projects being planned or undertaken by local public agencies pursuant to this title shall be compensated by such agencies by the payment of fixed fees which in the aggregate will cover the costs of rendering such services, and such expenses shall be considered nonadministrative; and for the purpose of providing such inspections and audits and of providing representatives at the sites, the Administrator may utilize any agency and such agency may accept reimbursement or payment for such services from such local public agencies or the Administrator, and credit such amounts to the appropriations or funds against which such charges have been made.

(c) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Administrator, notwithstanding the provisions of any other law, may—

(1) sue and be sued;

Foreclosure

(2) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any project or part thereof in connection with which he has made a loan or capital grant pursuant to this title. In the event of any such acquisition, the Administrator may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, dispose of, and otherwise deal with, such project or part thereof: *Provided*, That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

Payments in Lieu of Taxes

(3) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned, and such sums shall approximate the taxes which would be paid upon such property to the State or local taxing authority, as the case may be, if such property were not exempt from taxation;

Conveyances

(4) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

Insurance

(5) obtain insurance against loss in connection with property and other assets held;

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[46] Sec. 417(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676, deleted the word "capital" before "grants".

[47] Proviso added by sec. 308 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 625.

Modification of Contracts

(6) subject to the specific limitations in this title, consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security, amount of[48] grant, or any other term, of any contract or agreement to which he is a party or which has been transferred to him pursuant to this title;

Additional Contract Requirements

(7) include in any contract or instrument made pursuant to this title such other covenants, conditions, or provisions (including such covenants, conditions, or provisions as, in the determination of the Administrator, are necessary or desirable to prevent the payment of excessive prices for the acquisition of land in connection with projects assisted under this title) as he may deem necessary to assure that the purposes of this title will be achieved. No provision of this title shall be construed or administered to permit speculation in land holding; and

Progress Grant Payments

(8)[49] make advance or progress payments on account of any[48] grant contracted to be made pursuant to this title, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended, or any other provisions of this title (31 U.S.C. § 529).

(d) Section 3709, as amended, of the Revised Statutes shall not apply to any contract for services or supplies on account of any property acquired pursuant to this title if the amount of such contract does not exceed $1,000.

Limitation on Total Grants in Any State

(e) Not more than 12½[50] per centum of the grant[51] funds provided for in this title[52] shall be expended in any one State: *Provided*,[53] That the Administrator, without regard to such limitation, may enter into contracts for[54] grants aggregating not to exceed $100,000,000[55] (subject to the total authorization provided in section 103(b) of this title) with local public agencies in States where more than two-thirds of the maximum[54] grants permitted in the respective State under this subsection has been obligated.

(f)[56] (1) Notwithstanding any other provision of this title, an urban renewal project respecting which a contract for a capital grant is executed under this title may include the making of relocation payments (as defined in paragraph (2)); and such contract shall provide that the capital grant otherwise payable under this title shall be increased by an amount equal to such relocation payments and that no part of the amount of such relocation payments shall be required to be contributed as part of the local grant-in-aid.

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[48] Sec. 417(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676, struck out the word "capital" before "grant".

[49] Paragraph 8 added by Public Law 370, 82d Congress, approved June 3, 1952, 66 Stat. 98.

[50] Sec. 303 of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 300, substituted "12½" for "10".

[51] Sec. 408 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 674, inserted "grant".

[52] Sec. 408 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 674, deleted ", either in the form of loans or grants,".

[53] This proviso added by section 22 of the Housing Amendments of 1953, Public Law 94, 83d Congress, approved June 30, 1953, 67 Stat. 121, 127.

[54] Sec. 417(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676, deleted the word "capital" before "grants".

[55] $70,000,000 was substituted for $35,000,000 by sec. 106(b) of the Housing Amendments of 1955, Public Law 345, 84th Congress, approved August 11, 1955, 69 Stat. 635, and $100,000,000 was substituted for $70,000,000 by sec. 304 of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1100.

[56] Subsection (f) added by sec. 305 of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1100.

Relocation Payments

(2) As [57] used in this subsection, the term "relocation payments" means payments by a local public agency to individuals, families, business concerns, and nonprofit organizations for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after August 7, 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement from an urban renewal area made necessary by (i) the acquisition of real property by a local public agency or by any other public body, (ii) code enforcement activities undertaken in connection with an urban renewal project, or (iii) a program of voluntary rehabilitation of buildings or other improvements in accordance with an urban renewal plan: *Provided*, That such payments shall not be made after completion of the project or if completion is deferred solely for the purpose of obtaining further relocation payments. Such payments [58] shall be made subject to such rules and regulations as may be prescribed by the Administrator, and shall not exceed $200 [59] in the case of an individual or family, or $3,000 [60] ([61] or, if greater, the total certified actual moving expenses) in the case of a business concern or [62] nonprofit organization. Such rules and regulations may include provisions authorizing payment to individuals and families of fixed amounts (not to exceed $200 [59] in any case) in lieu of their respective reasonable and necessary moving expenses and [63] actual direct losses of property.

(3) Any contract with a local public agency which was executed under this title before the date of the enactment of the Housing Act of 1956 [64] may be amended to provide for payments under this subsection for expenses and losses incurred on or after such date.

Hotels and Other Transient Housing

(g) [65] No provision permitting the new construction of hotels or other housing for transient use in the redevelopment of any urban renewal area under this title shall be included in the urban renewal plan unless the community in which the project is located, under regulations prescribed by the Administrator, has caused to be made a competent independent analysis of the local supply of transient housing and as a result thereof has determined that there exists in the area a need for additional units of such housing.

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[57] As originally enacted by Sec. 305 of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1100, this first sentence read as follows:

"As used in this subsection, the term 'relocation payments' means payments by a local public agency, in connection with a project, to individuals, families, and business concerns for their reasonable and necessary moving expenses and any actual direct losses of property except goodwill or profit (which are incurred on and after the date of the enactment of the Housing Act of 1956, and for which reimbursement or compensation is not otherwise made) resulting from their displacement by an urban renewal project included in an urban renewal area respecting which a contract for capital grant has been executed under this title."

Sec. 409(a)(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 673, amended the first sentence to read as set forth in the text, except that the term "and nonprofit organizations" was inserted after "business concerns" by sec. 304(1) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167.

Sec. 409(a)(2) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–674, provided that:

"No relocation payments under section 106(f) of the Housing Act of 1949 shall be made for expenses or losses incurred prior to the date of the enactment of the Housing Act of 1959, except to the extent that such payments were authorized by such section as it existed prior to such date."

[58] As originally enacted the balance of this paragraph read as follows:

"Such payments shall be made subject to such rules and regulations as may be prescribed by the Administrator, as are in effect on the date of execution of the contract for capital grant (or the date on which the contract is amended pursuant to paragraph (3)), and shall not exceed $100 in the case of an individual or family, or $2,000 in the case of a business concern."

Sec. 304 of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 300, amended the foregoing to read as set forth in the text except for amendments indicated by subsequent footnotes.

[59] Sec. 409(b) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 674, substituted "$200" for "$100".

[60] Sec. 409(b) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 674, substituted "$3,000" for "$2,500".

[61] This parenthetical phrase was inserted by sec. 304(3) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167.

[62] The term "or nonprofit organization" was inserted by sec. 304(2) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167.

[63] The language "and actual direct losses of property" was added by sec. 304(4) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167.

[64] August 7, 1956.

[65] Subsection (g) added by Sec. 410 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 674.

Property[66] To Be Used for Public Housing or Housing for Moderate Income Families

Low-rent Public Housing

SEC. 107.[67] (a) When[68] it appears in the public interest that land[69] acquired as part of an urban renewal project should be used in whole or in part as a site for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, or under a State or local program found by the Administrator to have the same general purposes as the Federal program under such Act, the site shall be made available to the public housing agency undertaking the low-rent housing project at a price equal to the fair value of land to a private redeveloper who wants to buy a site in the community for private rental housing with physical characteristics similar to those of the proposed low-rent housing project, and such amount shall be included as part of the development cost of such low-rent housing project: *Provided*, That the local contribution in the form of tax exemption or tax remission required by section 10(h) of such Act, or by analogous provisions in legislation authorizing such State or local program, with respect to the low-rent housing project into which such land was[70] incorporated on or after September 23, 1959, shall (if covered by a contract which, in the determination of the Public Housing Commissioner, and without regard to the requirements of the first proviso of such section 10(h), will assure that such local contribution will be made during the entire period that the project is used as low-rent housing within the meaning of such Act, or by provisions found by the Administrator to give equivalent assurance in the case of State or local programs), be accepted as a local grant-in-aid equal in amount, as determined by the Administrator, to one-half (or one-third in the case of an urban renewal project on a three-fourths capital grant basis) of the difference between the cost of such site (including costs of land, clearance, site improvements, and a share, prorated on an area basis, of administrative, interest, and other project costs) and its sales price, and shall be considered a local grant-in-aid furnished in a form other than cash within the meaning of section 110(d) of this Act.

Housing for Moderate Income Families

(b)[71] Upon approval of the Administrator and subject to such conditions as he may determine to be in the public interest, any real property held as part of an urban renewal project may be made available to (1) a limited dividend corporation, nonprofit corporation or association, cooperative, or public body or agency, or (2) a purchaser who would be eligible for a mortgage insured under section 221(d)(4) of the National Housing Act, for purchase at fair value for use by such purchaser in the provision of new or rehabilitated rental or cooperative housing for occupancy by families of moderate income.

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[66] Prior to amendment by sec. 306(a)(1) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, this title read "Payment for Land Used for Low-Rent Public Housing".

[67] As originally enacted this section read as follows:

"SEC. 107. If the land for a low-rent housing project assisted under the United States Housing Act of 1937, as amended, is made available from a project assisted under this title, payment equal to the fair value of the land for the uses specified in accordance with the redevelopment plan shall be made therefor by the public housing agency undertaking the housing project, and such amount shall be included as part of the development cost of the low-rent housing project."

Sec. 309 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, amended sec. 107 by substituting "urban renewal plan" for "redevelopment plan".

Sec. 411 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73. Stat. 654–674, amended this section to read as set forth in the text, except as indicated by subsequent footnotes.

[68] Sec. 306(a)(2) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, inserted "(a)".

[69] Sec. 306(a)(2) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, deleted "to be" after "land".

[70] Sec. 306(a)(3) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, substituted "was incorporated on or after September 23, 1959," for "is incorporated".

[71] This subsection (b) was added by sec. 306(a)(4) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168.

Surplus Federal Real Property

SEC. 108. The President [72] may at any time in his discretion, transfer, or cause to be transferred, to the Administrator any right, title, or interest held by the Federal Government or any department or agency thereof in any land (including buildings thereon) which is surplus to the needs of the Government and which a local public agency certifies will be within the area of a project being planned by it. When such land is sold to the local public agency by the Administrator, it shall be sold at a price equal to its fair market value, and the proceeds from such sale shall be covered into the Treasury as miscellaneous receipts.

Protection of Labor Standards

SEC. 109. In order to protect labor standards—

40 U.S.C. 276a–276a-5

(a) any contract for loan or capital grant [73] pursuant to this title shall contain a provision requiring that not less than the salaries prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Administrator, shall be paid to all architects, technical engineers, draftsmen, and technicians employed in the developement of the project involved and shall also contain a provision that not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act (49 Stat. 1011), shall be paid to all laborers and mechanics, except [74] such laborers or mechanics who are employees of municipalities or other local public bodies, employed in the development of the project involved for work [75] financed in whole or in part with funds made available pursuant to this title; and the Administrator shall require certification as to compliance with the provisions of this paragraph prior to making any payment under such contract; and

(b) the provisions of title 18, United States Code, section 874, and of title 40, United States Code, section 276c, shall apply to work [76] financed in whole or in part with funds made available for [77] the development of a project pursuant to this title.[78]

Definitions

SEC. 110. The following terms shall have the meanings, respectively, ascribed to them below, and, unless the context clearly indicates otherwise, shall include the plural as well as the singular number:

Urban Renewal Area

(a) [79] "Urban renewal area" means a slum area or a blighted, deteriorated, or deteriorating area in the locality involved which the Administrator approves as appropriate for an urban renewal project.

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[72] Executive Order 10530, issued May 10, 1954, 19 Fed. Reg. 2709, provides that the Director of the Bureau of the Budget is designated and empowered to perform this function of the President without the approval, ratification, or other action of the President.

[73] Sec. 310 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, substituted "loan or capital grant" for "financial aid".

[74] Sec. 310 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, inserted ", except such laborers or mechanics who are employees of municipalities or other local public bodies,".

[75] Sec. 310 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, inserted "for work financed in whole or in part with funds made available pursuant to this title".

[76] Sec. 310 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, substituted "work" for "any project".

[77] Sec. 310 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, inserted "for the development of a project".

[78] Sec. 310 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, struck out subsection (c) which read as follows:

"(c) Any contractor engaged on any project financed in whole or in part with funds made available pursuant to this title shall report monthly to the Secretary of Labor, and shall cause all subcontractors to report in like manner, within five days after the close of each month and on forms to be furnished by the United States Department of Labor, as to the number of persons on their respective pay rolls on the particular project, the aggregate amount of such pay rolls, the total man-hours worked, and itemized expenditures for materials. Any such contractor shall furnish to the Department of Labor the names and addresses of all subcontractors on the work at the earliest date practicable."

[79] As originally enacted subsection (a) read as follows:

"(a) 'Redevelopment area' means an area which is appropriate for development or redevelopment and within which a project area is located."

Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954. 68 Stat. 590, 626, amended subsection (a) to read as set forth in the text.

Urban Renewal Plan

(b) [80] "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan (1) shall conform to the general plan of the locality as a whole and to the workable program referred to in section 101 hereof and shall be consistent with definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; and (2) shall be sufficiently complete to indicate, to [80a] the extent required by the Administrator for the making of loans and grants under this title, such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.

Urban Renewal Project

(c) [81] "Urban renewal project" or "project" may include undertakings and activities of a local public agency in an urban renewal area for the elimination and for the prevention of the development of spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area,

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[80] As originally enacted subsection (b) read as follows:

"(b) 'Redevelopment plan' means a plan, as it exists from time to time, for the development or redevelopment of a redevelopment or project area, which plan shall be sufficiently complete (1) to indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; and (2) to indicate proposed land uses and building requirements in the project area: *Provided,* That the Administrator shall take such steps as he deems necessary to assure consistency between the redevelopment plan and any highways or other public improvements in the locality receiving financial assistance from the Federal Works Agency."

Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, amended subsection (b) to read as follows:

"(b) 'Urban renewal plan' means a plan, as it exists from time to time, for an urban renewal project, which plan (1) shall conform to the general plan of the locality as a whole and to the workable program referred to in section 101 hereof; (2) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; and (3) shall include, for any part of the urban renewal area proposed to be acquired and redeveloped in accordance with clause (1) of the second sentence of subsection (c) of this section, a redevelopment plan approved by the governing body of the locality."

Sec. 302(a)(2) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1097, deleted clause numbered (3) from subsection (b).

Sec. 305 of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 301, amended subsection (b) to read as set forth in the text, except for subsequent amendments noted by footnotes indicated in the text.

[80a] Sec. 412 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–675, inserted ", to the extent required by the Administrator for the making of the loans and grants under this title,".

[81] As originally enacted subsection (c) read as follows:

"(c) 'Project' may include (1) acquisition of (i) a slum area or a deteriorated or deteriorating area which is predominantly residential in character, or (ii) any other deteriorated or deteriorating area which is to be developed or redeveloped for predominantly residential uses, or (iii) land which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise substantially impairs or arrests the sound growth of the community and which is to be developed for predominantly residential uses, or (iv) open land necessary for sound community growth which is to be developed for predominantly residential uses (in which event the project thereon, as provided in the proviso of section 103(a) hereof, shall not be eligible for any capital grant); (2) demolition and removal of buildings and improvements; (3) installation, construction, or reconstruction of streets, utilities, and other site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan; and (4) making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the local public agency itself) at its fair value for uses in accordance with the redevelopment plan. For the purposes of this title, the term 'project' shall not include the construction of any of the buildings contemplated by the redevelopment plan, and the term 'redevelopment' and derivatives thereof shall mean develop as well as redevelop. For any of the purposes of section 109 hereof, the term 'project' shall not include any donations or provisions made as local grants-in-aid and eligible as such pursuant to clauses (2) and (3) of section 110(d) hereof."

Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, amended subsection (c) to read as follows:

"(c) 'Urban renewal project' or 'project' may include undertakings and activities of a local public agency in an urban renewal area for the elimination and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof, in accordance with such urban renewal plan. For the purposes of this subsection, 'slum clearance and redevelopment' may include (1) acquisition of (i) a slum area or a deteriorated or deteriorating area, or (ii) land which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community, or (iii) open land necessary for sound community growth which is to be developed for predominantly residential uses: *Provided,* That the requirement in paragraph (a) of this section that the area be a slum area or a blighted, deteriorated, or deteriorating area shall not or any combination or part thereof, in accordance with such urban renewal plan. Such undertakings and activities may include—

(1) acquisition of (i) a slum area or a deteriorated or deteriorating area, or (ii) land which is predominantly open and which because of obsolete plattting, diversity of ownership, deterioration of structures or of site improvements, or otherwise, substantially impairs or arrests the sound growth of the community, or (iii) open land necessary for sound community growth which is to be developed for predominantly residential uses: *Provided*, That the requirement in paragraph (a) of this section that the area be a slum area or a blighted, deteriorated or deteriorating area shall not be applicable in the case of an open land project;

(2) demolition and removal of buildings and improvements;

(3) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this title in accordance with the urban renewal plan;

(4) disposition of any property acquired in the urban renewal area (including sale,[82] leasing or retention by the local public agency itself) at its fair value for uses in accordance with the urban renewal plan or [83] as provided in section 107;

(5) carrying out plans for a program of voluntary repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan;

(6) acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, insanitary or unsafe condi-

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be applicable in the case of an open land project: *And provided further,* That financial assistance shall not be extended under this title for any project involving slum clearance and redevelopment of an area which is not clearly predominantly residential in character unless such area is to be redeveloped for predominantly residential uses, except that, where such an area which is not predominantly residential in character contains a substantial number of slum, blighted, deteriorated, or deteriorating dwellings or other living accommodations, the elimination of which would tend to promote the public health, safety and welfare in the locality involved and such area is not appropriate for redevelopment for predominantly residential uses, the Administrator may extend financial assistance for such a project, but the aggregate of the capital grants made pursuant to this title with respect to such projects shall not exceed 10 per centum of the total amount of capital grants authorized by this title; (2) demolition and removal of buildings and improvements; (3) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal objectives of this title in accordance with the urban renewal plan; and (4) making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the local public agency itself) at its fair value for uses in accordance with the urban renewal plan. For the purposes of this subsection, 'rehabilitation' or 'conservation' may include the restoration and renewal of a blighted, deteriorated, or deteriorating area by (1) carrying out plans for a program of voluntary repair and rehabilitation of buildings or other improvements in accordance with the urban renewal plan; (2) acquisition of real property and demolition or removal of buildings and improvements thereon where necesssary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; (3) installation, construction, or reconstruction, of such improvements as are described in clause (3) of the preceding sentence; and (4) the disposition of any property acquired in such urban renewal area (including sale, initial leasing, or retention by the local public agency itself) at its fair value for uses in accordance with the urban renewal plan.

"For the purposes of this title, the term 'project' shall not include the construction or improvement of any building, and the term 'redevelopment' and derivatives thereof shall mean development as well as redevelopment. For any of the purposes of section 109 hereof, the term 'project' shall not include any donations or provisions made as local grants-in-aid and eligible as such pursuant to clauses (2) and (3) of section 110(d) hereof."

Sec. 106(c) of the Housing Amendments of 1955, Public Law 345, 84th Congress, approved August 11, 1955, 69 Stat. 635, 637, inserted the following between the first and second sentences of subsection (c): "Where land within the purview of subparagraph (1)(ii) or (1)(iii) hereof (whether it be predominantly residential or nonresidential in character) is to be redeveloped for predominantly nonresidential uses, loans and advances under this title may be extended therefor if the governing body of the local public agency determines that such redevelopment for predominantly nonresidential uses is necesssary and appropriate to facilitate the proper growth and development of the commmunity in accordance with sound planning standards and local commmunity objectives and to afford maximum opportunity for the redevelopment of the project area by private enterprise: *Provided,* That loans and outstanding advances to any local public agency pursuant to the authorization of this sentence shall not exceed 2½ per centum of the estimated gross project costs of the projects undertaken under other contracts with such local public agency pursuant to this title."

Subsection (c) was amended to read as set forth in the text by sec. 302(b) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1097, except for subsequent amendments noted by footnotes indicated in the text.

[82] Sec. 314(c) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 172, deleted the word "initial" after the word "sale".

[83] Sec. 306(b) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, inserted "or as provided in section 107".

tions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or othewise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; and

(7)[84] acquisition and repair or rehabilitation for guidance purposes, and resale by the local public agency, of structures which are located in the urban renewal area and which, under the urban renewal plan, are to be repaired or rehabilitated for dwelling use or related facilities: *Provided*, That the local public agency shall not acquire for such purposes, in any urban renewal area, structures which contain or will contain more than (A) one hundred dwelling units, or (B) 5 per centum of the total number of dwelling units in such area which, under the urban renewal plan, are to be repaired or rehabilitated, whichever is the lesser.

Project

For the purposes of this title, the term "project" shall not include (except[85] as provided in paragraph (7) above) the construction or improvement of any building, and the term "redevelopment" and derivatives thereof shall mean development as well as redevelopment. For any of the purposes of section 109 hereof, the term "project" shall not include any donations or provisions made as local grants-in-aid and eligible as such pursuant to clauses (2) and (3) of section 110(d) hereof.

Nonresidential Redevelopment

Financial[86] assistance shall not be extended under this title with respect to any urban renewal area which is not predominantly residential in character and which, under the urban renewal plan therefor, is not to be redeveloped for predominantly residential uses: *Provided*, That, if the governing body of the local public agency determines that the redevelopment of such an area for predominantly nonresidential uses is necessary for the proper development of the community, the Administrator may extend financial assistance under this title for such a project: *Provided further*, That the aggregate amount of capital grants contracted to be made pursuant to this title with respect to such projects after the date of the enactment of the Housing Act of 1959 shall not exceed 30[86] percentum of the aggregate amount of grants authorized by this title to be contracted for after such date.

In addition to all other powers hereunder vested, where land within the purview of clause (1)(ii) or (1)(iii) of the first paragraph of this subsection (whether it be predominantly residential or nonresidential in character) is to be redeveloped for predominantly nonresidential uses, loans and advances under this title may be extended therefor if the governing body of the local public agency determines that such redevelopment for predominantly nonresidential uses is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives and to afford maximum opportunity for the redevelopment of the project area by private enterprise: *Provided*, That loans and outstanding advances to any local public agency pursuant to the authorization of this sentence shall not exceed 2½ per centum of the estimated gross project costs of the projects undertaken under other contracts with such local public agency pursuant to this title.

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[84] Paragraph (7) was added by sec. 307(a) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168.

[85] Sec. 307(b) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, inserted this parenthetical phrase.

[86] As enacted by the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1097, this paragraph read as follows:

"Financial assistance shall not be extended under this title with respect to any urban renewal area which is not clearly predominantly residential in character unless such area will be a predominantly residential area under the urban renewal plan therefor: *Provided*, That, where such an area which is not clearly predominantly residential in character contains a substantial number of slum, blighted, deteriorated, or deteriorating dwellings or other living accommodations, the elimination of which would tend to promote the public health, safety, and welfare in the locality involved and such area is not appropriate for predominantly residential uses, the Administrator may extend financial assistance for such a project, but the aggregate of the capital grants made pursuant to this title with respect to such projects shall not exceed 10 per centum of the total amount of capital grants authorized by his title." (See provisions in earlier enactments of subsection (c) as set forth in footnote 81 on page 19.)

Sec. 413 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–675, amended this paragraph to read as set forth in the text except that "30 per centum" was substituted for "20 per centum" by sec. 308 of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168.

Local Grants-in Aid

(d)[87] "Local grants-in-aid" shall mean assistance by a State, municipality, or other public body, or (in the case of cash grants or donations of land or other real property) any other entity, in connection with any project on which a contract for capital grant has been made under this title,[88] in the form of (1) cash grants to defray expenditures within the purview of section 110(e)(1) hereof[89]; (2) donations, at cash value, of land or other real property (exclusive of land in streets, alleys, and other public rights-of-way which may be vacated in connection with the project) in the urban renewal area, and demolition, removal, or other work or improvements in the urban renewal area, at the cost thereof, of the types described in clause (2) and clause (3) of the second sentence[90] of section 110(c); and (3) the provision, at their cost, of public buildings or other public facilities (other than publicly owned housing[91] and revenue producing public utilities the capital cost of which is wholly financed with local bonds or obligations payable solely out of revenues derived from service charges) which are necessary for carrying out in the area the urban renewal objectives of this title in accordance with the urban renewal plan: *Provided*, That in any case where, in the determination of the Administrator, any park, playground, public building, or other public facility is of direct benefit both to the urban renewal area and to other areas, and the approximate degree of the benefit to such other areas is estimated by the Administrator at 20 per centum or more of the total benefits, the Administrator shall provide that, for the purpose of computing the amount of the local grants-in-aid for the project, there shall be included only such portion of the cost of such facility as the Administrator estimates to be proportionate to the approximate degree of the benefit of such facility to the urban renewal area: *And provided further*, That for the purpose of computing the amount of local grants-in-aid under this section 110(d) with[92] respect to any project covered by a Federal-aid contract under this title, the estimated cost (as determined by the Administrator) of parks, playgrounds, public buildings, or other public facilities

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[87] As originally enacted subsection (d) read as follows:

"(d) 'Local grants-in-aid' shall mean assistance by a State, municipality, or other public body, or any other entity, in connection with any project on which a contract for capital grant has been made under this title, in the form of (1) cash grants; (2) donations, at cash value, of land (exclusive of land in streets, alleys, and other public rights-of-way which may be vacated in connection with the project), and demolition or removal work, or site improvements in the project area, at their cost; and (3) the provision, at their cost, of parks, playgrounds, and public buildings or facilities (other than low-rent public housing) which are primarily of direct benefit to the project and which are necessary to serve or support the new uses of land in the project area in accordance with the redevelopment plan: *Provided*, That, in any case where, in the determination of the Administrator, any park, playground, public building, or facility is of direct and substantial benefit both to the project and to other areas, the Administrator shall provide that, for the purpose of computing the amount of the local grants-in-aid for such project, there shall be included an allowance of an appropriate portion (as determined by the Administrator) of the cost of such park, playground, public building, or facility. No demolition or removal work, improvement, or facility for which a State, municipality, or other public body has received or has contracted to receive any grant or subsidy from the United States, or any agency or instrumentality thereof, for such work, or the construction of such improvement or facility, shall be eligible for inclusion as a local grant-in-aid in connection with a project or projects assisted under this title."

Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 626, amended subsection (d) to read as set forth in the text except for subsequent amendments noted by footnotes indicated in the text.

[88] Sec. 414(b) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 675, provided as follows:

"The requirement in section 110(d) of the Housing Act of 1949 that the assistance provided by a State, municipality, or other public body under that section, in order to qualify as a local grant-in-aid, shall be in connection with a project on which a contract for capital grant has been made under title I of that Act, shall not apply to assistance provided during the period from July 1, 1957, through December 31, 1957, in connection with urban renewal activities which were extended Federal recognition within sixty days after the provision of such assistance was initiated."

[89] Sec. 302(3) of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 300, inserted "to defray expenditures within the purview of section 110(e)(1) hereof".

[90] Sec. 302(b)(2) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1099, substituted "the second sentence" for "either the second or third sentence".

[91] Sec. 302(c) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1099, deleted at this point ", public facilities financed by special assessments against land in the project area, ".

[92] Sec. 306 of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 301, inserted "with respect to any project covered by a Federal-aid contract under this title".

Special Assessments

may be deemed to be the actual cost thereof if (i) the construction or provision thereof is not completed at the time of final disposition of land in the project to be acquired and disposed of under the urban renewal plan, and (ii) the Administrator has received assurances satisfactory to him that such park, playground, public building, or other public facility will be constructed or completed when needed and within a time prescribed by him: *An provided further*,[93] That in any case where a public facility furnished as a local grant-in-aid is financed in whole or in part by special assessments against real property in the project area acquired by the local public agency as part of the project, an amount equal to the total special assessments against such real property (or, in the case of a computation pursuant to the proviso immediately preceding, the estimated amount of such total special assessments) shall be deducted from the cost of such facility for the purpose of computing the amount of the local grants-in-aid for the project. With respect to any demolition or removal work, improvement or facility for which a State, municipality, or other public body has received or has contracted to receive any grant or subsidy from the United States, or any agency or instrumentality thereof, the portion of the cost thereof defrayed or estimated by the Administrator to be defrayed with such subsidy or grant shall not be eligible for inclusion as a local grant-in-aid.

Facilities Commenced Prior to Loan or Capital Grant Contract

Notwithstanding[94] any other provision of this subsection, no donation or provision of a public improvement or public facility of a type falling within the purview of this subsection shall be deemed to be ineligible as a local grant-in-aid for any project solely on the basis that the construction of such improvement or facility was commenced without notification to the Administrator or prior to Federal recognition of such project, if such construction was commenced not more than three years prior to the authorization by the Administrator of a contract for loan or capital grant for the project.

Gross Project Cost

(e) "Gross[95] project cost" shall comprise (1) the amount of the expenditures by the local public agency with respect to any and all undertakings necessary to carry out the project (including the payment of carrying charges, but not beyond the point where the project is completed), and (2) the amount of such local grants-in-aid as are furnished in forms other than cash. There[96] may be included as part of the gross project cost, under any contract for loan or grant heretofore or hereafter executed under this title, with respect to moneys of the local public agency which are actually expended and outstanding for undertakings (other than in the form of local grants-in-aid) necessary to carry out the project, in the absence of carrying charges on such moneys, an amount in lieu of carrying charges which might otherwise have been payable thereon for the period such moneys are expended and outstanding but not beyond the point where the project is completed, computed for each six-month period or portion thereof, at an interest rate to be determined by the Administrator after taking into consideration for each preceding six-month period the average interest rate borne by any obligations of local public agencies for short-term funds obtained from sources other than the Federal Government in the manner provided in section 102(c): *Provided*, That such amount may be computed on the net total of all such moneys of the local public agency remaining expended and outstanding, less other moneys received from the project undertaken in excess of project expenditures, in all projects of the local public agency under this title, and allocated, as the Administrator may determine, to each of such projects. With[97] respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to section 103(a)(2)(C),[98] gross project cost shall include, in lieu of the amount specified in clause (1) above, the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project:

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[93] This proviso added by sec. 302(c) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1099.

[94] Sec. 414(a) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–675, added this paragraph.

[95] Sec. 415 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 675, amended the first sentence of this subsection to read as set forth in the text.

As originally enacted the first sentence in subsection (e) read as follows:

"(e) 'Gross project cost' shall comprise (1) the amount of the expenditures by the local public agency with respect to any and all undertakings necessary to carry out the project (including the payment of carrying charges, but not beyond the point where the project is completed), and (2) the amount of such local grants-in-aid as are furnished in forms other than cash."

Sec. 302(4) of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 300, added the following proviso to the first sentence in subsection (e):

"*Provided,* That with respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103(a), gross project cost shall include, in lieu of the amount specified in clause (1), the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project:

(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to acquiring land), disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of section 110(c); and

(ii) the payment of carrying charges related to the undertakings in clause (i), exclusive of taxes and payments in lieu of taxes, but not beyond the point where such a project is completed;

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project."

[96] This sentence was added by sec. 415 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 675.

(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to acquiring land), disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), (6),[99] and (7) of subsection (c); and

(ii) the payment of carrying charges related to the undertakings in clause (i) (including amounts in lieu of carrying charges as determined above), exclusive of taxes and payments in lieu of taxes, but not beyond the point where such project is completed;

Payments in Lieu of Taxes

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project. Where[1] real property in the project area is acquired and is owned as part of the project by the local public agency and such property is not subject to ad valorem taxes by reason of its ownership by the local public agency and payments in lieu of taxes are not made on account of such property, there may (with respect to any project for which a contract of Federal assistance under this title is in force or is hereafter executed, other[2] than a project on which a contract for capital grant is made on a three-fourths basis pursuant[3] to section 103(a)(2)(C)) be included, at the discretion of the Administrator, in gross project cost an amount equal to the ad valorem taxes which would have been levied upon such property if it had been subject to ad valorem taxes, but in all cases prorated for the period during which such property is owned by the local public agency as part of the project, and such amount shall also be considered a cash local grant-in-aid within the purview of section 110(d) hereof. Such[4] amount, and the amount of taxes or payments in lieu of taxes included in gross project cost, shall be subject to the approval of the Administrator and such rules, regulations, limitations, and conditions as he may prescribe.

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[97] This sentence was added by sec. 415 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 675, and amended as indicated by subsequent footnotes.

[98] Sec. 301(c) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 166, substituted "pursuant to section 103(a)(2)(C)" for "pursuant to the proviso in the second sentence of section 103(a)".

[99] Sec. 307(c) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 168, substituted "(6), and (7)" for "(6)".

[1] This sentence added by sec. 302(d) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1099, and amended as indicated by subsequent footnotes.

[2] Sec. 302(5) of the Housing Act of 1957, Public Law 85–104, approved July 12, 1957, 71 Stat. 294, 300, inserted ", other than a project on which a contract for capital grant is made on a three-fourths basis pursuant to the proviso in the second sentence of section 103(a)".

[3] Sec. 301(c) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 166, substituted "pursuant to section 103(a)(2)(C)" for "pursuant to the proviso in the second sentence of section 103(a)".

Net Project Cost

(f) "Net project cost" shall mean the difference between the gross project cost and the aggregate of (1) the total sales prices of all land or other property[5] sold, and (2) the total capital values (i) imputed, on a basis approved by the Administrator, to all land or other property[5] leased, and (ii) used as a basis for determining the amounts to be transferred to the project from other funds of the local public agency to compensate for any land or other property[5] retained by it for use in accordance with the urban renewal[6] plan.

Going Federal Rate

(g)[7] "Going Federal rate" means (with respect to any contract for a loan or advance entered into after the first annual rate has been specified as provided in this sentence) the annual rate of interest which the Secretary of the Treasury shall specify as applicable to the six-month period (beginning with the six-month period ending December 31, 1953) during which the contract for loan or advance[8] for any project under this title is authorized by the Administrator,[9] which applicable rate for each six-month period shall be determined by the Secretary of the Treasury by estimating the average yield to maturity, on the basis of daily closing market bid quotations or prices during the month of May or the month of November, as the case may be, next preceding such six-month period, on all outstanding marketable obligations of the United States having a maturity date of fifteen or more years from the first day of such month of May or November, and by adjusting such estimated average annual yield to the nearest one-eighth of 1 per centum. Any such[10] contract for loan made may be revised or superseded by a later contract, so that the going Federal rate, on the basis of which the interest rate on the loan is fixed, shall mean the going Federal rate, as herein defined, on the date that such later[11] contract is authorized.

Local Public Agency

(h) "Local public agency" means any State, county, municipality, or other governmental entity or public body, or two[12] or more such entities or bodies, authorized to undertake the project for which assistance is sought. "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico,[13] and the Territories and possessions of the United States.

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[4] This sentence added by sec. 302(d) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1099.

[5] Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 628, inserted "or other property".

[6] Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 628, substituted "urban renewal" for "redevelopment".

[7] As originally enacted subsection (g) read as follows:

"(g) 'Going Federal rate' means the annual rate of interest (or, if there shall be two or more such rates of interest, the highest thereof) specified in the most recently issued bonds of the Federal Government having a maturity of ten years or more, determined at the date the contract for advance of funds or for loan is made. Any contract for loan made may be revised or superseded by a later contract, so that the going Federal rate, on the basis of which the interest rate on the loan is fixed, shall mean the going Federal rate, as herein defined, on the date that such contract is revised or superseded by such later contract."

Sec. 24(a) of the Housing Amendments of 1953, Public Law 94, 83d Congress, approved June 30, 1953, 67 Stat. 121, 127, amended subsection (g) to read as set forth in the text, except for subsequent amendments noted by footnotes indicated in the text.

[8] Sec. 416(1) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 676, struck out "is approved" and substituted "for any project under this title is authorized".

[9] Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 629, substituted "advance is approved by the Administrator" for "advance is made", but see preceding footnote for later amendment.

[10] Sec. 416(2) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676, inserted "such".

[11] Sec. 416(3) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–676 substituted "later contract is authorized" for "contract is revised or superseded by such later contract".

[12] Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 629, substituted "or two or more such entities or bodies," for "which is".

Land

(i)[14] "Land" means any real property, including improved or unimproved land, structures, improvements, easements, incorporeal hereditaments, estates, and other rights in land, legal or equitable.

Administrator

(j) "Administrator" means the Housing and Home Finance Administrator.

Federal Recognition

(k)[15] "Federal recognition" means execution of any contract for financial assistance under this title or concurrence by the Administrator in the commencement, without such assistance, of surveys and plans.

Disaster Areas

Sec. 111.[16] Where the local governing body certifies, and the Administrator finds, that an urban area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe which the President, pursuant to section 2(a) of the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (Public Law 875, Eighty-first Congress, approved September 30, 1950), as amended, has determined to be a major disaster, the Administrator is authorized to extend financial assistance under this title for an urban renewal project with respect to such area without regard to the following:

(1) the "workable program" requirement in section 101(c), except that any contract for temporary loan or capital grant pursuant to this section shall obligate the local public agency to comply with the "workable program" requirement in section 101(c) by a future date determined to be reasonable by the Administrator and specified in such contract;

(2) the requirements in section 105(a)(iii) and section 110(b)(1) that the urban renewal plan conform to a general plan of the locality as a whole and to the workable program referred to in section 101(c);

(3) the "relocation" requirements in section 105(c): *Provided*, That the Administrator finds that the local public agency has presented a plan for the encouragement, to the maximum extent feasible, of the provision of dwellings suitable for the needs of families displaced by the catastrophe or by redevelopment or rehabilitation activities;

(4) the "public hearing" requirement in section 105(d);

(5) the requirements in sections 102 and 110 that the urban renewal area be a slum area or a blighted, deteriorated, or deteriorating area; and

(6) the requirements in section 110 with respect to the predominantly residential character or predominantly residential re-use of urban renewal areas.

In the preparation of the urban renewal plan with respect to a project aided under this section, the local public agency shall give due regard to the removal or relocation of dwellings from the site of recurring floods or other recurring catastrophes in the project area.

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[13] Sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 629, inserted "the Commonwealth of Puerto Rico".

[14] Subsection (i) was added by sec. 311 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 629.

[15] Sec. 417(3) of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654–677, added subsection (k).

[16] Sec. 111 added by sec. 307(a) of the Housing Act of 1956, Public Law 1020, 84th Congress, approved August 7, 1956, 70 Stat. 1091, 1101.

Urban[17] Renewal Areas Involving Colleges, Universities, or Hospitals

SEC. 112. (a) In any case where an educational institution or a hospital is located in or near an urban renewal project area and the governing body of the locality determines that, in addition to the elimination of slums and blight from such area, the undertaking of an urban renewal project in such area will further promote the public welfare and the proper development of the community (1) by making land in such area available for disposition, for uses in accordance with the urban renewal plan, to such educational institution or hospital for redevelopment in accordance with the use or uses specified in the urban renewal plan, (2) by providing, through the redevelopment of the area in accordance with the urban renewal plan, a cohesive neighborhood environment compatible with the functions and needs of such educational institution or hospital, or (3) by any combination of the foregoing, the Administrator is authorized to extend financial assistance under this title for an urban renewal project in such area without regard to the requirements in section 110 hereof with respect to the predominantly residential character or predominantly residential reuse of urban renewal areas. The aggregate expenditures made by any such institution or hospital (directly or through a private redevelopment corporation or municipal or other public corporation) for the acquisition within, adjacent to, or in the immediate vicinity of the project area, of land, buildings, and structures to be redeveloped or rehabilitated by such institution for educational uses or by such hospital for hospital uses in accordance with the urban renewal plan (or with a development plan proposed by such institution, hospital, or corporation, found acceptable by the Administrator after considering the standards specified in section 110(b), and approved under State or local law after public hearing) and for the demolition of such buildings and structures if, pursuant to such urban renewal or development plan, the land is to be cleared and redeveloped, and for the relocation of occupants from buildings and structures to be demolished or rehabilitated, as certified by such institution or hospital to the local public agency and approved by the Administrator, shall be a local grant-in-aid in connection with such urban renewal project: *Provided*, That no such expenditure shall be eligible as a local grant-in-aid in any case where the property involved is acquired by such educational institution or hospital from a local public agency which, in connection with its acquisiton or disposition of such property, has received, or contracted to receive, a capital grant pursuant to this title.

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[17] Sec. 309 of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 169, amended this section to read as set forth in the text. As originally enacted by Sec. 418, Housing Act of 1959, Public Law 86–372, approved Sept. 23, 1959, 73 Stat. 654, 677, this section read as follows:

"URBAN RENEWAL AREAS INVOLVING COLLEGES OR UNIVERSITIES

In any case where an educational institution is located in or near an urban renewal project area and the governing body of the locality determines that, in addition to the elimination of slums and blight from such area, the undertaking of an urban renewal project in such area will further promote the public welfare and the proper development of the community (1) by making land in such area available for disposition, for uses in accordance with the urban renewal plan, to such educational institution for redevelopment in accordance with the use or uses specified in the urban renewal plan, (2) by providing, through the redevelopment of the area in accordance with the urban renewal plan, a cohesive neighborhood environment compatible with the functions and needs of such educational institution, or (3) by any combination of the foregoing, the Administrator is authorized to extend financial assistance under this title for an urban renewal project in such area without regard to the requirements in section 110 hereof with respect to the predominantly residential character or predominantly residential reuse of urban renewal areas: *Provided,* That the aggregate expenditures made by such institution (directly or through a private redevelopment corporation) for the acquisition (from others than the local public agency), within, adjacent to, or in the immediate vicinity of the project area, of land, buildings, and structures to be redeveloped or rehabilitated by such institution for educational uses in accordance with the urban renewal plan (or with a development plan proposed by such institution or corporation, found acceptable by the Administrator after considering the standards specified in section 110(b), and approved under State or local law after public hearing), and for the demolition of such buildings and structures (including expenditures to assist in relocating tenants therefrom), if, pursuant to such urban renewal or development plan, the land is to be cleared and redeveloped, as certified by such institution to the local public agency and approved by the Administrator, shall be a local grant-in-aid in connection with such urban renewal project: *Provided further,* That no such expenditures shall be deemed ineligible as a local grant-in-aid in connection with any such project if made not more than five years prior to the authorization by the Administrator of a contract for a loan or capital grant for such urban renewal project: *And provided further,* That the term "educational institution" as used herein shall mean any educational institution of higher learning, including any public educational institution or any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual."

(b) No expenditure made by any educational institution or hospital, as provided in subsection (a), shall be deemed ineligible as a local grant-in-aid (1) in connection with any urban renewal project if made not more than seven years prior to the authorization by the Administrator of a contract for a loan or capital grant for such project, or (2) in connection with any such project for which the Administrator, prior to September 25, 1963, has authorized a loan or capital grant contract if made not more than five years prior to the submission of an application for financial assistance under this title for such urban renewal project.

(c) The aggregate expenditures made by any public authority, established by any State, for acquisition, demolition, and relocation in connection with land, buildings, and structures acquired by such public authority and leased to an educational institution for educational uses or to a hospital for hospital uses shall be deemed a local grant-in-aid to the same extent as if such expenditures had been made directly by such educational institution or hospital.

(d) As used in this section—

(1) the term "educational institution" means any educational institution of higher learning, including any public educational institution or any private educational institution, no part of the net earnings of which inures to the benefit of any private shareholder or individual; and

(2) the term "hospital" means any hospital licensed by the State in which such hospital is located, including any public hospital or any nonprofit hospital, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

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Redevelopment Areas Under the Area Redevelopment Act

SEC. 113.[18] (a) Whenever the Secretary of Commerce certifies to the Administrator (1) that any county, city, or other municipality (in this section referred to as a "municipality") is situated in an area designated under section 5 of the Area Redevelopment Act as a redevelopment area, and (2) that there is a reasonable probability that with assistance provided under such Act and other undertakings the area will be able to achieve more than temporary improvement in its economy, the Administrator is authorized to provide financial assistance to a local public agency in any such municipality under this title and the provisions of this section.

(b) Subject to the provisions of subsection (e) of this section, the Administrator may provide such financial assistance under this section without regard to the requirement or limitations of section 110(c) that the project area be predominantly residential in character or be redeveloped for predominantly residential uses under the urban renewal plan, and without regard to any of the limitations of that section on the undertaking of projects for predominantly nonresidential uses.

(c) Notwithstanding any other provision of this title, a contract for financial assistance under this section may include provisions permitting the disposition of any land in the project area designated under the urban renewal plan for industrial or commercial uses to any public agency or nonprofit corporation for subsequent disposition as promptly as practicable by such public agency or corporation for the redevelopment of the land in accordance with the urban renewal plan: *Provided*, That any disposition of such land to such public agency or corporation under this section shall be made at its fair value for uses in accordance with the urban renewal plan: *And provided further*, That only the purchaser from or lessees of such public agency or corporation, and their assignees, shall be required to assume the obligations relating to the commencement of improvements imposed under section 105(b) hereof.

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[18] Sec. 113 added by Sec. 14, Area Redevelopment Act, Public Law 87–27, approved May 1, 1961, 75 Stat. 47, 57.

(d) Following the execution of any contract for financial assistance under this section with respect to any project, the Administrator may exercise the authority vested in him under this section as well as other provisions of this title for the completion of such projects, notwithstanding any determination made after the execution of such contract that the area in which the project is located is no longer a redevelopment area under the Area Redevelopment Act.

(e) Not more than 10 per centum of the funds authorized for capital grants under section 103 after the date of the enactment of the Area Redevelopment Act shall be used for the purpose of providing financial assistance under this section. Amounts used for such purpose shall not be taken into account for the purpose of the limitation contained in the second proviso of the fifth sentence of section 110(c).

Title VI—Miscellaneous Provisions

Advisory Committees

Advisory Committees

SEC. 601.[19] The Housing and Home Finance Administrator and the head of each constituent agency of the Housing and Home Finance Agency is hereby authorized to establish such advisory committee or committees as each may deem necessary in carrying out any of his functions, powers, and duties under this or any other Act or authorization. Service as a member of any such committee shall not constitute any form of service, employment, or action within the provisions of sections 281, 283, 284, or 1914 of title 18, United States Code, or within the provisions of section 190 of the Revised Statutes (5 U.S.C. 99). Persons serving without compensation as members of any such committee may be paid transportation expenses and not to exceed $25 per diem in lieu of subsistence, as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b–2).

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Deputy Administrator

SEC. 605. The Housing and Home Finance Administrator shall appoint a Deputy Housing and Home Finance Administrator, and the basic rate of compensation of such position shall be the same as the basic rate of compensation established for the heads of the constituent agencies of the Housing and Home Finance Agency. The Deputy Administrator shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in that office, and shall perform such other duties as the Administrator shall direct.

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Act Controlling

SEC. 610. Insofar as the provisions of any other law are inconsistent with the provisions of this Act, the provisions of this Act shall be controlling.

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[19] Amended by sec. 807 of the Housing Act of 1954, Public Law 560, 83d Congress, approved August 2, 1954, 68 Stat. 590, 645.

Separability

SEC. 611. Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provisions of this Act, or the application thereof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act or its applications to other persons and circumstances, but shall be confined in its operation to the provisions of this Act or the application thereof to the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered.

General Provisions

Federal Employees—Strikes and Membership in Certain Organizations

SEC. 612. No part of any appropriation, loan, fund, or expenditure authorized by or provided pursuant to this Act, shall be used directly or indirectly to pay the salary or wages of any officer or employee of the Housing and Home Finance Agency or the Department of Agriculture who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the officer or employee making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such officer or employee does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts an office or employment in the Housing and Home Finance Agency or the Department of Agriculture the salary or wages for which are paid from any appropriation, loan, fund, or expenditure authorized by or provided pursuant to this Act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Approved July 15, 1949.

SECTION 312, HOUSING ACT OF 1954

Public Law 560, 83d Congress

(Chapter 649—2d Session)
(H.R. 7839)

(68 Stat. 590, 629; 42 U.S.C. 1450 note)

[Continuation for certain projects of urban redevelopment provisions of Housing Act of 1949 in effect prior to Housing Act of 1954]

SEC. 312. Notwithstanding the amendments of this title to title I of the Housing Act of 1949, as amended, the Administrator, with respect to any project covered by any Federal aid contract executed, or prior approval granted, by him under said title I before the effective date of this Act, upon request of the local public agency, shall continue to extend financial assistance for the completion of such project in accordance with the provisions of said title I in force immediately prior to the effective date of this act.[20]

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Approved August 2, 1954.

EXCERPTS FROM THE HOUSING ACT OF 1954, AS AMENDED

Public Law 560, 83d Congress

(Chapter 649—2d Session)
(H.R. 7839)

42 U.S.C. 1452a.

[Demonstration Grants]

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Grants for Testing and Reporting Methods, etc.

SEC. 314. The Housing and Home Finance Administrator is authorized to make grants, subject to such terms and conditions as he shall prescribe, to public bodies, including cities and other political subdivisions, to assist them in developing, testing, and reporting methods and techniques, and carrying out demonstrations and other activities for the prevention and the elimination of slums and urban blight. No such grant shall exceed two-thirds of the cost, as determined or estimated by said Administrator, of such activities or undertakings. In administering this section, said Administrator shall give preference to those undertakings which in his judgment can reasonably be expected to (1) contribute most significantly to the improvement of methods and techniques for the elimination and prevention of slums and blight, and (2) best serve to guide renewal programs in other communities. Said Administrator may make advance or progress payments on account of any grant contracted to be made pursuant to this section, notwithstanding the provisions of section 3648 of the Revised Statutes, as amended. The aggregate amount of grants

Limitation

Advances

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[20] The provisions of title I in force immediately prior to the effective date of the Housing Act of 1954, can be obtained upon request to the Housing and Home Finance Agency, Office of General Counsel. In addition, the footnotes to the provisions of title I as amended through June, 1961, appearing on previous pages, give a complete history of amendments made in the law since enactment of the Housing Act of 1949. Provisions of title I at any specific time can therefore be ascertained from those footnotes.

31 USC 529

made under this section shall not exceed $5,000,000 and shall be payable from the capital grant funds provided under and authorized by section 103(b) of the Housing Act of 1949, as amended.

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Definitions

Sec. 703. As used in this title, (1) the term "State" shall mean any State, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; (2) the term "Administrator" shall mean the Housing and Home Finance Administrator; (3) the term "public works" shall include any public works other than housing; and (4) the term "public agency" or "public agencies" shall mean any State, as herein defined, or any public agency or political subdivision therein.

Title VIII—Miscellaneous Provisions

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Report to President and Congress

Sec. 802. (a) The Housing and Home Finance Administrator shall, as soon as practicable during each calendar year, make a report to the President for submission to the Congress on all operations under the jurisdiction of the Housing and Home Finance Agency during the previous calendar year.

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Reduction of Vulnerability to Enemy Attack

Sec. 811. The Housing and Home Finance Agency, including its constituent agencies, and any other departments or agencies of the Federal Government having powers, functions, or duties with respect to housing under this or any other law shall exercise such powers, functions, or duties in such manner as, consistent with the requirements thereof, will facilitate progress in the reduction of the vulnerability of congested urban areas to enemy attack.

* * * * * * *

Records

Sec. 814.[21] Every contract between the Housing and Home Finance Agency (or any official or constitutent thereof) and any person or local body (including any corporation or public or private agency or body) for a loan, advance, grant, or contribution under the United States Housing Act of 1937, as amended, the Housing Act of 1949, as amended, or any other Act shall provide that such person or local body shall keep such records as the Housing and Home Finance Agency (or such official or constituent thereof) shall from time to time prescribe, including records which permit a speedy and effective audit and will fully disclose the amount and the disposition by such person or local body of the proceeds of the loan, advance, grant, or contribution, or any supplement thereto, the capital cost of any construction project for which any such loan, advance, grant, or contribution is made, and the amount of any private or other non-Federal funds used or grants-in-aid made for or in connection with any such project. No mortgage covering new or rehabilitated multifamily housing (as defined in section 227 of the National Housing Act, as amended) shall be insured unless the mortgagor certifies that he will keep such records as are prescribed by the Federal Housing Commissioner at the time of the certification and that they will be kept in such form as to permit a speedy and effective audit. The Housing and Home Finance Agency or any official or constituent agency thereof and the Comptroller General of the United States shall have access to and the right to examine and audit such records. This section shall become effective on the first day after the first full calendar month following the date of approval of the Housing Act of 1961.

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[21] Section 814 amended to read as set forth in the text by section 908 of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 191.

Effective Date

Applicants for Assistance Required to Submit Specifications

Sec. 815. Every contract for a loan, grant, or contribution under the United States Housing Act of 1937, as amended, or title I of the Housing Act of 1949, as amended, for the construction of a project shall require the submission of specifications with respect to such construction prior to the authorization for the award of the construction contract and the submission of data with respect to the acquisition of land prior to the authorization to acquire such land.

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Report to Congress of Information on Housing

Sec. 817. The annual report made by the Housing and Home Finance Administrator to the President for submission to the Congress on all operations provided for by section 802 hereof shall contain pertinent information with respect to all projects for which any loan, contribution, or grant has been made by the Housing and Home Finance Agency, including the amount of loans, contributions and grants contracted for, and shall also contain pertinent information with respect to all builders' cost certifications required by section 227 of the National Housing Act, as amended, including information as to the amounts paid by mortgagors to mortgagees for application to the reduction of the principal obligations of the mortgages pursuant to that section.

Act Controlling

Sec. 818. Insofar as the provisions of any other law are inconsistent with the provisions of this Act, the provisions of this Act shall be controlling.

Separability

Sec. 819. Except as may be otherwise expressly provided in this Act, all powers and authorities conferred by this Act shall be cumulative and additional to and not in derogation of any powers and authorities otherwise existing. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provisions of this Act, or the application therof to any persons or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair, or invalidate the remainder of this Act or its application to other persons and circumstances.

Approved August 2, 1954.

SPECIAL URBAN RENEWAL MORTGAGE INSURANCE PROGRAMS ADMINISTERED BY THE FEDERAL HOUSING ADMINISTRATION [22]

EXCERPTS FROM THE NATIONAL HOUSING ACT, AS AMENDED

Public Law 479, 73d Congress
(48 Stat. 1246; 12 U.S.C. 1715k., and 1715l.)

* * * * * * *

Rehabilitation and Neighborhood Conservation Housing Insurance

SEC. 220. (a) The purpose of this section is to aid in the elimination of slums and blighted conditions and the prevention of the deterioration of residential property by supplementing the insurance of mortgages under sections 203 and 207 of this title with a system of loan and mortgage insurance designed to assist the financing required for the rehabilitation of existing dwelling accommodations and the construction of new dwelling accommodations where such dwelling accommodations are located in an area referred to in paragraph (1) of subsection (d) of this section.

(b) The Commissioner is authorized, upon application by the mortgagee, to insure, as hereinafter provided, any mortgage (including advances during construction on mortgages covering property of the character described in paragraph (3)(B) of subsection (d) of this section) which is eligible for insurance as hereinafter provided, and, upon such terms and conditions as he may prescribe, to make commitments for the insurance of such mortgages prior to the date of their execution or disbursement thereon.

(c) As used in this section, the terms "mortgage", "first mortgage", "mortgagee", "mortgagor", "maturity date", and "State" shall have the same meaning as in section 201 of this Act.

(d) To be eligible for insurance under this section a mortgage shall meet the following conditions:

(1) The mortgaged property shall—

(A) be located in (i) the area of a slum clearance and urban redevelopment project covered by a Federal-aid contract executed or a prior approval granted, pursuant to title I of the Housing Act of 1949 before the effective date of the Housing Act of 1954, or (ii) an urban renewal area (as defined in title I of the Housing Act of 1949, as amended) in a community respecting which the Housing and Home Finance Administrator has made the certification to the Commissioner provided for by section 101(c) of the Housing Act of 1949, as amended, or (iii) the area of an urban renewal project assisted under section 111 of the Housing Act of 1949, as amended: *Provided*, That, in the case of an area within the purview of clause (i) or (ii) of this subparagraph, a redevelopment plan or an urban renewal plan (as defined in title I of the Housing Act of 1949, as amended), as the case may be, has been approved for such area by the governing body of the locality involved and by the Housing and Home Finance Administrator, and the Administrator has certified to the Commissioner that such plan conforms to a general plan for the locality as a whole and that there exist the necessary authority and financial capacity to assure the completion of such redevelopment or urban renewal plan: *And provided further*, That, in the case of an area within the purview of clause (iii) of this subparagraph, an urban renewal plan (as required for projects assisted under such section 111) has been approved for such area by such governing body and by the Administrator, and the Administrator has certified to the Commissioner that such plan conforms to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements, and that there exist the necessary authority and financial capacity to assure the completion of such urban renewal plan, and

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[22] The Federal Housing Administration is a constituent agency of the Housing and Home Finance Agency.

Other FHA programs (which are not included in this compilation) assist urban renewal also, although they are not designed specifically for urban renewal purposes as are sections 220 and 221. These other programs include FHA insurance of (1) loans for modernization and repair under title I of the National Housing Act, (2) mortgages for rehabilitation of multifamily housing under the regular rental housing provisions of section 207; (3) mortgages for the purchase of existing housing; and (4) "open end" mortgages whereby property owners may obtain adidtional funds for modernization or basic improvements and repay them as part of the existing mortgage without the expense of complete refinancing.

(B) meet such standards and conditions as the Commissioner shall prescribe to establish the acceptability of such property for mortgage insurance under this section.

(2) The mortgaged property shall be held by—

(A) a mortgagor approved by the Commissioner, and the Commissioner may in his discretion require such mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return and methods of operation, and for such purpose the Commissioner may make such contracts with and acquire for not to exceed $100 stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restriction or regulations. Such stock or interest shall be paid for out of the Section 220 Housing Insurance Fund and shall be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance; or

(B) by Federal or State instrumentalities, municipal corporate instrumentalities of one or more States, or limited dividend or redevelopment or housing corporations restricted by Federal or State laws or regulations of State banking or insurance departments as to rents, charges, capital structure, rate of return, or methods of operation.

(3) The mortgage shall—

(A) (i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $25,000 in the case of property upon which there is located a dwelling designed principally for a one-family residence; or $27,500 in the case of a two-family residence; or $30,000 in the case of a three-family residence; or $35,000 in the case of a four-family residence; or in the case of a dwelling designed principally for residential use for more than four families (but not exceeding such additional number of family units as the Commissioner may prescribe) $35,000 plus not to exceed $7,000 for each additional family unit in excess of four located on such property; and not to exceed an amount equal to the sum of (1) 97 per centum (but, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance, 90 per centum) of $15,000 of the Commissioner's estimate of replacement cost of the property, as of the date the mortgage is accepted for insurance, (2) 90 per centum of such replacement cost in excess of $15,000 but not in excess of $20,000, (3) 75 per centum of such replacement cost in excess of $20,000: *Provided*, That in the case of properties other than new construction, the foregoing limitations upon the amount of the mortgage shall be based upon the sum of the estimated cost of repair and rehabilitation and the Commissioner's estimate of the value of the property before repair and rehabilitation rather than upon the Commissioner's estimate of the replacement cost: *Provided further*, That in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project;

(ii) in the case of a mortgagor who is not the occupant of the property, have a principal obligation not in excess of an amount equal to 85 percentum of the amount computed under the provisions of clause (i): *Provided*, That such 85 per centum limitation shall not be applicable if the mortgagor and mortgage assume responsibility in a manner satisfactory to the Commissioner for the reduction of the mortgage by an amount not less than 15 per centum of the outstanding principal amount thereof in the event the mortgaged property is not, prior to the due date of the eighteenth amortization payment of the mortgage, sold to a purchaser acceptable to the Commissioner who is the occupant of the property and who assumes and agrees to pay the mortgage indebtedness; or

(B)(i) not exceed $20,000,000 or, if executed by a mortgagor coming within the provisions of paragraph (2)(B) of this subsection (d), not exceed $50,000,000; and

(ii) not exceed 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost of the property or project may include the land, the proposed physical improvements, utilities within the boundaries of the property or project, architect's fees, taxes, and interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 per centum of all of the foregoing items except the land unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage): *Provided*, That in the case of properties other than new construction, the foregoing limitations upon the amount of the mortgage shall be based upon the sum of the estimated cost of repair and rehabilitation and the Commissioner's estimate of the value of the property before repair and rehabilitation rather than upon the Commissioner's estimate of the replacement cost: *Provided further*, That in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project;

(iii) not exceed, for such part of such property or project as may be attributable to dwelling use (excluding exterior land improvements as defined by the Commissioner), $2,500 per room (or $9,000 per family unit if the number of rooms in such property or project is less than four per family unit): *Provided*, That as to projects to consist of elevator-type structures, the Commissioner may, in his discretion, increase the dollar amount limitation of $2,500 per room to not to exceed $3,000 per room and the dollar amount limitation of $9,000 per family unit to not to exceed $9,400 per family unit, as the case may be, to compensate for the higher costs incident to the construction of elevator-type structures of sound standards of construction and design: *Provided further*, That the Commissioner may, by regulation, increase any of the foregoing dollar amount limitations by not to exceed $1,250 per room without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require: *And provided further*, That nothing contained in this paragraph (B) shall preclude the insurance of mortgages covering existing multi-family dwellings to be rehabilitated or reconstructed for the purposes set forth in subsection (a) of this section; and

(iv) include such nondwelling facilities as the Commissioner deems adequate to serve the needs of the occupants of the property and of other housing in the neighborhood.

(4) The mortgage shall provide for complete amortization by periodic payments within such terms as the Commissioner may prescribe, but as to mortgages coming within the provisions of paragraph (3)(A) of this

subsection (d) not to exceed the maximum maturity prescribed by the provisions of section 203(b)(3). The mortgage shall bear interest (exclusive of premium charges for insurance and service charge, if any) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 6 per centum as the Commissioner finds necessary to meet the mortgage market; contain such terms and provisions with respect to the application of the mortgagor's periodic payment to amortization of the principal of the mortgage, insurance, repairs, alterations, payment of taxes, default reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, additional and secondary liens, and other matters as the Commissioner may in his discretion prescribe.

(e) The Commissioner may at any time, under such terms and conditions as he may prescribe, consent to the release of the mortgagor from his liability under the mortgage or the credit instrument secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage.

(f) The mortgagee shall be entitled to receive the benefits of the insurance as hereinafter provided—

(1) as to mortgages meeting the requirements of paragraph (3)(A) of subsection (d) of this section, as provided in section 204(a) of this Act with respect to mortgages insured under section 203; and the provisions of subsections (b), (c), (d), (e), (f), (g), (h), (j), and (k) of section 204 of this Act shall be applicable to such mortgages insured under this section, except that all references therein to the Mutual Mortgage Insurance Fund or the Fund shall be construed to refer to the Section 220 Housing Insurance Fund and all references therein to section 203 shall be construed to refer to this section;

(2) as to mortgages meeting the requirements of paragraph (3)(B) of subsection (d) of this section, as provided in section 207(g) of this Act with respect to mortgages insured under said section 207, and the provisions of subsections (h), (i), (j), (k), and (l) of section 207 of this Act shall be applicable to such mortgages insured under this section, and all references therein to the Housing Insurance Fund or the Housing Fund shall be construed to refer to the Section 220 Housing Insurance Fund; or

(3) as to mortgages meeting the requirements of this section that are insured or initially endorsed for insurance on or after the date of enactment of the Housing Act of 1961, notwithstanding the provisions of paragraphs (1) and (2) of this subsection, the Commissioner in his discretion, in accordance with such regulations as he may prescribe, may make payments pursuant to such paragraphs in cash or in debentures (as provided in the mortgage insurance contract), or may acquire a mortgage loan that is in default and the security therefor upon payment to the mortgagee in cash or in debentures (as provided in the mortgage insurance contract) of a total amount equal to the unpaid principal balance of the loan plus any accrued interest and any advances approved by the Commissioner and made previously by the mortgagee under the provisions of the mortgage. After the acquisition of the mortgage by the Commissioner the mortgagee shall have no further rights, liabilities, or obligations with respect to the loan or the security for the loan. The appropriate provisions of sections 204 and 207 relating to the rights, liabilities, and obligations of a mortgagee shall apply with respect to the Commissioner when he has acquired an insured mortgage under this paragraph, in accordance with and subject to regulations (modifying such provisions to the extent necessary to render their application for such purposes appropriate and effective) which shall be prescribed by the Commissioner, except that as applied to mortgages so acquired (A) all references in section 204 to the Mutual Mortgage Insurance Fund or the Fund shall be construed to refer to the Section 220 Housing Insurance Fund, (B) all references in section

204 to section 203 shall be construed to refer to this section, and (C) all references in section 207 to the Housing Insurance Fund, the Housing Fund, or the Fund shall be construed to refer to the Section 220 Housing Insurance Fund.

(g) There is hereby created a Section 220 Housing Insurance Fund which shall be used by the Commissioner as a revolving fund for carrying out the provisions of this section, and the Commissioner is hereby authorized to transfer to such Fund the sum of $1,000,000 from the War Housing Insurance Fund established pursuant to the provisions of section 602 of this Act. General expenses of operation of the Federal Housing Administration under this section may be charged to the Section 220 Housing Insurance Fund.

Moneys in the Section 220 Housing Insurance Fund not needed for the current operations of the Federal Housing Administration under this section shall be deposited with the Treasurer of the United States to the credit of such Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under the provisions of this section. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage accepted for insurance under this section, the receipts derived from the property covered by such mortgage and claims assigned to the Commissioner in connection therewith shall be credited to the Section 220 Housing Insurance Fund. The principal of, and interest paid and to be paid on, debentures issued under this section, cash adjustments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired under this section shall be charged to such Fund.

(h)(1) To assist further in the conservation, improvement, repair, and rehabilitation of property located in the area of an urban renewal project, as provided in paragraph (1) of subsection (d) of this section, the Commissioner is authorized upon such terms and conditions as he may prescribe to make commitments to insure and to insure home improvement loans (including advances during construction or improvement) made by financial institutions on and after the date of enactment of the Housing Act of 1961. As used in this subsection, "home improvement loan" means a loan, advance of credit, or purchase of an obligation representing a loan or advance of credit made for the purpose of financing the improvement of an existing structure (or in connection with an existing structure) which was constructed not less than ten years prior to the making of such loan, advance, or purchase, and which is used or will be used primarily for residential purposes: *Provided*, That a home improvement loan shall include a loan, advance, or purchase with respect to the improvement of a structure which was constructed less than ten years prior to the making of such loan, advance, or purchase if the proceeds are or will be used primarily for major structural improvements, or to correct defects which were not known at the time of the completion of the structure or which were caused by fire, flood, windstorm, or other casualty; "improvement" means conservation, repair, restoration, rehabilitation, conversion, alteration, enlargement, or remodeling; and "financial institution" means a lender approved by the Commissioner as eligible for insurance under section 2 or a mortgagee approved under section 203(b)(1).

(2) To be eligible for insurance under this subsection, a home improvement loan shall—

(i) not exceed the Commissioner's estimate of the cost of improvement, or $10,000 per family unit, whichever is the lesser;

(ii) be limited to an amount which when added to any outstanding indebtedness related to the property (as determined by the Commissioner) creates a total outstanding indebtedness which does not exceed the limits provided in subsection (d)(3) for properties (of the same type) other than new construction;

(iii) bear interest at not to exceed a rate prescribed by the Commissioner, but not in excess of 6 per centum per annum of the amount of the principal obligation outstanding at any time, and such other charges (including such service charges, appraisal, inspection, and other fees) as may be approved by the Commissioner;

(iv) have a maturity satisfactory to the Commissioner, but not to exceed twenty years from the beginning of amortization of the loan or three-quarters of the remaining economic life of the structure, whichever is the lesser;

(v) comply with such other terms, conditions, and restrictions as the Commissioner may prescribe; and

(vi) represent the obligation of a borrower who is the owner of the property improved, or a lessee of the property under a lease for not less than 99 years which is renewable or under a lease having a period of not less than 50 years to run from the date of the loan.

(3) Any home improvement loan insured under this subsection may be refinanced and extended in accordance with such terms and conditions as the Commissioner may prescribe, but in no event for an additional amount or term in excess of the maximum provided for in this subsection.

(4) There is hereby created a separate Section 220 Home Improvement Account to be maintained under the Section 220 Housing Insurance Fund and to be used by the Commissioner as a revolving fund for carrying out the provisions of this subsection. The Commissioner is authorized to transfer to such Account the sum of $1,000,000 from the War Housing Insurance Fund established pursuant to the provisions of section 602 of this Act. Any premium charges, and appraisal and other fees received on account of the insurance of any home improvement loan accepted for insurance under this subsection, and the receipts derived from the sale, collection, deposit, or compromise of any evidence of debt, contract, claim, property, or security assigned to or held by the Commissioner in connection with the payment of insurance under this subsection, shall be credited to the Section 220 Home Improvement Account. Insurance claims under this subsection and expenses incurred in the handling, management, renovation, and disposal of any properties acquired by the Commissioner under this subsection shall be charged to the Section 220 Home Improvement Account. General expenses of operation of the Federal Housing Administration and other expenses incurred under this subsection may be charged to the Section 220 Home Improvement Account. Moneys in the Account not needed for the current operation of the Federal Housing Administration under this subsection shall be deposited with the Treasurer of the United States to the credit of the Account, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. In order to protect the solvency of the Section 220 Home Improvement Account, adequate security shall be taken in connection with loans insured under this subsection in such manner as the Commissioner may require.

(5) The Commissioner is authorized to fix a premium charge for the insurance of home improvement loans under this subsection but in the case of any such loan such charge shall not be less than an amount equivalent to one-half of 1 per centum per annum nor more than an amount equivalent to 1 per centum per annum of the amount of the principal obligation of the loan outstanding at any time, without taking into account delinquent payments or prepayments. Such premium charges shall be payable by the financial institution either in cash or in debentures (at par plus accrued interest) issued by the Commissioner as obligations of the Section 220 Home Improvement Account, in such manner as may be prescribed by the Commissioner, and the Commissioner may require the payment of one or more such premium charges at the time the loan

is insured, at such discount rate as he may prescribe not in excess of the interest rate specified in the loan. If the Commissioner finds upon presentation of a loan for insurance and the tender of the initial premium charge or charges so required that the loan complies with the provisions of this subsection, such loan may be accepted for insurance by endorsement or otherwise as the Commissioner may prescribe. In the event the principal obligation of any loan accepted for insurance under this subsection is paid in full prior to the maturity date, the Commissioner is authorized to refund to the financial institution for the account of the borrower all, or such portions as he shall determine to be equitable, of the current unearned premium charges theretofore paid.

(6) In cases of defaults on loans insured under this subsection, upon receiving notice of default, the Commissioner, in accordance with such regulations as he may prescribe, may acquire the loan and any security therefor upon payment to the financial institution in cash or in debentures (as provided in the loan insurance contract) of a total amount equal to the unpaid principal balance of the loan, plus any accrued interest, any advances approved by the Commissioner made previously by the financial institution under the provisions of the loan instruments, and reimbursement for such collection costs, court costs, and attorney fees as may be approved by the Commissioner.

(7) Debentures issued under this subsection shall be executed in the name of the Section 220 Home Improvement Account as obligor, shall be signed by the Commissioner, by either his written or engraved signature, shall be negotiable, and shall be dated as of the date the loan is assigned to the Commissioner and shall bear interest from that date. They shall bear interest at a rate established by the Commissioner pursuant to section 224, payable semiannually on the 1st day of January and the 1st day of July of each year, and shall mature ten years after their date of issuance. They shall be exempt from taxation as provided in section 207(i) with respect to debentures issued under that section. They shall be paid out of the Section 220 Home Improvement Account which shall be primarily liable therefor and they shall be fully and unconditionally guaranteed as to principal and interest by the United States, and the guaranty shall be expressed on the face of the debentures. In the event the Section 220 Home Improvement Account fails to pay upon demand, when due, the principal of or interest on any debentures so guaranteed, the Secretary of the Treasury shall pay to the holders the amount thereof which is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and thereupon, to the extent of the amount so paid, the Secretary of the Treasury shall succeed to all the rights of the holders of such debentures. Debentures issued under this subsection shall be in such form and denominations in multiples of $50, shall be subject to such terms and conditions, and shall include such provisions for redemption, if any, as may be prescribed by the Commissioner with the approval of the Secretary of the Treasury, and they may be in coupon or registered form. Any difference between the amount of the debentures to which the financial institution is entitled, and the aggregate face value of the debentures issued, not to exceed $50, shall be adjusted by the payment of cash by the Commissioner to the financial institution from the Section 220 Home Improvement Account.

(8) The provisions of subsections (c), (d), and (h) of section 2 shall apply to home improvement loans insured under this subsection, and for the purposes of this subsection references in subsections (c), (d), and (h) of section 2 to "this section" or "this title" shall be construed to refer to this subsection.

(9)(A) Notwithstanding any other provisions of this Act, no home improvement loan executed in connection with the improvement of a structure for use as rental accommodations for five or more families shall be insured under this subsection unless the borrower has agreed (i) to certify, upon completion of the improvement and prior to final endorsement of the loan, either that the actual cost of improvement equaled or exceeded the proceeds of the home improvement loan, or the amount by which the proceeds of the loan exceed the actual cost, as the case may be, and (ii) to pay forthwith to the financial institution, for application to the reduction of the principal of the loan, the amount, if any, certified to be in excess of the actual cost of improvement. Upon the Commissioner's approval of the borrower's certification as required under this paragraph, the certification shall be final and incontestable, except for fraud or material misrepresentation on the part of the borrower.

(B) As used in subparagraph (A), the term "actual cost" means the cost to the borrower of the improvement, including the amounts paid for labor, materials, construction contracts, off-site public utilities, streets, organization and legal expenses, such allocations of general overhead items as are acceptable to the Commissioner, and other items of expense approved by the Commissioner, plus a reasonable allowance for builder's profit if the borrower is also the builder, as defined by the Commissioner, and excluding the amount of any kickbacks, rebates, or trade discounts received in connection with the improvement.

(10) Notwithstanding any other provision of this Act, the Commissioner is authorized and empowered (i) to make expenditures and advances out of funds made available by this Act to preserve and protect his interest in any security for, or the lien or priority of the lien securing, any loan or other indebtedness owing to, insured by, or acquired by the Commissioner or by the United States under this subsection, or section 2 or 203(k); and (ii) to bid for and to purchase at any foreclosure or other sale or otherwise acquire property pledged, mortgaged, conveyed, attached, or levied upon to secure the payment of any loan or other indebtedness owing to or acquired by the Commissioner or by the United States under this subsection or section 2 or 203(k). The authority conferred by this paragraph may be exercised as provided in the last sentence of section 204(g).

Housing for Moderate Income and Displaced Families

SEC. 221. (a) This section is designed to assist private industry in providing housing for low and moderate income families and families displaced from urban renewal areas or as a result of governmental action.

(b) The Commissioner is authorized, upon application by the mortgagee, to insure under this section as hereinafter provided any mortgage (including advances during construction on mortgages covering property of the character described in paragraphs (3) and (4) of subsection (d) of this section) which is eligible for insurance as provided herein and, upon such terms and conditions as the Commissioner may prescribe, to make commitments for the insurance of such mortgages prior to the date of their execution or disbursement thereon.

(c) As used in this section, the terms "mortgage", "first mortgage", "mortgagee", "mortgagor", "maturity date" and "State" shall have the same meaning as in section 201 of this Act.

(d) To be eligible for insurance under this section, a mortgage shall—

(1) have been made to and be held by a mortgagee approved by the Commissioner as responsible and able to service the mortgage properly;

(2) be secured by property upon which there is located a dwelling conforming to applicable standards prescribed by the Commissioner under subsection (f) of this section, and meeting the requirements of all State laws, or local ordinances or regulations, relating to the public health or safety, zoning, or otherwise, which may be applicable thereto, and shall involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount (A) not to exceed (i) $11,000 in the case of a property upon which there is located a dwelling designed principally for a single-family residence, (ii) $18,000 in the case of a property upon which there is located a dwelling designed principally for a two-family residence, (iii) $27,000 in the case

of a property upon which there is located a dwelling designed principally for a three-family residence, or (iv) $33,000 in the case of a property upon which there is located a dwelling designed principally for a four-family residence: *Provided*, That a mortgage secured by property upon which there is located a dwelling designed principally for a two-, three-, or four-family residence shall not be insured under this section except in the case of a dwelling for occupancy by a family displaced from an urban renewal area or as a result of governmental action: *Provided further*, That the Commissioner may increase the foregoing amounts to not to exceed $15,000, $25,000, $32,000, and $38,000, respectively, in any geographical area where he finds that cost levels so require; and (B) not to exceed the appraised value of the property (as of the date the mortgage is accepted for insurance): *Provided*, That (i) if the mortgagor is the owner and an occupant of the property at the time of insurance, (1) in the case of a family displaced from an urban renewal area or as a result of Government action, he shall have paid on account of the property at least $200 in the case of a single-family dwelling, $400 in the case of a two-family dwelling, $600 in the case of a three-family dwelling, and $800 in the case of a four-family dwelling, or (2) in the case of any other family, he shall have paid on account of the property at least 3 per centum of the Commissioner's estimate of its acquisition cost; which amount in either instance may include amounts to cover settlement costs and initial payments for taxes, hazard insurance, mortgage insurance premium, and other prepaid expenses; or (ii) in the case of repair and rehabilitation, the amount of the mortgage shall not exceed the sum of the estimated cost of repair and rehabilitation and the Commissioner's estimate of the value of the property before repair and rehabilitation, except that in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property: *Provided further*, That nothing contained herein shall preclude the Commissioner from issuing a commitment to insure, and insuring a mortgage pursuant thereto, where the mortgagor is not the owner and an occupant of the property, if the property is to be built or acquired and repaired or rehabilitated for sale, and the insured mortgage financing is required to facilitate the construction, or the repair or rehabilitation, of the dwelling and to provide financing pending the subsequent sale thereof to a qualified owner who is also an occupant thereof, but in such instances the mortgage shall not exceed 85 per centum of the appraised value; or

(3) if executed by a mortgagor which is a public body or agency (and which certifies that it is not receiving financial assistance from the United States exclusively pursuant to the United States Housing Act of 1937), a cooperative (including an investor-sponsor who meets such requirements as the Commissioner may impose to assure that the consumer interest is protected), or a limited dividend corporation (as defined by the Commissioner), or a private nonprofit corporation or association regulated or supervised under Federal or State laws or by political subdivisions of States, or agencies thereof, or by the Commissioner under a regulatory agreement or otherwise, as to rents, charges, and methods of operation, in such form and in such manner as in the opinion of the Commissioner will effectuate the purposes of this section—

(i) not exceed $12,500,000;

(ii) not exceed for such part of such property or project as may be attributable to dwelling use (excluding exterior land improvements as defined by the Commissioner), $2,250 per room (or $8,500 per family unit if the number of rooms in such property or project is less than four per family unit), except that the Commissioner may in his discretion increase the dollar amount limitation of $2,250 per room to not to exceed $2,750 per room, and the dollar amount limitation of $8,500 per family unit to not to exceed $9,000 per family unit, as the case may be, to compensate for higher costs incident to the construction of elevator-type structures of sound standards of construction and design, and except that the Commissioner may increase any of the foregoing dollar amount limitations contained in this paragraph by not to exceed $1,000 per room without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require; and

(iii) not exceed (1) in the case of new construction, the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner), or (2) in the case of repair and rehabilitation, the sum of the estimated cost of repair and rehabilitation and the Commissioner's estimate of the value of the property before repair and rehabilitation: *Provided*, That in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project: *Provided further*, That such property or project, when constructed, or repaired and rehabilitated, shall be for use as a rental or cooperative project, and low and moderate income families or families displaced by urban renewal or other governmental action shall be eligible for occupancy in accordance with such regulations and procedures as may be prescribed by the Commissioner and the Commissioner may adopt such requirements as he determines to be desirable regarding consultation with local public officials where such consultation is appropriate by reason of the relationship of such project to projects under other local programs; or

(4) if executed by a mortgagor other than a mortgagor referred to in subsection (d) (3), and which is approved by the Commissioner—

(i) not exceed $12,500,000;

(ii) not exceed, for such part of the property or project as may be attributable to dwelling use (excluding exterior land improvements as defined by the Commissioner), $2,250 per room (or $8,500 per family unit if the number of rooms in such property or project is less than four per family unit), except that the Commissioner may in his discretion increase the dollar amount limitation of $2,250 per room to not to exceed $2,750 per room, and the dollar amount limitation of $8,500 per family unit to not to exceed $9,000 per family unit, as the case may be, to compensate for higher costs incident to the construction of elevator type structures of sound standards of construction and design, and except that the Commissioner may increase any of the foregoing dollar amount limitations contained in this paragraph by not to exceed $1,000 per room without regard to the number of rooms being less than four, or four or more, in any geographical area where he finds that cost levels so require;

(iii) not exceed (in the case of a property or project approved for mortgage insurance prior to the beginning of construction) 90 per centum of the amount which the Commissioner estimates will be the replacement cost of the property or project when the proposed improvements are completed (the replacement cost may include the land, the proposed physical improvements, utilities within the boundaries of the land, architect's fees, taxes, interest during construction, and other miscellaneous charges incident to construction and approved by the Commissioner, and shall include an allowance for builder's and sponsor's profit and risk of 10 per centum of all of the foregoing items, except the land, unless the Commissioner, after certification that such allowance is unreasonable, shall by regulation prescribe a lesser percentage); and

(iv) not exceed 90 per centum of the sum of the estimated cost of repair and rehabilitation and the Commissioner's estimate of the value of the property before repair and rehabilitation if the proceeds of the mortgage are to be used for the repair and rehabilitation of a property or project: *Provided*, That in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Commissioner) required to refinance existing indebtedness secured by the property or project: *Provided further*, That the Commissioner may, in his discretion, require the mortgagor to be regulated or restricted as to rents or sales, charges, capital structure, rate of return, and methods of operation, and for such purpose the Commissioner may make such contracts with and acquire for not to exceed $100 such stock or interest in any such mortgagor as the Commissioner may deem necessary to render effective such restrictions or regulations, with such stock or interest being paid for out of the Section 221 Housing Insurance Fund and being required to be redeemed by the mortgagor at par upon the termination of all obligations of the Commissioner under the insurance;

(5) bear interest (exclusive of premium charges for insurance and service charge, if any) at not to exceed 5 per centum per annum on the amount of the principal obligation outstanding at any time, or not to exceed such per centum per annum not in excess of 6 per centum as the Commissioner finds necessary to meet the mortgage market; and contain such terms and provisions with respect to the application of the mortgagor's periodic payment to amortization of the principal of the mortgage, insurance, repairs, alterations, payment of taxes, default reserves, delinquency charges, foreclosure proceedings, anticipation of maturity, additional and secondary liens, and other matters as the Commissioner may in his discretion prescribe: *Provided*, That a mortgage insured under the provisions of subsection (d)(3) shall bear interest (exclusive of any premium charges for insurance and service charge, if any) at not less than the annual rate of interest determined, from time to time by the Secretary of the Treasury at the request of the Commissioner, by estimating the average market yield to maturity on all outstanding marketable obligations of the United States, and by adjusting such yield to the nearest one-eighth of 1 per centum, and there shall be no differentiation in the rate of interest charged under this proviso as between mortgagors under subsection (d)(3) on the basis of differences in the types or classes of such mortgagors; and

(6) provide for complete amortization by periodic payments within such terms as the Commissioner may prescribe, but as to mortgages coming within the provisions of subsection (d)(2) not to exceed from the date of the beginning of amortization of the mortgage (i) 40 years in the case of a family displaced from an urban renewal area or as a result of governmental action, (ii) 35 years in the case of any other family if the mortgage is approved for insurance prior to construction, except that the period in such case may be increased to not more than 40 years where the mortgagor is an owner-occupant of the property and is not able, as determined by the Commissioner, to make the required payments under a mortgage having a shorter amortization period, and (iii) 30 years in the case of any other family where the mortgage is not approved for insurance

prior to construction: *Provided*, That no mortgage insured under subsection (d)(2) shall have a maturity exceeding three-quarters of the Commissioner's estimate of the remaining economic life of the building improvements.

(e) The Commissioner may at any time, under such terms and conditions as he may prescribe, consent to the release of the mortgagor from his liability under the mortgage or the credit instrument secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage.

(f) The property or project shall comply with such standards and conditions as the Commissioner may prescribe to establish the acceptability of such property for mortgage insurance and may include such commercial and community facilities as the Commissioner deems adequate to serve the occupants. A property or project covered by a mortgage insured under the provisions of subsection (d)(3) or (d)(4) shall include five or more family units. The Commissioner is authorized to adopt such procedures and requirements as he determines are desirable to assure that the dwelling accommodations provided under this section are available to families displaced from urban renewal areas or as a result of governmental action. Notwithstanding any provision of this Act, the Commissioner, in order to assist further the provision of housing for low and moderate income families, in his discretion and under such conditions as he may prescribe, may insure a mortgage which meets the requirements of subsection (d)(3) of this section as in effect after the date of enactment of the Housing Act of 1961, with no premium charge, with a reduced premium charge, or with a premium charge for such period or periods during the time the insurance is in effect as the Commissioner may determine, and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to reimburse the Section 221 Housing Insurance Fund for any net losses in connection with such insurance. No mortgage shall be insured under subsection (d)(2) or (d)(4) after July 1, 1963, or under subsection (d)(3) after July 1, 1965, except pursuant to a commitment to insure before that date, or except a mortgage covering property which the Commissioner finds will assist in the provision of housing for families displaced from urban renewal areas or as a result of governmental action.

(g) The mortgagee shall be entitled to receive the benefits of the insurance as hereinafter provided—

(1) as to mortgages meeting the requirements of paragraph (2) of subsection (d) of this section, as provided in section 204(a) of this Act with respect to mortgages insured under section 203, and the provisions of subsections (b), (c), (d), (e), (f), (g), (h), (j), and (k) of section 204 of this Act shall be applicable to such mortgages insured under this section, except that all references therein to the Mutual Mortgage Insurance Fund or the Fund shall be construed to refer to the Section 221 Housing Insurance Fund and all references therein to section 203 shall be construed to refer to this section; or

(2) as to mortgages meeting the requirements of paragraph (3) or (4) of subsection (d) of this section, as provided in section 207(g) of this Act with respect to mortgages insured under said section 207, and the provisions of subsections (h), (i), (j), (k), and (l) of section 207 of this Act shall be applicable to such mortgages insured under this section, and all references therein to the Housing Insurance Fund or the Housing Fund shall be construed to refer to the Section 221 Housing Insurance Fund; or

(3) as to mortgages meeting the requirements of this section which are insured or initially endorsed for insurance on or after the date of enactment of the Housing Act of 1961, notwithstanding the provisions of paragraphs (1) and (2) of this subsection, the Commissioner in his discretion, in accordance with such regulations as he may prescribe, may make payments pursuant to such paragraphs in cash or in debentures (as provided in the mortgage insurance contract), or may

acquire a mortgage loan that is in default and the security therefor upon payment to the mortgagee in cash or in debentures (as provided in the mortgage insurance contract) of a total amount equal to the unpaid principal balance of the loan plus any accrued interest and any advances approved by the Commissioner and made previously by the mortgagee under the provisions of the mortgage, and after the acquisition of any such mortgage by the Commissioner the mortgagee shall have no further rights, liabilities, or obligations with respect to the loan or the security for the loan. The appropriate provisions of sections 204 and 207 relating to the issuance of debentures shall apply with respect to debentures issued under this paragraph, and the appropriate provisions of sections 204 and 207 relating to the rights, liabilities, and obligations of a mortgagee shall apply with respect to the Commissioner when he has acquired an insured mortgage under this paragraph, in accordance with and subject to regulations (modifying such provisions to the extent necessary to render their application for such purposes appropriate and effective) which shall be prescribed by the Commissioner, except that as applied to mortgages so acquired (A) all references in section 204 to the Mutual Mortgage Insurance Fund or the Fund shall be construed to refer to the Section 221 Housing Insurance Fund, (B) all references in section 204 to section 203 shall be construed to refer to this section, and (C) all references in section 207 to the Housing Insurance Fund, the Housing Fund, or the Fund shall be construed to refer to the Section 221 Housing Insurance Fund; or

(4) in the event any mortgage insured under this section is not in default at the expiration of twenty years from the date of the mortgage was endorsed for insurance, the mortgagee shall, within a period thereafter to be determined by the Commissioner, have the option to assign, transfer, and deliver to the Commissioner the original credit instrument and the mortgage securing the same and receive the benefits of the insurance as hereinafter provided in this paragraph, upon compliance with such requirements and conditions as to the validity of the mortgage as a first lien and such other matters as may be prescribed by the Commissioner at the time the loan is endorsed for insurance. Upon such assignment, transfer, and delivery the obligation of the mortgagee to pay the premium charges for insurance shall cease, and the Commissioner shall, subject to the cash adjustment provided herein, issue to the mortgagee debentures having a total face value equal to the amount of the original principal obligation of the mortgage which was unpaid on the date of the assignment, plus accrued interest to such date. Debentures issued pursuant to this paragraph shall be issued in the same manner and subject to the same terms and conditions as debentures issued under paragraph (1) of this subsection, except that the debentures issued pursuant to this paragraph shall be dated as of the date the mortgage is assigned to the Commissioner, shall mature ten years after such date, and shall bear interest from such date at the going Federal rate determined at the time of issuance. The term "going Federal rate" as used herein means the annual rate of interest which the Secretary of the Treasury shall specify as applicable to the six-month period (consisting of January through June or July through December) which includes the issuance date of such debentures, which applicable rate for each six-month period shall be determined by the Secretary of the Treasury by estimating the average yield to maturity, on the basis of daily closing market bid quotations or prices during the month of May or the month of November, as the case may be, next preceding such six-month period, on all outstanding marketable obligations of the United States having a maturity date of eight to twelve years from the first day of such month of May or November (or, if no such obligations are outstanding, the obligation next shorter than eight years and the obligation next longer than twelve years, respectively, shall be used), and

by adjusting such estimated average annual yield to the nearest one-eighth of 1 per centum. The Commissioner shall have the same authority with respect to mortgages assigned to him under this paragraph as contained in section 207(k) and section 207(l) as to mortgages insured by the Commissioner and assigned to him under section 207 of this Act.

(h) There is hereby created a Section 221 Housing Insurance Fund which shall be used by the Commisioner as a revolving fund for carrying out the provisions of this section, and the Commissioner is hereby authorized to transfer to such Fund the sum of $1,000,000 from the War Housing Insuarnce Fund established pursuant to the provisions of section 602 of this Act. General expenses of operation of the Federal Housing Administration under this section may be charged to the Section 221 Housing Insurance Fund.

Moneys in the Section 221 Housing Insurance Fund not needed for the current operations of the Federal Housing Administration under this section shall be deposited with the Treasurer of the United States to the credit of such Fund, or invested in bonds or other obligations of, or in bonds or other obligations guaranteed as to principal and interest by, the United States. The Commissioner may, with the approval of the Secretary of the Treasury, purchase in the open market debentures issued under the provisions of this section. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtainable from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued.

Premium charges, adjusted premium charges, and appraisal and other fees received on account of the insurance of any mortgage accepted for insurance under this section, the receipts derived from the property covered by such mortgage and claims assigned to the Commissioner in connection therewith shall be credited to the Section 221 Housing Insurance Fund. The principal of, and interest paid and to be paid on, debentures issued under this section, cash adjustments, cash payments, and expenses incurred in the handling, management, renovation, and disposal of properties acquired under this section shall be charged to such Fund.

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Miscellaneous Housing Insurance

Sec. 223 (a) Notwithstanding any of the provisions of this title, and without regard to limitations upon eligibility contained in section 203, 207, 213, 220, 221, 222, 231, 232, or 233 the Commissioner is authorized, upon application by the mortgagee, to insure or make commitments to insure under section 203, 207, 213, 220, 221, 222, 231, 232, or 233 of this title any mortgage—

(1) executed in connection with the sale by the Government, or any agency or official thereof, of any housing acquired or constructed under Public Law 849, Seventy-sixth Congress, as amended; Public Law 781, Seventy-sixth Congress, as amended; or Public Laws 9, 73, or 353, Seventy-seventh Congress, as amended (including any property acquired, held, or constructed in connection with such housing or to serve the inhabitants thereof); or

(2) executed in connection with the sale by the Public Housing Administration, or by any public housing agency with the approval of the said Administration, of any housing (including any property acquired, held, or constructed in connection with such housing or to serve the inhabitants thereof) owned or financially assisted pursuant to the provisions of Public Law 671, Seventy-sixth Congress; or

(3) executed in connection with the sale by the Government, or any agency or official thereof, of any of the so-called Greenbelt towns, or parts thereof, including projects, or parts thereof, known as Greenhills, Ohio; Greenbelt, Maryland; and Greendale, Wisconsin, developed under the Emergency Relief Appropriation Act

of 1935, or of any of the village properties or employee's housing under the jurisdiction of the Tennessee Valley Authority, or of any housing under the jurisdiction of the Department of the Interior located within the town area of Coulee Dam, Washington, acquired by the United States for the construction, operation, and maintenance of Grand Coulee Dam and its appurtenant works: *Provided*, That for the purpose of the application of this title to sales by the Secretary of the Interior pursuant to subsections 3(b)(1) and 3(b)(2) of the Coulee Dam Community Act of 1957, the selling price of the property involved shall be deemed to be the appraised value, or of any permanent housing under the jurisdiction of the Department of the Interior constructed under the Boulder Canyon Project Act of December 21, 1928, as amended and supplemented, located within the Boulder City municipal area: *Provided*, That for purposes of the application of this title to sales by the Secretary of the Interior pursuant to subsections 3(b)(1) and 3(b)(2) of the Boulder City Act of 1958, the selling price of the property involved shall be deemed to be the appraised value; or

(4) executed in connection with the sale by the Government or any agency or official thereof, of any housing (including any property acquired, held, or constructed in connection therewith or to serve the inhabitants thereof) pursuant to the Atomic Energy Community Act of 1955, as amended: *Provided*, That such insurance shall be issued without regard to any preferences or priorities except those prescribed by this Act or the Atomic Energy Community Act of 1955, as amended; or

(5) executed in connection with the sale by a State or municipality, or an agency, instrumentality, or political subdivision of either, of a project consisting of any permanent housing (including any property acquired, held, or constructed in connection therewith or to serve the inhabitants thereof), constructed by or on behalf of such State, municipality, agency, instrumentality, or political subdivision, for the occupancy of veterans of World War II, or Korean veterans, their families, and others; or

(6) executed in connection with the first resale, within two years from the date of its acquisition from the Government, of any portion of a project or property of the character described in paragraphs (1), (2), (3), and (4) above; or

(7) given to refinance an existing mortgage insured under section 608 of title VI prior to the effective date of the Housing Act of 1954 or under section 220, 221, 903 or section 908: *Provided*, That the principal amount of any such refinancing mortgage shall not exceed the original principal amount or the unexpired term of such existing mortgage and shall bear interest at a rate not in excess of the maximum rate applicable to loans insured under section 203, 207, 213, 220, 221, 222, 231, 232 or 233, as the case may be, except that in any case involving the refinancing of a loan in which the Commissioner determines that the insurance of a mortgage for an additional term will inure to the benefit of the applicable insurance fund, taking into consideration the outstanding insurance liability under the existing insured mortgage, such refinancing mortgage may have a term not more than twelve years in excess of the unexpired term of such existing insured mortgage: *Provided further*, That a mortgage of the character described in paragraphs (1) through (6) of this subsection shall have a maturity, a principal obligation, and an interest rate not in excess of the maximums applicable to loans insured under section 203, 207, 213, 220, 221, 222, 231, 232, or 233, as the case may be, except that in no case may the principal obligation of a mortgage referred to in paragraph (5) of this subsection exceed 90 per centum of the appraised value of the mortgaged property.

(b) Notwithstanding any of the provisions of this title and without regard to limitations upon eligibility contained in section 221, the Commissioner may in his discretion insure under section 221(d)(3) any mortgage executed by a mortgagor of the character described therein where such mortgage is given to refinance a mortgage covering an existing property or project (other than a one- to four-family structure) located in an urban renewal area, if the Commissioner finds that such insurance will facilitate the occupancy of dwelling units in the property or project by families of low or moderate income or families displaced from an urban renewal area or displaced as a result of governmental action.

(c) The Commissioner shall also have authority to insure under this title any mortgage assigned to him in connection with payment under a contract of mortgage insurance or executed in connection with the sale by him of any property acquired under title I, title II, title VI, title VII, title VIII, or title IX without regard to any limitation upon eligibility contained in this title II.

(d) With respect to any mortgage, other than a mortgage covering a one- to four-family structure, heretofore or hereafter insured by the Commissioner, and notwithstanding any other provision of this Act, when the taxes, interest on the mortgage debt, mortgage insurance premiums, hazard insurance premiums, and the expense of maintenance and operation of the project covered by such mortgage during the first two years following the date of completion of the project, as determined by the Commissioner, exceed the project income, the Commissioner may, in his discretion and upon such terms and conditions as he may prescribe, permit the excess of the foregoing expenses over the project income to be added to the amount of such mortgage, and extend the coverage of the mortgage insurance thereto, and such additional amount shall be deemed to be part of the original face amount of the mortgage.

ASSISTANCE TO URBAN RENEWAL BY THE LOW-RENT PUBLIC HOUSING PROGRAM ADMINISTERED BY THE PUBLIC HOUSING ADMINISTRATION [23]

EXCERPTS FROM THE UNITED STATES HOUSING ACT OF 1937, AS AMENDED

Public Law 412, 75th Congress
(50 Stat. 888; 42 U.S.C. 1401)

* * * * * * *

Declaration of Policy

SECTION 1. It is hereby declared to be the policy of the United States to promote the general welfare of the Nation by employing its funds and credit, as provided in this Act, to assist the several States and their political subdivisions to alleviate present and recurring unemployment and to remedy the unsafe and insanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of low income, in urban and rural nonfarm areas, that are injurious to the health, safety, and morals of the citizens of the Nation. In the development of low-rent housing it shall be the policy of the United States to make adequate provision for larger families and for families consisting of elderly persons. It is the policy of the United States to vest in the local public housing agencies the maximum amount of responsibility in the administration of the low-rent housing program, including responsibility for the establishment of rents and eligibility requirements (subject to the approval of the Authority [24]), with due consideration to accomplishing the objectives of this Act while effecting economies.

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[23] The Public Housing Administration is a constituent agency of the Housing and Home Finance Agency.

[24] Formerly United States Housing Authority. Now administered and known as the Public Housing Administration.

Definitions

Sec. 2. When used in this Act—

(1) The term "low-rent housing" means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing shall be available solely for families of low income. Income limits for occupancy and rents shall be fixed by the public housing agency and approved by the Authority after taking into consideration (A) the family size, composition, age, physical handicaps, and other factors which might affect the rent-paying ability of the family, and (B) the economic factors which affect the financial stability and solvency of the project.

(2) The term "families of low income" means families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use. The term "families" means families consisting of two or more persons, a single person who has attained retirement age as defined in section 216(a) of the Social Security Act[25] or who is under a disability as defined in section 223 of that Act, or the remaining member of a tenant family. The term "elderly families" means families the head of which (or his spouse) has attained retirement age as defined in section 216(a) of the Social Security Act[25] or is under a disability as defined in section 223 of that Act.

(3) The term "slum" means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

(4) The term "slum clearance" means the demolition and removal of buildings from any slum area.

(5) The term "development" means any or all undertakings necessary for planning, land acquisition, demolition, construction, or equipment, in connection with a low-rent housing project. The term "development cost" shall comprise the costs incurred by a public housing agency in such undertakings and their necessary financing (including the payment of carrying charges, but not beyond the point of physical completion), and in otherwise carrying out the development of such project. Construction activity in connection with a low-rent housing project may be confined to the reconstruction, remodeling, or repair of existing buildings. In cases where the public housing agency is also the local public agency for the purposes of title I of the Housing Act of 1949, or in cases where the public housing agency and the local public agency for purposes of such title I operate under a combined central administrative office staff, an administration building included in a low-rent housing project to provide central administrative office facilities may also include sufficient facilities for the administration of the functions of such local public agency, and in such case, the Authority shall require that an economic rent shall be charged for the facilities in such building which are used for the administration of the functions of such local public agency, and shall be paid from funds derived from sources other than the low-rent housing projects of such public housing agency.

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Annual Contributions in Assistance of Low Rentals

Sec. 10. (a) The Authority may make annual contributions to public housing agencies to assist in achieving and maintaining the low-rent character of their housing projects. The annual contributions for any such project shall be fixed in uniform amounts, and shall be paid in such amounts over a fixed period of years. The Authority shall embody the provisions for such annual contributions in a contract guaranteeing their payment over such fixed period: *Provided*, That the Authority may, in addition to the payments guaranteed under the contract, pay not to exceed $120 per annum per dwelling unit occupied by an elderly family on the last day of the project fiscal year where such amount, in the determination of the Authority, was necessary to enable the public housing agency to lease the dwelling unit to the elderly family at a rental it could afford and to operate the project on a solvent basis. The Authority shall not make any contract for loans (other than preliminary loans) or for annual contributions or for capital grants pursuant to this Act with respect to any low-rent housing project initiated after March 1, 1949, unless the governing body of the locality involved has entered into an agreement with the public housing agency providing that, subsequent to the initiation of the low-rent housing project and within five years after the completion thereof, there has been or will be elimination, by demolition, condemnation, effective closing, or compulsory repair or improvement, of unsafe or insanitary dwelling units situated in the locality or metropolitan area substantially equal in number to the number of newly constructed dwelling units provided by such project: *Provided, however*, That where more than one family is living in an unsafe or insanitary dwelling unit the elimination of such unit shall count as the elimination of units equal to the number of families accommodated therein: *Provided further*, That such elimination may, in the discretion of the Authority be deferred in any locality or metropolitan area where there is an acute shortage of decent, safe, or sanitary housing available to families of low income: *And provided further*, That this requirement shall not apply in the case of any low-rent housing project located in a rural nonfarm area, or to any low-rent housing project developed on the site of a slum cleared subsequent to the date of enactment of the Housing Act of 1949 and that the dwelling units which had been eliminated by the clearance of the site of such project shall not be counted as elimination for any other low-rent project.

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[25] 65 for men, 62 for women.

(b) Annual contributions shall be strictly limited to the amounts and periods necessary, in the determination of the Authority, to assure the low-rent character of the housing projects involved. Toward this end the Authority may prescribe regulations fixing the maximum contributions available under different circumstances, giving consideration to cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the amounts and periods of assistance needed to achieve and maintain low rentals. Such regulations may provide for rates of contribution based upon development, acquisition or administration cost, number of dwelling units, number of persons housed, or other appropriate factors: *Provided*, That the fixed contribution payable annually under any contract shall in no case exceed a sum equal to the annual yield, at the applicable going Federal rate plus 1 per centum, upon the development or acquisition cost of the low-rent housing or slum-clearance project involved.

(c) Every contract for annual contributions shall provide that whenever in any year the receipts of a public housing agency in connection with a low-rent housing project exceed its expenditures (including debt service, administration, maintenance, establishment of reserves, and other costs and charges), an amount equal to such excess shall be applied, or set aside for application, to purposes which, in the determination of the Authority, will effect a reduction in the amount of subsequent annual contributions. In no case shall any contract for annual contributions be made for a period exceeding sixty years: *Provided*, That, in the case of projects initiated after March 1, 1949, contracts for annual contributions shall not be made for a period exceeding forty years from the date the first annual contribution for the project is paid: *And provided further*, That, in the case of such projects or any other projects with respect to which the contracts for annual contributions (including contracts which amend or supersede contracts previously made) provide for annual contributions for a period not exceeding forty years from the date the first annual contribution for the project is paid, the fixed contribution may exceed the amount provided in the first proviso of subsection (b) of this section by 1 per centum of development or acquisition cost.

(d) All payments of annual contributions pursuant to this section shall be made out of any funds available to the Authority when such payments are due, except that its capital and its funds obtained through the issuance of obligations pursuant to section 20 (including repayments or other realizations of the principal of loans made out of such capital and funds) shall not be available for the payment of such annual contributions.

(e) The Authority is authorized to enter into contracts for annual contributions aggregating not more than $336,000,000 per annum, but any such contracts for additional units for any one State shall not, after the date of enactment of the Housing Act of 1961, be entered into for more than 15 per centum of the aggregate amount not already guaranteed under contracts for annual contributions on such date: *Provided*, That no such new contract for additional units shall be entered into after the date of enactment of the Housing Act of 1961 except with respect to low-rent housing for a locality respecting which the Administrator has made the determination and certification relating to a workable program as prescribed in section 101(c) of the Housing Act of 1949, and the Authority shall enter into only such new contracts for preliminary loans as are consistent with the number of dwelling units for which contracts for annual contributions may be entered into. Without further authorization from Congress, no new contracts for annual contributions beyond those herein authorized shall be entered into by the Authority. The faith of the United States is solemnly pledged to the payment of all annual contributions contracted for pursuant to this section, and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such payments.

(f) Payments under annual contributions contracts shall be pledged, if the Authority so requires, as security for any loans obtained by a public housing agency to assist the development or acquisition of the housing project to which the annual contributions relate.

(g) Every contract for annual contributions for any low-rent housing project shall provide that—

(1) the maximum income limits fixed by the public housing agency shall be subject to the prior approval of the Authority and the Authority may require the agency to review and revise such limits if the Authority determines that changed conditions in the locality make such revisions necessary in achieving the purposes of the Act;

(2) the public housing agency shall adopt and promulgate regulations establishing admission policies which shall give full consideration to its responsibility for the rehousing of those displaced by urban renewal or other governmental action, to the applicant's status as a serviceman or veteran or relationship to a serviceman or veteran or to a disabled serviceman or veteran, and to the applicant's age or disability, housing conditions, urgency of housing need, and source of income; and

(3) the public housing agency shall determine, and so certify to the Authority, that each family in the project was admitted in accordance with duly adopted regulations and approved income limits; and the public housing agency shall make periodic reexaminations of the incomes of families living in the project and shall require any family whose income has increased beyond the approved maximum income limits for continued occupancy to move from the project unless the public housing agency determines that, due to special circumstances, the family is unable to find decent, safe and sanitary housing within its financial reach although making every reasonable effort to do so, in which event such family may be permitted to remain for the duration of such a situation if it pays an increased rent consistent with such family's increased income.

(h) Every contract made pursuant to this Act for annual contributions for any low-rent housing project initiated after March 1, 1949, shall provide that no annual contributions by the Authority shall be made available for such project unless such project (exclusive of any portion thereof which is not assisted by annual contributions under this Act) is exempt from all real and personal property taxes levied or imposed by the State, city, county, or other political subdivisions, but such contract shall require the public housing agency to make payments in lieu of taxes equal to 10 per centum of the annual shelter rents charged in such project or such lesser amount as (i) is prescribed by State law, or (ii) is agreed to by the local governing body in its agreement for local cooperation with the public housing agency required under subsection 15(7)(b)(i) of this Act, or (iii) is due to failure of a local public body or bodies other than the public housing agency to perform any obligation under such agreement: *Provided*, That, if at the time such agreement for local cooperation is entered into it appears that such 10 per centum payments in lieu of taxes will not result in a contribution to the project through tax exemption by the State, city, county, or other political subdivisions in which the project is situated of at least 20 per centum of the annual contributions to be paid by the Authority, the amounts of such payments in lieu of taxes shall be limited by the agreement to amounts, if any, which would not reduce the local contribution below such 20 per centum: *Provided further*, That, with respect to any such project which is not exempt from all real and personal property taxes levied or imposed by the State, city, county, or other political subdivisions, such contract shall provide, in lieu of the requirement for tax exemption and payments in lieu of taxes, that no annual contributions by the Authority shall be made available for such project unless and until the State, city, county, or other political subdivisions in which such project is situated shall contribute, in the form of cash or tax remission, an amount equal to the greater of (i) the amount by which the taxes paid with respect to the project exceed 10 per centum of the annual shelter rents charged in such project, or (ii) 20 per centum of the annual contributions paid by the Authority (but not in excess of the taxes levied): *And provided further*, That, prior to execution of the contract for annual contributions the public housing agency shall, in the case of a tax-exempt project, notify the governing body of the locality of its estimate of the annual amount of such payments in lieu of taxes and of the amount of taxes which would be levied if the property were privately owned, or, in the case where the project is taxed, its estimate of the annual amount of the local cash contribution, and shall thereafter include the actual amounts in its annual report. Contracts for annual contributions entered into prior to the effective date of the Housing Act of 1954, may be amended in accordance with the first sentence of this subsection.

(i) Notwithstanding any other provision of law or any contract or other arrangement made pursuant thereto, any public housing agency which utilizes public services and facilities of a municipality or other local governmental agency making charges therefor separate from real and personal property taxes shall be authorized by the Authority (without any amendment to the contract for annual contributions or deductions from payments in lieu of taxes otherwise payable) to pay to such municipality or other local governmental agency the amount that would be charged private persons or dwellings similarly situated for such facilities and services.

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Sec. 15. In order to insure that the low-rent character of housing projects will be preserved, and that the other purposes of this Act will be achieved, it is hereby provided that—

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(4) The Authority may also insert in any contract for loans, annual contributions, capital grants, sale, lease, mortgage, or any other agreement or instrument made pursuant to this Act, such other covenants, conditions, or provisions as it may deem necessary in order to insure the low-rent character of the housing project involved: *Provided*, That any such contract for a substantial loan may contain a condition requiring the maintenance of an open space or playground in connection with the housing project involved if deemed necessary by the Authority for the safety or health of children.

(5) Every contract made pursuant to this Act for loans (other than preliminary loans), annual contributions, or capital grants for any low-rent housing project completed after January 1, 1948, shall provide that the cost for construction and equipment of such project (excluding land, demolition, and nondwelling facilities) on which the computation of any annual contributions under this Act may be based shall not exceed $2,000 per room ($3,000 per room in the case of Alaska, or in the case of accommodations designed specifically for elderly families $3,000 per room and $3,500 per room in the case of Alaska): *Provided*, That if the Administrator finds that in the geographical area of any project (i) it is not feasible under the aforesaid cost limitations to construct the project without sacrifice of sound standards of construction, design, and livability, and (ii) there is an acute need for such housing, he may prescribe in such contract cost limitations which may exceed by not more than $750 per room the limitations that would otherwise be applicable to such project hereunder. Every contract made pursuant to this Act for loans (other than preliminary loans), annual contributions, or capital grants with respect to any low-rent housing project initiated after March 1, 1949, shall provide that such project shall be undertaken in such a manner that it will not be of elaborate or extravagant design or materials, and economy will be promoted both in construction and administration. In order to attain the foregoing objective, every such contract shall provide that no award of the main construction contract for such project shall be made unless the Authority, taking into account the level of construction costs prevailing in the locality where such project is to be located, shall have specifically approved the amount of such main construction contract. Every contract made pursuant to this Act for loans, annual contributions, or capital grants, with respect to a project for which the preparation of plans, drawings, and specifications has not been started or contracted for prior to the date of enactment of the Housing Act of 1957, shall require that such plans, drawings, and specifications follow the principle of modular measure in every case deemed feasible by the public housing agency, in order that the housing may be built by conventional construction, on-site fabrication, factory pre-cutting, factory fabrication, or any combination of these construction methods.

(6) Any contract for loans or annual contributions, or both, entered into by the Authority with a public housing agency, may cover one or more than one low-rent housing project owned by said public housing agency; in the event such contract covers two or more projects, such projects may, for any of the purposes of this Act and of such contract (including, but not limited to, the determination of the amount of the loans, annual contributions, or payments in lieu of taxes, specified in such contract), be treated collectively as one project.

(7) In recognition that there should be local determination of the need for low-rent housing to meet needs not being adequately met by private enterprise—

(a) The Authority shall not make any contract with a public housing agency for preliminary loans (all of which shall be repaid out of any moneys which become available to such agency for the development of the projects involved) for surveys and planning in respect to any low-rent housing projects initiated after March 1, 1949, (i) unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such preliminary loan; and (ii) unless the public housing agency has demonstrated to the satisfaction of the Authority that there is a need for such low-rent housing which is not being met by private enterprise; and

(b) the Authority shall not make any contract for loans (other than preliminary loans) or for annual contributions pursuant to this Act with respect to any low-rent housing project initiated after March 1, 1949, (i) unless the governing body of the locality involved has entered into an agreement with the public housing agency providing for the local cooperation required by the Authority pursuant to this Act; and (ii) unless the public housing agency has demonstrated to the satisfaction of the Authority that a gap of at least 20 per centum (except in the case of a family displaced by urban renewal or other governmental action or an elderly family) has been left between the upper rental limits for admission to the proposed low-rent housing and the lowest rents at which private enterprise unaided by public subsidy is providing (through new construction and available existing structures) a substantial supply of decent, safe, and sanitary housing toward meeting the need of an adequate volume thereof.

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EXCERPTS FROM THE SMALL BUSINESS ACT AS AMENDED

LOANS TO DISPLACED BUSINESS CONCERNS BY THE SMALL BUSINESS ADMINISTRATION

Public Law 85–536
15 U.S.C. 631–647

SEC. 2. * * *

(b) Further, it is the declared policy of the Congress that the Government should aid and assist victims of floods and other catastrophes,[26] and small-business concerns which are displaced as a result of federally aided construction programs.

SEC. 3. For the purposes of this Act, a small-business concern shall be deemed to be one which is independently owned and operated and which is not dominant in its field of operation. In addition to the foregoing criteria the Administrator, in making a detailed definition may use these criteria, among others: Number of employees and dollar volume of business. Where the number of employees is used as one of the criteria in making such definition for any of the purposes of this Act, the maximum number of employees which a small-business concern may have under the definition shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries and to take proper account of other relevant factors.

SEC. 4. (a) In order to carry out the policies of this Act there is hereby created an agency under the name "Small Business Administration" (herein referred to as the Administration), which Administration shall be under the general direction and supervision of the President and shall not be affiliated with or be within any other agency or department of the Federal Government. The principal office of the Administration shall be located in the District of Columbia. The Administration may establish such branch and regional offices in other places in the United States as may be determined by the Administrator of the Administration. As used in this Act, the term "United States" includes the several States, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

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[26] Sec. 305(b) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167, added remainder of sentence.

(b) The management of the Administration shall be vested in an Administrator * * *

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SEC. 7. (a) The Administration is empowered to make loans to enable small-business concerns to finance plant construction, conversion, or expansion, including the acquisition of land; or to finance the acquisition of equipment, facilities, machinery, supplies, or materials; or to supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies, or materials for war, defense, or civilian production or as may be necessary to insure a well-balanced national economy; and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. The foregoing powers shall be subject, however, to the following restrictions and limitations:

(1) No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

(2) No immediate participation may be purchased unless it is shown that a deferred participation is not available; and no loan may be made unless it is shown that a participation is not available.

(3) In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement.

(4) Except as provided in paragraph (5), (A) no loan under this subsection shall be made if the total amount outstanding and committed (by participation or otherwise) to the borrower from the revolving fund established by this Act would exceed $350,000; (B) the rate of interest for the Administration's share of any such loan shall be no more than 5½ per centum per annum; and (C) no such loan, including renewals or extensions thereof, may be made for a period or periods exceeding ten years except that a loan made for the purpose of constructing facilities may have a maturity of ten years plus such additional period as is estimated may be required to complete such construction.

(5) In the case of any loan made under this subsection to a corporation formed and capitalized by a group of small-business concerns with resources provided by them for the purpose of obtaining for the use of such concerns raw materials, equipment, inventories, supplies or the benefits of research and development, or for establishing facilities for such purpose, (A) the limitation of $350,000 prescribed in paragraph (4) shall not apply, but the limit of such loan shall be $250,000 multiplied by the number of separate small businesses which formed and capitalized such corporation; (B) the rate of interest for the Administration's share of such loan shall be no less than 3 nor more than 5 per centum per annum; and (C) such loan, including renewals and extensions thereof, may not be made for a period or periods exceeding ten years except that if such loan is made for the purpose of constructing facilities it may have a maturity of twenty years plus such additional time as is required to complete such construction.

(6) The Administrator is authorized to consult with representatives of small-business concerns with a view to encouraging the formation by such concerns of the corporation referred to in paragraph (5). No act or omission to act, if requested by the Administrator pursuant to this paragraph, and if found and approved by the Administration as contributing to the needs of small business, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of the statement of any such finding and approval intended to be within

the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register. The authority granted in this paragraph shall be exercised only (A) by the Administrator, (B) upon the condition that the Administrator consult with the Attorney General and with the Chairman of the Federal Trade Commission, and (C) upon the condition that the Administrator obtain the approval of the Attorney General before exercising such authority. Upon withdrawal of any request or finding hereunder or upon withdrawal by the Attorney General of his approval granted under the preceding sentence, the provisions of this paragraph shall not apply to any subsequent act or omission to act by reason of such finding or request.

(7) All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

(b) The Administration also is empowered—

(1) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate because of floods or other catastrophes;

(2) to make such loans (either directly or in corporation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to any small-business concern located in an area affected by a drought or excessive rainfall, if the Administration determines that the small-business concern has suffered a substantial economic injury as a result of such drought or excessive rainfall and the President has determined under the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C., secs. 1855–1855g), that such drought or excessive rainfall is a major disaster, or the Secretary of Agriculture has found under the Act entitled "An Act to abolish the Regional Agricultural Credit Corporation of Washington, District of Columbia, and transfer its functions to the Secretary of Agriculture, to authorize the Secretary of Agriculture to make disaster loans, and for other purposes", approved April 6, 1949, as amended (12 U.S.C., secs. 1148a–1–1148a–3), that such drought or excessive rainfall constitutes a production or economic distaster in such area; and

(3)[27] to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on a immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small-business concern in reestablishing its business, if the Administration determines that such concern has suffered substantial economic injury as a result of its displacement by a federally aided urban renewal or highway construction program or by any other construction conducted by or with funds provided by the Federal Government.

No loan under this subsection, including renewals and extensions thereof, may be made for a period or periods exceeding twenty years. The interest rate on the Administration's share of any loan made under this subsection shall not exceed 3 per centum per annum,[28] except that in the case of a loan made pursuant to paragraph (3), the rate of interest on the Administration's share of such loan shall not be more than the higher of (A) 2¾ per centum per annum; or (B) the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan and adjusted to the nearest one-eighth of 1 per centum, plus one-quarter of 1 per centum per annum. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement.

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[27] Sec. 305(a)(3) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167, added remainder of paragraph.

[28] Sec. 305(a)(4) of the Housing Act of 1961, Public Law 87–70, approved June 30, 1961, 75 Stat. 149, 167, added remainder of this sentence.

(c) The Administration may further extend the maturity of or renew any loan made pursuant to this section, or any loan transferred to the Administration pursuant to Reorganization Plan Numbered 2 of 1954. or Reorganization Plan Numbered 1 of 1957, for additional periods not to exceed ten years beyond the period stated therein, if such extension or renewal will aid in the orderly liquidation of such loan.

INVESTMENTS BY NATIONAL BANKS IN URBAN RENEWAL OBLIGATIONS

EXCERPTS FROM NATIONAL BANK ACT, AS AMENDED

Revised Statutes §§ 5136 and 5200 (12 U.S.C. 24 and 84)

§ 24. Corporate Powers of Associations

Upon duly making and filing articles of association and an organization certificate a national banking association shall become, as from the date of the execution of its organization certificate, a body corporate, and as such, and in the name designated in the organization certificate, it shall have power—

* * * * * * *

Seventh.

To exercise by its board of directors or dutly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business of banking; by discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt; by receiving deposits; by buying and selling exchange, coin, and bullion; by loaning money on personal security; and by obtaining, issuing and circulating notes according to the provisions of this chapter. The business of dealing in securities and stock by the association shall be limited to purchasing and selling such securities and stock without recourse, solely upon the order, and for the account of, customers, and in no case for its own account, and the association shall not underwrite any issue of securities or stock: *Provided*, That the association may purchase for its own account investment securities under such limitations and restrictions as the Comptroller of the Currency may by regulation prescribe. In no event shall the total amount of the investment securities of any one obligor or maker, held by the association for its own account, exceed at any time 10 per centum of its capital stock actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund, except that this limitation shall not require any association to dispose of any securities lawfully held by it on August 23, 1935. As used in this section the term "investment securities" shall mean marketable obligations, evidencing indebtedness of any person, copartnership, association, or corporation in the form of bonds, notes and/or debentures commonly known as investment securities under such further definition of the term "investment securities" as may by regulation be prescribed by the Comptroller of the Currency. Except as hereinafter provided or otherwise permitted by law, nothing herein contained shall authorize the purchase by the association for its own account of any shares of stock of any corporation. The limitations and restrictions herein contained as to dealing in, underwriting and purchasing for its account, investment securities shall not apply to obligations of the United States, or general obligations of any State or of any political subdivision thereof, or obligations issued under authority of the subchapters I, II, and III of chapter 7 [29] of this title or issued by the thirteen banks for cooperatives of any of them or the Federal Home Loan Banks, or obligations which are insured by the Federal Housing Administrator pursuant to section 1713 [30] of this title, if the debentures to be issued in payment of such insured obligations are guaranteed as to principal and interest by the United States, or obligations of the Federal National Mortgage Association, or such obligations of any local public agency (as defined in section 1460(h) of Title 42) [31] as are secured by an agreement between the local public agency and the Housing and Home Finance Administrator in which the local public agency agrees to borrow from said Administrator, and said Administrator agrees to lend to said local public agency monies [32] in an aggregate amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay, when due, the interest on all installments (including the final installment) of the principal of such obligations, which monies under the terms of said agreement are required to be used for such payments, or such obligations of a public housing agency (as defined in the United States Housing Act of 1937, as amended) as are secured either (1) by an agreement between the public housing agency and the Public Housing Administration in which the public housing agency agrees to borrow from the Public Housing Administration, and the Public Housing Administration agrees to lend to the public housing agency, prior to the maturity of such obligations (which obligations shall have a maturity of not more than eighteen months), monies in an amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay the principal of such obligations with interest to maturity thereon, which monies under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such obligations at their maturity, or (2) by a pledge of annual contributions under an annual contributions contract between such public housing agency and the Public Housing Administration if such contract shall contain the covenant by the Public Housing Administration which is authorized by section 1421a(b) of Title 42, and if the maximum sum and the maximum sum and the maximum period specified in such contract pursuant to section 1421a(b) of Title 42 shall not be less than the annual amount and the period for payment which are requisite to provide for the payment when due of all installments of principal and interest on such obligations: *Provided*, That in carrying on the business commonly known as the safe-deposit business the association shall not invest in the capital stock of a corporation organized under the law of any State to conduct a safe-deposit business in an amount in excess of 15 per centum of the capital stock of the association actually paid in and unimpaired and 15 per centum of its unimpaired surplus. The limitations and restrictions herein contained as to dealing in and underwriting investment securities shall not apply to obligations issued by the International Bank for Reconstruction and Development or the Inter-American Development Bank which are at the time eligible for purchase by a national bank for its own account, nor to bonds, notes and other obligations issued by the Tennessee Valley Authority: *Provided*, That no association shall hold obligations issued by any of said organizations as a result of underwriting, dealing, or purchasing for its own account (and for this purpose obligations as to which it is under commitment shall be deemed to be held by it) in a total amount exceeding at any one time 10 per centum of its capital stock actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund.

* * * * * * *

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[29] Farm loans.

[30] FHA sec. 207 rental housing.

[31] Local public agency for slum clearance under Title I, Housing Act of 1949.

[32] Sec. 420 of the Housing Act of 1959, Public Law 86–372, approved September 23, 1959, 73 Stat. 654, 679, amended paragraph 7 to authorize National and State member banks of the Federal Reserve System to underwrite long-term urban renewal obligations. Prior to this amendment such banks could underwrite only short-term urban renewal obligations (up to 18 months).

§ 84. Limit of Liability of Any Person to Bank

The total obligations to any national banking association of any person, copartnership, association, or corporation shall at no time exceed 10 per centum of the amount of the capital stock of such association actually paid in and unimpaired and 10 per centum of its unimpaired surplus fund. The term "obligations" shall mean the direct liabilty of the maker or acceptor of paper discounted with or sold to such association and the liability of the indorser, drawer, or guarantor who obtains a loan from or discounts paper with or sells paper under his guaranty to such association and shall include in the case of obligations of a copartnership or association the obligations of the several members thereof and shall include in the case of obligations of a corporation all obligations of all subsidiaries thereof in which such corporation owns or controls a majority interest. Such limitation of 10 per centum shall be subject to the following exceptions:

* * * * * * *

(8) Obligations of any person, copartnership, association, or corporation secured by not less than a like amount of bonds or notes of the United States issued since April 24, 1917, or certificates of indebtedness of the United States, treasury bills of the United States, or obligations fully guaranteed both as to principal and interest by the United States, shall (except to the extent permitted by rules and regulations prescribed by the Comptroller of the Currency, with the approval of the Secretary of the Treasury) be subject under this section to a limitation of 15 per centum of such capital and surplus in addition to such 10 per centum of such capital and surplus.

* * * * * * *

(11) Obligations of a local public agency (as defined in section 1460(h)[33] of Title 42) or of a public housing agency (as defined in the United States Housing Act of 1937, as amended) which have a maturity of not more than eighteen months shall not be subject under this section to any limitation, if such obligations are secured by an agreement between the obligor agency and the Housing and Home Finance Administrator or the Public Housing Administration in which the agency agrees to borrow from the Administrator or Administration, and the Administrator or Administration agrees to lend to the agency, prior to the maturity of such obligations, monies in an amount which (together with any other monies irrevocably committed to the payment of interest on such obligations) will suffice to pay the principal of such obligations with interest to maturity, which monies under the terms of said agreement are required to be used for that purpose.

* * * * * * *

INVESTMENTS BY FEDERAL RESERVE BANKS AND MEMBER BANKS IN URBAN RENEWAL OBLIGATIONS

EXCERPTS FROM FEDERAL RESERVE ACT
(12 U.S.C. 335 and 355)

Sec. 335. Dealing in Investment Securities; Limitations and Conditions

State member banks shall be subject to the same limitations and conditions with respect to the purchasing, selling, underwriting, and holding of investment securities and stock as are applicable in the case of national banks under paragraph "Seventh" of section 24 of this title.[34]

---

[33] Local public agency for slum clearance under Title I, Housing Act of 1949.
[34] See page 58 for provisions of Paragraph Seventh.

Sec. 355. Purchase and Sale of Obligations of National, State, and Municipal Governments

Every Federal reserve bank shall have power to buy and sell, at home or abroad, bonds and notes of the United States, bonds of the Federal Farm Mortgage Corporation having maturities from date of purchase of not exceeding six months, bonds issued under the provisions of subsection (c) of section 1463 of this title[35] and having maturities from date of purchase of not exceeding six months, and bills, notes, revenue bonds, and warrants with a maturity from date of purchase of not exceeding six months, issued in anticipation of the collection of taxes or in anticipation of the receipt of assured revenues by any State, county, district, political subdivision, or municipality in the continental United States, including irrigation, drainage and reclamation districts, such purchases to be made in accordance with rules and regulations prescribed by the Board of Governors of the Federal Reserve System: *Provided*, That notwithstanding any other provision of this chapter, (1) until July 1, 1960, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities either in the open market or directly from or to the United States; but all such purchases and sales shall be made in accordance with the provisions of section 263 of this title[36] and the aggregate amount of such obligations acquired directly from the United States which is held at any one time by the twelve Federal Reserve banks shall not exceed $5,000,000,000; and (2) after June 30, 1960, any bonds, notes, or other obligations which are direct obligations of the United States or which are fully guaranteed by the United States as to principal and interest may be bought and sold without regard to maturities but only in the open market. The Board of Governors of the Federal Reserve System shall include in their annual report to Congress detailed information with respect to direct purchases and sales from or to the United States under the provisions of this proviso.

EXCERPTS FROM THE HOME OWNERS' LOAN ACT OF 1933, AS AMENDED

Investment by Federal Savings and Loan Associations in FHA Home Improvement Loans and Urban Renewal Investment Trusts

Public Law 43, 73d Congress
(12 U.S.C. 1464)

Federal Savings and Loan Associations

SEC. 5. * * *

(c) * * *

Without regard to any other provision of this subsection except the area requirement such associations are authorized to invest a sum not in excess of 15 per centum of the assets of such association in loans insured under title I of the National Housing Act, in home improvement loans insured under title II of the National Housing Act, in unsecured loans insured or guaranteed under the provisions of the Servicemen's Readjustment Act of 1944, as amended, and in other loans for property alteration, repair, or improvement: *Provided*, That no such loan, unless so insured or guaranteed, shall be made in excess of $3,500.

* * * * * * *

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[35] Home Owners Loan Corporation, which has been liquidated.

[36] Regulations adopted by the "Federal Open-Market Committee".

Without regard to any other provision of this subsection, any such association is authorized to invest not more than 5 per centum of its assets in certificates of beneficial interest issued by any urban renewal investment trust. For the purposes of this paragraph the term "urban renewal investment trust" means an unincorporated trust established by written agreement between the authorized officers of two or more savings institutions the savings or share accounts of which are insured by an agency of the Federal Government, which agreement—

(1) expressly limits the purposes of the trust and the investment powers of the trustees to the elimination or prevention of the spread of slums and blighted or deteriorated or deteriorating areas and the redevelopment, renewal, rehabilitation, or conservation of such areas by private enterprise through financing the purchase or rehabilitation of real property, or the construction of improvements thereon, designed or usable for industrial, commercial, or housing purposes within the confines of an urban renewal area (as defined in section 110 of the Housing Act of 1949);

(2) expressly limits the beneficial ownership of the trust to savings and loan associations or banks the savings or share accounts of which are insured by an agency of the Federal Government;

(3) provides that such beneficial ownership be evidenced by certificates of beneficial interest, which certificates shall have first claim at all times on the assets of the trust without preference between the holders thereof, and shall be fully transferable and assignable between any such banks and savings and loan associations at all times; and

(4) expressly provides that it shall be effective and binding between the parties thereto only upon being approved by the board.

Any association chartered under the provisions of this section may become a party to any urban renewal investment trust. The Federal Home Loan Bank Board shall prescribe such rules and regulations, not inconsistent with the provisions of this paragraph, as it may deem necessary for the proper establishment of urban renewal investment trusts, for the effective operation thereof, and the participation in such operations of eligible institutions either as parties, as trustees, or as the holders of certificates of beneficial interest.

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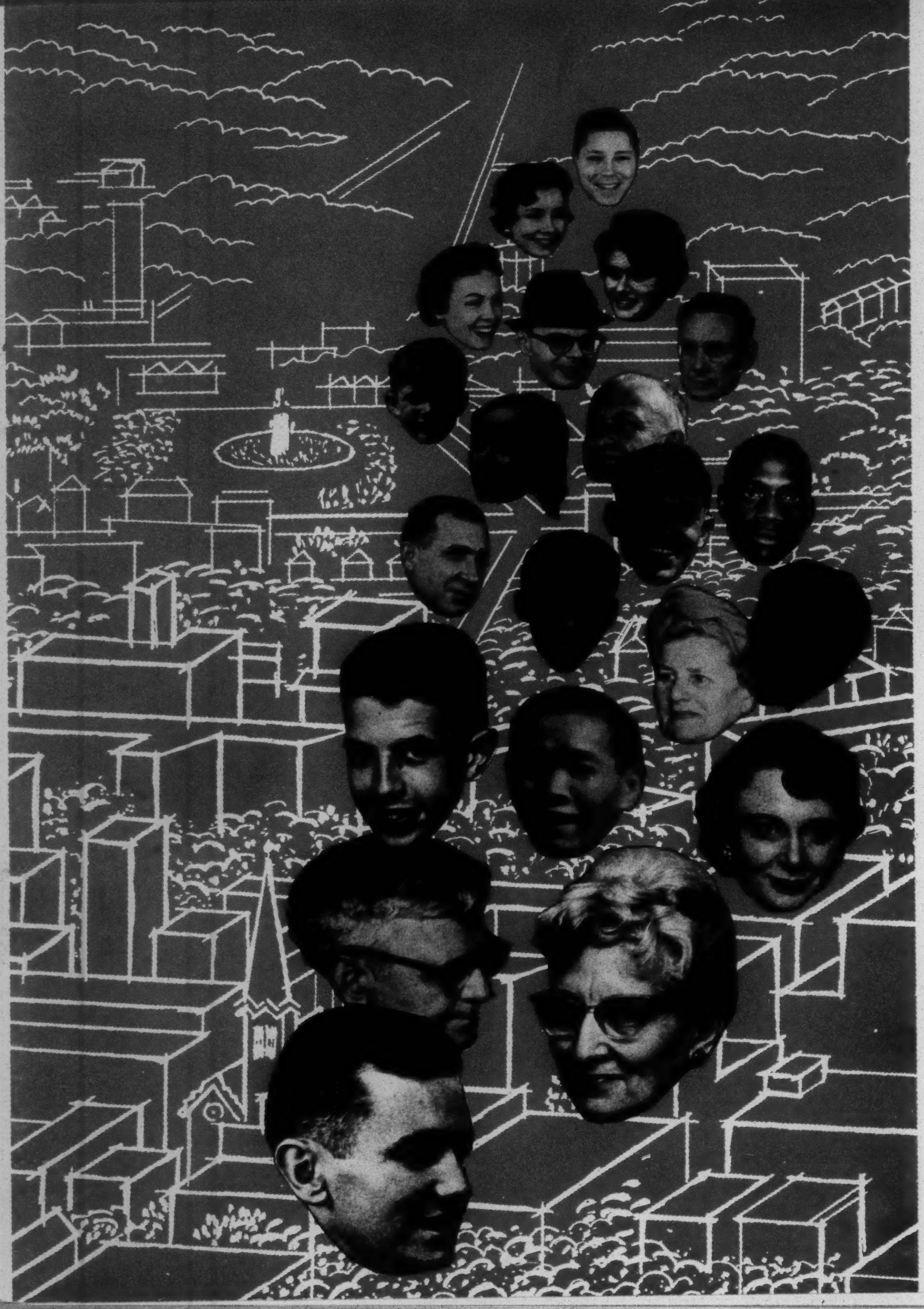


URBAN AFFAIRS AND HOUSING

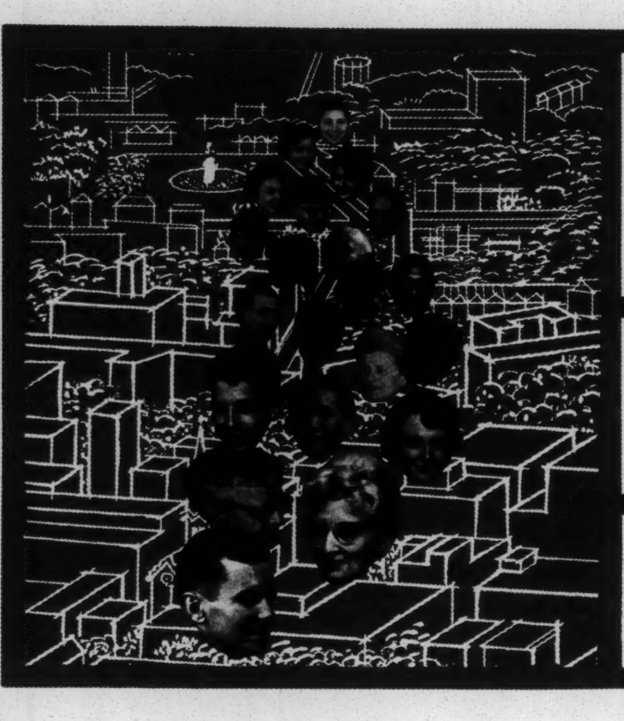
THE COORDINATED PROGRAMS
Of The
HOUSING AND HOME FINANCE AGENCY

Washington 25, D.C.

September 1962

"Our communities are what we make them. We as a Nation have before us the opportunity—and the responsibility—to remold our cities, to improve our patterns of community development, and to provide for the housing needs of all segments of our population."

President John F. Kennedy



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Robert C. Wea
Housing and Hor

Neal J. Hardy, Commissioner
Federal Housing Administration

Marie C. McGu
Public Housing

Sidney H. Woolner, Commissioner
Community Facilities Administration

For sale by the Superintendent of Documents, U.S. Gove

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THE COORDINATED PROGRAMS
of the
HOUSING AND HOME FINANCE AGENCY

Washington 25, D.C.
September 1962

rt C. Weaver, Administrator
g and Home Finance Agency

C. McGuire, Commissioner
ic Housing Administration

J. Stanley Baughman, President
Federal National Mortgage Association

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William L. Slayton, Commissioner
Urban Renewal Administration

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THE PROBLEMS OF HOUSING AND URBAN AFFAIRS
ferent ways, take many different forms. Yet they are all
often cannot be solved separately.

A young couple trying to stretch a limited budget to
larger home for a growing family. A "senior citizen" lookin
ble to his needs and within his means. A family caught in
to afford a decent home. A small community unable to find
the public facilities it needs for a growing population. A
blight in its central district and losing population to the subu
industrial area struggling to rebuild its economic base. A
growing daily more congested and lacking a plan to guide
ment. Highways and streets choked with traffic while pu
declines in effectiveness. The open space necessary to
fast disappearing from the urban scene.

These are all closely related aspects of what President
as "the opportunity—and the challenge—to remold our cit
patterns of community development, and to provide for the h
segments of our population."

This is a task for the Nation, in which we can succeed o
ation among all those responsible. The responsibility for in
ing out programs to accomplish these objectives rests with
ties, the private economy, and the people themselves. Th
ment's responsibility, in administering the aids authorized
to assist the communities in dealing with problems they ca
own unaided efforts.

This pamphlet outlines the various aids and services
Home Finance Agency makes available in support of this
paign for better housing and better communities. Each i
with a particular need, but all are parts of a total progra
and communities. The young couple seeking a better h
munity trying to expand its services are both involved in
So, too, are the family enduring the hardships of the slums
to rid itself of blight. Lasting solutions are found only wh
are viewed and administered in their full dimensions and in
tionships. In presenting the varied HHFA aids as a relat
hope to accent their common administrative purpose and t
useful to all who need their help. ■

Hous

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Robert C. Weaver
Housing Administrator

FOREWORD

HOUSING AND HOME
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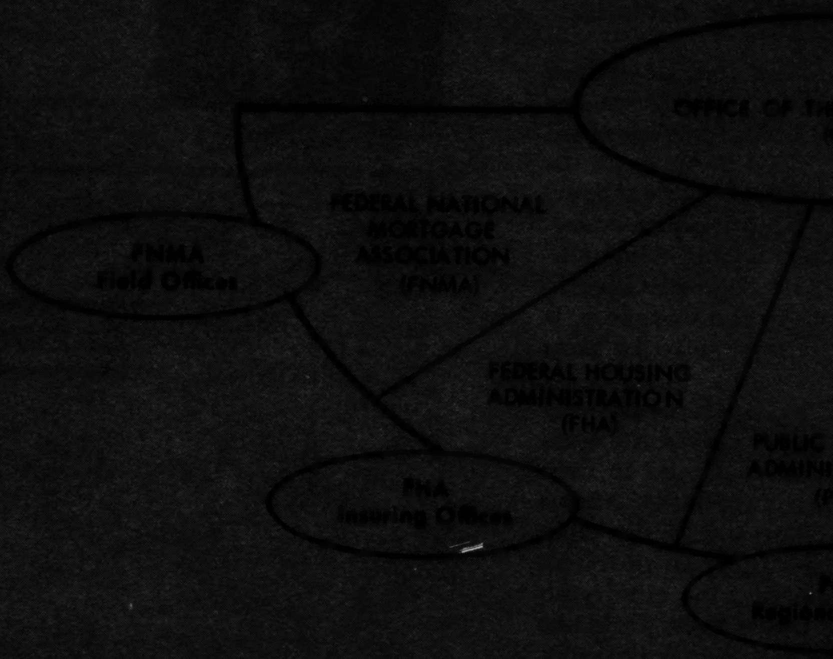
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(
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OME FINANCE AGENCY
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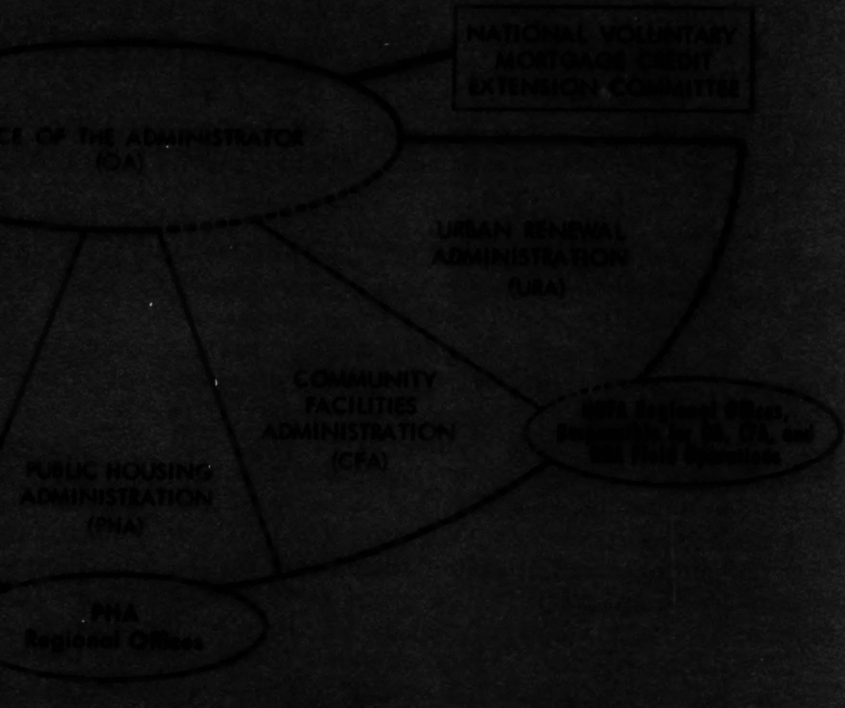
NATIONAL VOLUNTARY MORTGAGE CREDIT EXTENSION COMMITTEE
CE OF THE ADMINISTRATOR (OA)
URBAN RENEWAL ADMINISTRATION (URA)
COMMUNITY FACILITIES ADMINISTRATION (CFA)
HHFA Regional Offices, Responsible for URA, CFA, and OA Field Operations
PUBLIC HOUSING ADMINISTRATION (PHA)
PHA Regional Offices

HHFA PROGRAM RESPONSIBILITIES BY CONSTITUENTS

(OA) OFFICE OF THE ADMINISTRATOR

Over-all Coordination and Supervision
Workable Program for Community Improvement
Loans and Grants—Urban Mass Transportation
Demonstration Grants—Low-Income Housing
Special Urban and Housing Studies

(URA) URBAN RENEWAL ADMINISTRATION

Community Renewal Programs
General Neighborhood Renewal Plans
Urban Renewal Projects
Urban Planning Assistance
Mass Transportation Planning Grants
Permanent Open-Space Land Grants
Urban Renewal Demonstration Projects

(CFA) COMMUNITY FACILITIES ADMINISTRATION

Advances for Public Works Planning
Public Facility Loans
Mass Transportation Loans
Area Redevelopment Loans
College Housing Loans
Senior Citizen Housing—Direct Loans
School Construction Services

(FHA) FEDERAL HOUSING ADMINISTRATION

Basic Sales and Rental Housing
Property Improvement
Major Home Improvement
Cooperative Housing
Urban Renewal Housing
Moderate Income Housing
Housing for the Elderly
Special Programs

(FNMA) FEDERAL NATIONAL MORTGAGE ASSOCIATION

Secondary Mortgage Market
Special Assistance Activities

(PHA) PUBLIC HOUSING ADMINISTRATION

Low-Rent Public Housing
Housing for the Low-Income Elderly

(VHMCP) VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Assistance in Locating Loans

WHAT THIS PAMPHLET DOES AND HOW TO U

THIS PAMPHLET prese
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The agency respons
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HHFA and the relations
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This pamphlet treat
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as the work of the Offic
HHFA in disaster relief a
and public works progra
and other such activities

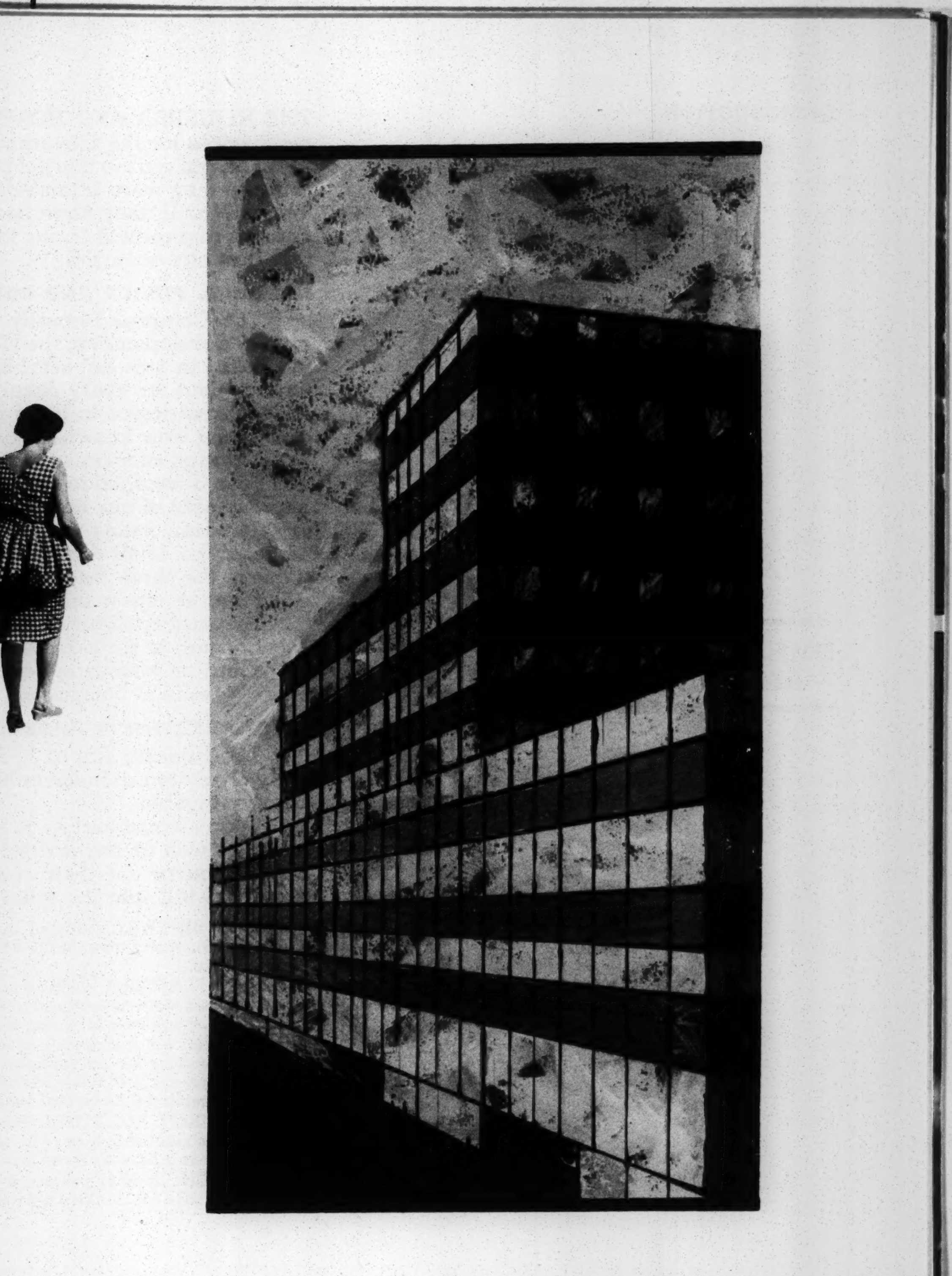
TO USE IT

ET presents in brief summary the principal types of related
ces that together make up the coordinated program which is
ponsibility of the Housing and Home Finance Agency. They
y the purposes which they serve, rather than by the HHFA
ncies which administer them.

y responsible for administration is, however, indicated in the
the text relating to each service or activity. Also, the reader
e chart on page 4 of this pamphlet to see the structure of the
relationship among its component agencies, and may see on
e the chart a listing of the principal responsibilities of each

led information about each of the programs is available in
phlets through the HHFA and its various offices. At the end
t there is a listing of the regional offices where applications
r assistance under most of the programs.

let treats only the programs of the HHFA and its constituents
fer assistance in meeting the housing and community develop-
merica. Not included are a number of other activities, such
he Office of International Housing, the responsibilities of the
relief and civil defense programs, and the liquidation of housing
s programs that have been terminated. Information on these
ctivities of the Agency are available in other publications. ■



INTRODUCTION

URBAN AFFAIRS AND HOUSING

THE HOUSING AND HOM
responsible for the Governm
Federal aids in this field
Initially they were intended
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tion that has occurred.

NATIONAL POLICY AND CO

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Through successive legis
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meet modern needs and fut
scope of the 1949 Act and,
achieve the three basic nati
First, to renew our citie
metropolitan areas;
Second, to provide dece
Third, to encourage a p
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A COMPREHENSIVE APPROA

The Housing Act of 196
body of related aids for bette
been available.
Today communities in
towns as well as our largest
work to carry out their com
programs fall into the follow

- URBAN RENEWAL: Federal ass
actions for sound community dev
future use.
- URBAN PLANNING: Federal as
areas, and state or regional are
for open-space uses in urban dev
- HOUSING: Financial aids to su
and improving the production a
ing requirements of low and mod
people displaced by urban rene
- COMMUNITY FACILITIES: Fina
needed to meet urban growth, wi
ment areas affected by economi
- RESEARCH: Special programs o
new methods for dealing with ou

D HOME FINANCE AGENCY is the principal Federal agency
Government's housing and urban programs.
this field have been developed over the past quarter of a century.
ntended to help meet the housing needs of America, but since
have been broadened to cover the mounting problems of urban
in our towns and cities resulting from the tremendous urbaniza-
ed.

AND GOALS

ormally recognized the related problems of housing and com-
in the Housing Act of 1949. The Declaration of National Hous-
t established "the goals of a decent home and a suitable living
ry American family." The same Act initiated the program of
o local communities to arrest and remove the spread of blight
wn as urban renewal.
sive legislation in this field, a comprehensive set of Federal aids
to support local public and private action in the expansion and
housing supply and in the treatment of our urban problems to
and future growth. The Housing Act of 1954 expanded the
ct and, most recently, the Housing Act of 1961 was passed to
asic national objectives stated by President Kennedy:
our cities and assure sound growth to our rapidly expanding
n areas;
de decent housing for all our people;
age a prosperous and efficient construction industry as an es-
ponent of general economic prosperity and growth.

APPROACH

t of 1961 authorized a more comprehensive and longer-range
for better homes and better communities than had ever before

ties in all parts of the country, including hundreds of small
largest cities, are putting the various Federal aid programs to
heir community and housing improvement objectives. These
e following general groups:

ederal assistance to communities, large and small, to plan and program
nunity development and to redevelop or rehabilitate blighted areas for sound

ederal assistance to develop sound planning for small towns, metropolitan
ional areas for orderly growth and urban development, and to conserve land
urban development.
aids to support and maintain a prosperous housing economy by expanding
duction and availability of good housing, and to help meet the special hous-
y and moderate income families, the elderly, college students and faculty, and
ban renewal and other public action.
TIES: Financial assistance for planning and construction of public facilities
growth, with special emphasis on construction in smaller towns and redevelop-
y economic change and unemployment.
rograms of research and experimentation to develop better knowledge and
ng with our housing and urban problems. ■

AS SET FORTH in the Declaration of Policy of the Housing Act of 1949, the housing and urban programs of the Federal Government are intended to strengthen and broaden the private housing economy and to assist local governments and their agencies in serving the needs of the American people and improving their living standards. Their benefits reach the individual citizen through the private market and the local community.

THE ROLE OF INDUSTRY

The Government housing programs, from the beginning, have depended primarily on the private industry—especially the Nation's homebuilders and lending institutions—to achieve their goals. Citing the need for a steady and progressive rise in the rate of homebuilding, President Kennedy said: "To the extent possible, we want to do this by helping private market processes work more effectively."

In urban renewal programs, the participation of industry is indispensable. Federal aid is extended to local public agencies for planning and for preparation of renewal areas, but the rebuilding and rehabilitation of these areas for their planned new uses rests largely with private investment and private construction.

Similarly, in community facilities programs, while financial aid is given to public agencies, the construction of public works is carried on by private industry.

THE ROLE OF THE COMMUNITY

The problems of our cities as they struggle to combat the effects of blight, adjust to rapid population growth, and plan for orderly future development are recognized matters of national concern, requiring Federal programs of financial and technical assistance to local communities. But under Federal law and the policies of the HHFA, the initiative must come from the communities in seeking Federal assistance.

Moreover, the programs for which the Federal Government supplies aid are themselves locally determined, planned, controlled and directed. Federal aid is supplementary to local effort. The effect of this aid is to increase the capacity of communities to deal with problems that cannot be solved through the use of local resources alone. ■

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FEDERAL AIDS, THE INDUSTRY, AND THE LOCAL COMMUNITY

URBAN RENEWAL involves much more than the carrying o
ects to correct blighted conditions in a particular section
It means the full range of public—local, State and Federal—
brought to bear, in an organized way, on the correction of
in carrying out sound future development to achieve the k
anced urban community that people need and want.

THE FOUNDATION FOR URBAN RENEWAL— A COMMUNITY'S WORKABLE PROGRAM

Since the renewal of an urban community involves mo
and public actions and policies that go far beyond the speci
Federal assistance is extended, the local community itself is
its own comprehensive program to eliminate and preven
qualify for the principal urban renewal aids of the Federa

A Workable Program for Community Improvement, sub
the Housing Administrator, is a legal requirement for a co
eligible for loans and grants for urban renewal projects,
housing, and for liberal types of FHA mortgage insurance
redevelopment and rehabilitation of project areas and in r
families and low and moderate income families.

Such a Workable Program must include an officially
establish adequate housing code standards and enforcemen
community plan for the basic aspects of community develop
of neighborhoods to determine the type of treatment that mo
quate administration under State and local law to carry o
programs, provision of financial capacity to meet the local
suitable rehousing for families displaced by public actions,
support and participation, with minority group represent
munity's renewal work.

FEDERAL AIDS AVAILABLE

The total job is a continuing and broad responsibility
itself, using its public and private resources in a concerted
grams have been developed, however, to assist, where ne
out the broad approach as well as in carrying out specifi
whether planned on a general neighborhood basis or indivi

Federal aid for urban renewal projects may be given o
agencies duly authorized by State and local law to carry out
ties involved. A local public agency may be—according
circumstances—a specially created redevelopment agen
responsible for local public housing, or a city or county its

Federal loan and grant aids may be applied to delineat
on a community-wide basis the urban renewal activities of

rrying out of individual proj-
r section of the community.
Federal—and private forces
ection of past problems and
ve the kind of over-all, bal-
vant.

olves many kinds of private
he specific actions for which
r itself is expected to develop
prevent blight in order to
e Federal Government.

nent, subject to approval by
for a community to become
projects, for low-rent public
surance to assist in private
and in rehousing displaced
s.

officially approved plan to
orcement, a comprehensive
y development, an analysis
t that may be needed, ade-
o carry out urban renewal
he local share of the costs,
actions, and active citizen
epresentation, in the com-

onsibility of the community
ncerted way. Federal pro-
vhere needed, in carrying
t specific renewal projects,
or individually.

e given only to local public
carry out the various activi-
cording to individual local
nt agency, an authority
ounty itself.

delineate and to program
vities of all types that may

URBAN RENEWAL—THE PROCESS AND THE PROJECTS

Office of the
Administrator

be called for to acco
also be used to plan
These various t

COMMUNITY RENEV

Urban Renewal
Administration

A Community F
and coordinated ap

- Identifying and m
  in the community
- Relating this need
- Developing a long

A Federal gran
locality to develop c

GENERAL NEIGHBOR

Urban Renewal
Administration

A General Nei
renewal area is of su
out in stages over a
that in the interest o
urban renewal area

Federal funds n
General Neighborho
provided for the init

URBAN RENEWAL P

Urban Renewal
Administration

An Urban Renev
area to prevent and

- Redevelopment pr
  cleared, after whi
  by private concern
- Rehabilitation pro
  those who own o
  public facilities by
- Combination Rede

Federal financia
of urban renewal pro
grants and relocation

Federal capital
ect's net loss in larg
of less than 50,000 p
as a Federal grant
and administrative c
up by the locality in t

r to accomplish the community's renewal objectives, and they may d to plan and carry out specific projects which require Federal help. various types of assistance are set forth in the following sections:

Y RENEWAL PROGRAM

munity Renewal Program is designed to provide a comprehensive nated approach to the community's urban renewal needs by—

g and measuring, in broad terms, the total need for urban renewal mmunity.

this need to the resources available in the community.

ng a long-range program for carrying out urban renewal activities.

ral grant, not to exceed two-thirds of the cost, may be made to a levelop a Community Renewal Program.

EIGHBORHOOD RENEWAL PLAN

eral Neighborhood Renewal Plan is called for when an urban a is of such scope that the renewal activities may have to be carried s over a period of not more than 10 years. It must be established nterest of sound community planning, it is desirable that this large val area be planned as a whole for urban renewal purposes.

funds may be advanced to a locality for the preparation of a ighborhood Renewal Plan. They may be repaid from loan funds the initial project approved under the plan.

EWAL PROJECT

an Renewal Project is an undertaking in a specific urban renewal vent and eliminate slums and blight, and may be a—

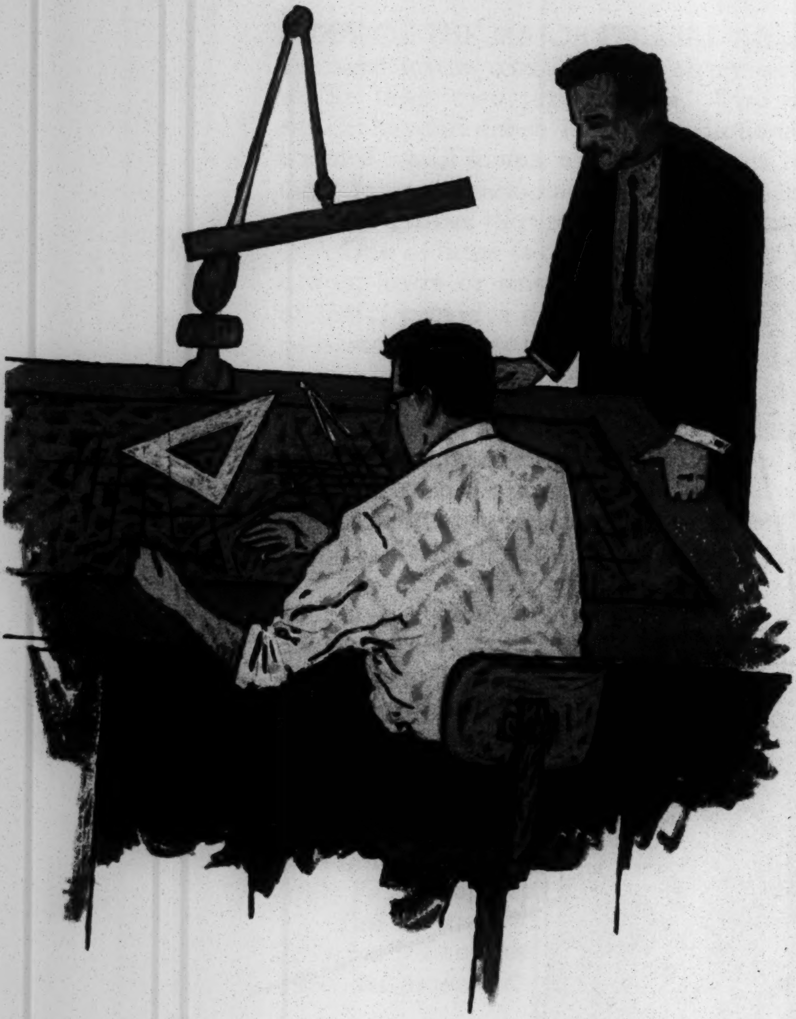
ment project, in which a slum or blighted area is acquired and fter which the land is disposed of for redevelopment, primarily e concerns, according to planned uses.

tion project, in which buildings are restored to good condition by o own or acquire them, accompanied by the improvement of ilities by the local government.

ion Redevelopment-Rehabilitation Project.

financial assistance is available for the planning and execution ewal projects. This includes planning advances, loans, capital elocation grants for displaced residents and business firms.

capital grants may amount to as much as two-thirds of the proj- in larger communities and up to three-fourths for communities 0,000 population. Three-fourths of the net loss may also be paid l grant where the locality itself assumes the planning, survey rative costs of the project. The balance of the net loss is made ality in the form of either cash or non-cash grant-in-aid contribu-



tions, such as do
ments, and the
or near renewa

URBAN RENEWA

Federal aic
FHA insurance
slums with goo
houses and on r
the rehabilitatio

Demonstrat
part of a feder
may acquire a
renewal area, i

REHOUSING DIS

One of the
good housing fo
developed. By
lies by the local
ized new forms
rent public hou
income families.

To help incr
to insure mortga
costs in an are
(which may inc
years or in som
newal area or l
$200 and the re
for displaced pe
Association, und

The Housing
first time for rent
moderate incom
ects, the FHA is
the market rate
Association is a
sistance Progra

DEMONSTRATIO

Demonstrati
methods and tec
29.

NOTE: For
communities in c

ıch as donations of land, demolition and removal work, project improve-
and the like. Certain expenditures made by colleges or hospitals in
renewal areas may also be counted as local contributions.

RENEWAL HOUSING

Federal
Housing
Administration

leral aids in urban renewal areas are available also in the form of
surance of mortgages for financing on liberal terms the replacement of
vith good housing. Mortgages may be insured on individual sales
and on multifamily rental projects, and for either new construction or
abilitation of existing structures. (See page 18.)

Urban
Renewal
Administration

nonstrations of the feasibility of rehabilitating existing housing may be
a federally-aided urban renewal project. The local public agency
quire a certain proportion of the residential properties in an urban
l area, improve them, and resell them to private owners.

SING DISPLACED FAMILIES

e of the most difficult problems in urban renewal is the provision of
ousing for families that must move from areas to be cleared and re-
ed. By law, adequate housing must be made available to such fami-
he locality undertaking the project. The Housing Act of 1961 author-
v forms of FHA mortgage insurance to help with this problem. Low-
blic housing is an important resource of relocation housing for low-
families.

Federal
Housing
Administration

help increase the supply of low-cost sales housing, the FHA is authorized
e mortgages in amounts of $11,000 to $15,000, depending on building
an area. The downpayment requirement is as little as 3 percent
may include closing costs). The maximum repayment period is 35
r in some cases 40 years. For persons displaced from an urban re-
rea or by other government action, the downpayment requirement is
d the repayment period may be 40 years. Mortgages on such housing
laced persons may be purchsaed by the Federal National Mortgage
tion, under its Special Assistance Program. (See page 19.)

Federal
Housing
Administration

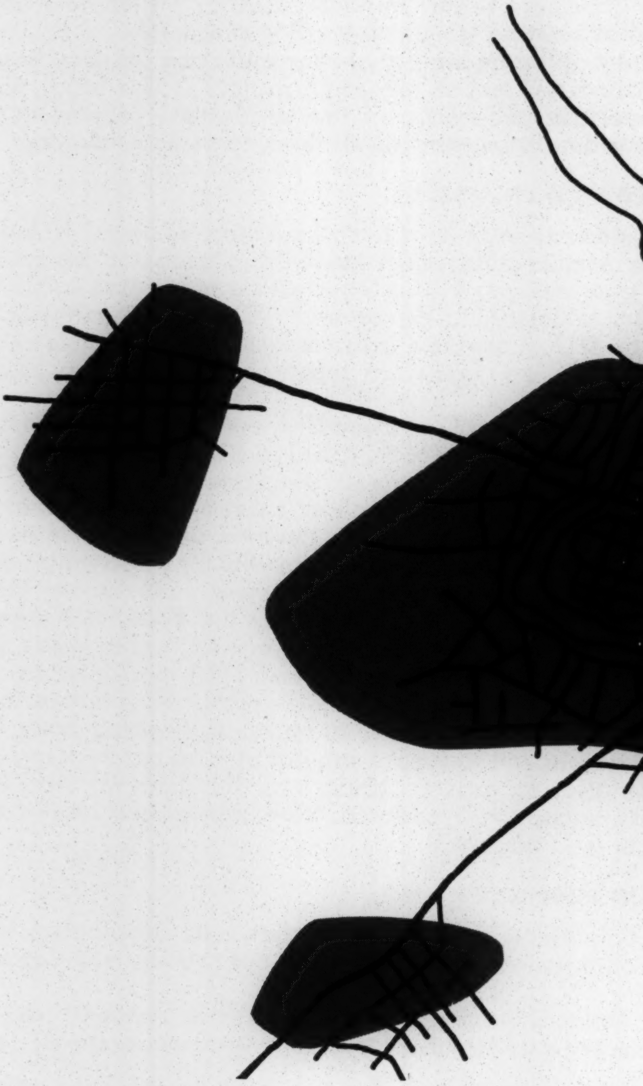
Housing Act of 1961 also authorized FHA mortgage insurance for the
e for rental and cooperative projects which limit occupancy to low and
e income families. In order to minimize housing costs for these proj-
FHA is authorized to insure project mortgages bearing interest below
ket rate and, to provide financing, the Federal National Mortgage
ion is authorized to purchase these mortgages under its Special As-
Program (see page 19).

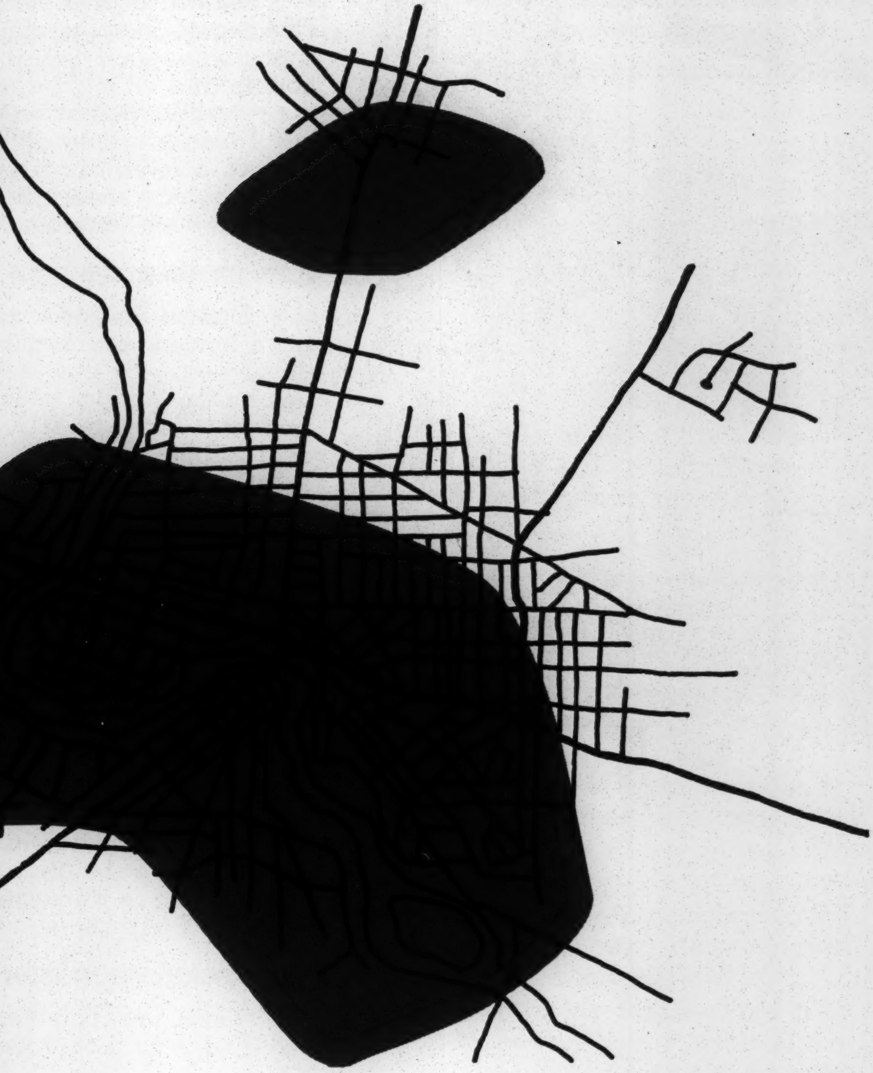
TRATION PROJECTS

Urban
Renewal
Administration

nonstration Projects which are aimed at developing and improving
and techniques of urban renewal operations, are described on page

TE: For special terms under which urban renewal aid can be given
ities in designated redevelopment areas, see page 27. ■





MOST OF THE MAJOR FEDERAL AIDS for urban improvemen to assist towns and cities to carry out comprehensive progra within their own jurisdictions. Two urban assistance progr reach beyond these local jurisdictions to help the urban are around small towns and around our large metropolises to pl their future development on a basis that will avoid or preven costly mistakes that result from unplanned, haphazard growth.

One of these is a program of grants for comprehensive pla areas, large or small. The second, recently authorized in th of 1961, provides grant assistance to acquire and preserve op as essential "breathing space" for urban living in future years

Urban Planning Assistance

Under the Urban Planning Assistance Program, Federal gr to assist the financing of sound planning for the orderly growt ment of urban areas, and to encourage comprehensive plan urban areas having common or related development problems.

The Federal grant may be for as much as two-thirds of the

For cities and counties having a population of less tha grants are generally made through the State planning age politan areas and urban regions with more than 50,000 p grants are normally made to an appropriate metropolita planning agency.

Comprehensive planning assisted under this program may transportation planning for the urban area.

Special forms of planning assistance are available to a to a rapidly expanding Federal installation, to localities which a major disaster, and to redevelopment areas designated as s Area Redevelopment Act (see page 27).

The Urban Planning Assistance Program is frequently ca Program" because it is authorized by Section 701 of the H 1954, as amended.

Open-Space Land

Grants may be made, in areas where comprehensive pla carried on, to local public agencies to help defray the cost title to or controlling rights in permanent open-space land tha to execution of an area plan. Such land reservations may parks and recreation areas, watershed conservation, prote floods or water pollution, preservation of historic sites, and sim

The Federal grant may not exceed 20 percent of the costs, case of public bodies with broad area responsibilities—for wh may be as much as 30 percent of the costs. ■

rovement are designed
e programs of renewal
e programs, however,
rban areas developing
es to plan and project
r prevent many of the
growth.

sive planning in urban
ed in the Housing Act
serve open-space land
re years.

ederal grants are made
y growth and develop-
ve planning for entire
roblems.

ds of the planning cost.
less than 50,000, the
ng agency; for metro-
0,000 population, the
ropolitan or regional

am may include mass

ble to areas adjacent
es which have suffered
ted as such under the

ently called the "701
f the Housing Act of

sive planning is being
the cost of acquiring
land that is important
ns may be made for
n, protection against
and similar purposes.
he costs, except in the
—for which the grant

URBAN PLANNING AND OPEN SPACE

Urban Renewal
Administration

Urban Renewal
Administration

FROM THEIR START a quarter of a century ago, a major
Finance Agency programs has been directed toward the e
Nation's housing and to bringing good housing within the re

The basic programs are designed to stimulate and sus
property improvement, a large volume of good housing, bo
national economy and at the same time to meet the needs
the millions of people who still lack housing of adequate st

In accordance with the principles set forth in the 194
Policy, Federal housing assistance is extended primarily th
special needs, through local agencies or non-profit sponsor
builds, owns, and operates no housing (except for special
The great bulk of the housing it supports is privately owned
tain special types of housing requirements, all of it is privat
in short, is intended primarily to support and stimulate the
serve more of our housing needs, and to strengthen the c
agencies to meet the increasing urban responsibilities.

Engaged in meeting these housing needs are four HHFA
Housing Administration, the Federal National Mortgage
Administration, and the Community Facilities Administratio
directed toward the total market for more and better housin
the special housing requirements of certain major segments o
without such help, to obtain satisfactory housing through th
market. Such special aids are particularly needed today to e
their programs of community renewal and improvement by
for the large number of people who must be satisfactorily reh

HOME FINANCING PROGRAMS

With the passage of the National Housing Act in 1934,
tion was established to encourage improvement in housing s
tate sound home financing on reasonable terms, and to ex
private housing market.

To move toward the long-range accomplishment of the
to insure against financial loss two specific types of housin

Basic Sales and Rental Programs

The basic method used by the FHA in the long-range
mortgage insurance—the insurance of private lending inst
loans meeting specified standards and conditions. The FH
does it build houses.

To qualify for FHA insurance, the transaction betwee
economically sound, except in some special-purpose progra

The lending institution must be approved by the FHA.
for credit purposes.

a major share of the Housing and Home
ard the expansion and improvement of the
in the reach of all American families.
and sustain, through new production and
sing, both to support a strong, productive
e needs of our growing population and of
quate standards.
the 1949 Declaration of National Housing
narily through the private market, or, for
sponsors. The Federal Government itself
special emergency or military purposes).
owned and operated and, except for cer-
s privately financed. Federal assistance,
ate the expansion of the private market to
n the capacity of local governments and
ies.
ur HHFA constituent agencies: the Federal
ortgage Association, the Public Housing
nistration. Certain programs are chiefly
r housing. Others are geared to serving
gments of the population which are unable,
rough the normal operations of the private
oday to enable communities to proceed with
ment by providing the housing necessary
orily rehoused as these plans go into action.

in 1934, the Federal Housing Administra-
ousing standards and conditions, to facili-
nd to exert a stabilizing influence in the

nt of these aims, the Act authorized FHA
f housing loans made by private lenders.

g-range accomplishment of these ends is
ding institutions against loss on mortgage
The FHA itself does not make loans, nor

between lender and borrower must be
programs.
e FHA. The borrower must be approved

PROGRAMS FOR OUR HOUSING NEEDS

Federal Housing
Administration

The house, if approved for mortg
minimum property standards.

The mortgage is limited in amoun
a typical buyer would be warranted
however, is generally much higher, the
than on loans not supported by Federal
possible for a large number of people
a loan on the conventional market.

The loan must be amortized in equ
ability to pay. Payments include both
premium of one-half of 1 percent, as we

Interest charged may not be more
loan, and in any event not more than 6

Under Section 203 of the Nationa
four-family houses.

Under Section 207 of that Act, th
of eight or more units.

PROGRAMS FOR SPECIAL NEEDS

Out of the basic FHA programs h
to meet specialized needs. In these, m
gage insurance are used to extend the
incentives to lenders and builders to pr

Urban Renewal Housing

To make FHA mortgage insuranc
special programs are offered to assist in
increasing the supply of good housing to

Federal Housing
Administration

Liberalized mortgage insurance,
available for the construction or rehabi
housing located in urban renewal areas
Program is a prerequisite for FHA-insur

Housing for Families of Low and Moderate I

Federal Housing
Administration

FHA mortgage insurance is availa
Housing Act for the construction or reh
family rental projects for families of lo
adequate housing and for families dis
mental actions. Financing of limited-
with loans at below-market interest ra
Assistance Program of the Federal Natio

Cooperative Housing

Federal Housing
Administration

A special form of FHA mortgage ins
Housing Act, for cooperative housing
type, with permanent occupancy restri
sales type in which the cooperative is
to its members. The management-type
which subsequently sells the property to

or mortgage insurance before construction, must conform to

n amount to a certain percentage of what the FHA estimates
rranted in paying for the property. The mortgage amount,
gher, the downpayment lower, and the repayment period longer
Federal insurance or guarantees, thus making home ownership
of people who could not satisfy the financial requirements for
rket.
d in equal periodic payments within the borrower's reasonable
ude both principal and interest, and also an FHA insurance
nt, as well as amounts for taxes and property insurance.
be more than an amount specified by the FHA for the type of
e than 6 percent.
National Housing Act, the FHA insures mortgages on one- to

t Act, the FHA insures mortgages on rental housing projects

os

grams have grown a number of separate programs designed
these, modifications of the terms and conditions for FHA mort-
xtend the opportunity for home ownership and to offer special
ers to produce needed types of housing.

nsurance aids more effective in the urban renewal process,
assist in the provision of housing in redevelopment areas and in
using to which families displaced from renewal areas can move.
urance, under Section 220 of the National Housing Act, is
r rehabilitation of both individual sales and multifamily rental
al areas. (See page 13.) An approved community Workable
HA-insured financing under this section.

Ioderate Income

s available on liberal terms under Section 221 of the National
n or rehabilitation of both individual sales housing and multi-
es of low and moderate income who cannot otherwise afford
ilies displaced by urban renewal projects or other govern-
limited-dividend, nonprofit rental, and cooperative housing
erest rates is assured, up to authorized limits, by the Special
ral National Mortgage Association.

gage insurance is available, under Section 213 of the National
housing projects. The project may be of the management
cy restricted to members of the owning cooperative, or the
ative is organized for the purpose of building homes for sale
ent-type project may be constructed by a corporate investor
perty to a management cooperative.

Other Special FHA Programs

Other specialized FHA insurance programs include th
for replacement or repair of homes ruined by major disas
for active-duty servicemen; purchase of certain housing from
ments; housing for the elderly (see below); nursing homes;
sonnel; sales housing for essential civilian employees at rese
of the military forces, and sale or rental housing for military
in impacted areas.

Help in Obtaining Loans

Help in locating FHA-insured loans or loans to veter
Administration for new or existing houses is available throu
Credit Program without cost to applicants in small commu
inadequate, and to members of minority groups in any locali
loans on terms as favorable as those generally available
help to one of the regional executive secretaries of the VHMC
regional offices. This is a voluntary service authorized by
members of private lending institutions under supervision of
by the Housing Administrator.

Secondary Market Assistance

The Federal National Mortgage Association improves th
by providing a readily available secondary (resale) marke
may buy and sell FHA-insured or Veterans Administration-
may also make short-term loans secured by FHA- or VA-
these secondary-market purchases is obtained principally
and short-term discount notes on the private market.

FNMA also conducts special assistance programs, und
purchase of FHA- and VA-backed mortgages or loans on h
for moderate-income families, displaced persons, the elder
groups, and other specific types of housing designated by
President to be in the public interest.

Although FNMA buys most Government-backed mortga
basis and through advance commitments, a few types are
commitments.

FNMA also manages a substantial portfolio of mortgage
and undertakes to liquidate these holdings in an orderly mar

Federal Housing
Administration

clude those covering mortgage financing
jor disasters; mobile home courts; homes
sing from Federal, State, or local govern-
; homes; rental housing for military per-
s at research or development installations
: military and essential civilian personnel

Voluntary Home Mortgage
Credit Program

to veterans guaranteed by the Veterans
le through the Voluntary Home Mortgage
l communities where credit facilities are
ny locality who are unable to obtain such
vailable to others. Applicants apply for
he VHMCP, who are located in the HHFA
orized by Federal law and performed by
vision of a national committee appointed

Federal National
Mortgage Association

proves the distribution of home loan funds
e) market in which investors and lenders
istration-guaranteed home loans. FNMA
or VA-backed mortgages. Capital for
ncipally through the sale of debentures

ms, under liberalized terms, through the
ans on housing in urban renewal areas,
he elderly, disaster victims, cooperative
ated by the Congress or deemed by the

d mortgages on both an over-the-counter
ypes are purchased only under advance

nortgages bought under earlier programs
lerly manner.

LOW-RENT PUBLIC HOUSING

Public Housing
Administration

The federally-assisted public hou
sistance to local housing authorities in
which is limited to low-income familie
housing in the locality. The adoption
approved by the Housing Administrato

A local authority, created under
plans and constructs the housing, and m
tion from local taxes. The Federal Go
possible the financing of the housing,
be set within the reach of low-income

Local authorities establish policies
special needs of elderly persons and to f
public improvements.

Rents of public housing tenants a
income rises above limits established fo
obtain other housing that meets its nee
all operating expenses, including a pa
services furnished.

HOUSING FOR SENIOR CITIZENS

Special Federal programs of aids

Direct Loans

Community Facilities
Administration

Low-interest-rate loans up to 100 p
nonprofit corporations, consumer coope
type housing especially designed for el

Public Housing

Public Housing
Administration

Liberalized financial aid under the
may be obtained by local authorities in
designed for elderly families or individu
the elderly to public housing.

Mortgage Insurance

Federal Housing
Administration

A special form of FHA mortgage ins
tion of both nonprofit and profit-motivat
by the elderly.

COLLEGE HOUSING

Community Facilities
Administration

To help meet needs created by stea
tinue well into the future, direct Federa
construct student and faculty housing a
for housing student nurses or interns.

blic housing program furnishes financial and technical as-
orities in providing low-rent public housing, the occupancy of
e families unable to afford decent, safe, and sanitary private
adoption of a Workable Program for Community Improvement,
inistrator, is required before this aid can be given.
d under State law, determines the need for low-rent housing,
ng, and manages it. The local governing body grants it exemp-
leral Government, through loans or guarantees of loans, makes
ousing, and makes an annual contribution to enable rents to
-income families.
policies for admission of tenants that give consideration to the
s and to families displaced by urban renewal projects and other

enants are set in relation to their incomes. When a family's
lished for continued occupancy, it must move as soon as it can
s its needs. From the rents collected, the local authority pays
ing a payment, in lieu of taxes, to offset the cost of municipal

s

of aids in providing housing for senior citizens include—

to 100 percent of the development cost are available to private
er cooperatives, and certain public agencies to provide rental-
ed for elderly persons of moderate income.

nder the federally-assisted public housing program (see above)
orities in providing new or remodeled public housing especially
individuals; broadened eligibility is provided for admission of

gage insurance is available for the construction or rehabilita-
-motivated, multifamily rental housing projects for occupancy

l by steadily increasing student enrollments, expected to con-
Federal loans are made to institutions of higher learning to
ousing and related facilities, and to public nonprofit hospitals
terns.

HOME IMPROVEMENT AND REHABILITATION

Equally important with the production and sale of n
care of the large supply of existing housing in which most o
national resources, but a wasting one, for it will steadily de
it is properly maintained and improved. Until the passag
instituted a broad new program for this purpose, only li
improvement and rehabilitation were available genera
reasonable terms.

There are now two forms of FHA insurance especiall
to obtain privately-financed loans for home improvement
lender against loss. The permissible amounts and terms
different circumstances.

Major Home Improvement Program

The FHA provides insurance (subject to certain minim
of $10,000 per dwelling unit on adequately-secured loans
interest rate may not exceed 6 percent and the repayment
75 percent of the property's remaining economic life.

Major improvement loans may be insured for one- to f
They may also be insured for those containing more than
located within an urban renewal area.

Property Improvement Program

The FHA insures, up to a maximum of $3,500 in mos
ations, repairs, and improvements to homes and other pr
small, nonresidential structures such as garages. Thes
repayment period of not more than five years.

NOTE: For demonstrations of rehabilitation in urban

ale of new housing is the preservation and
ch most of us live. This is one of our greatest
adily deteriorate into blight and slums unless
e passage of the Housing Act of 1961, which
, only limited sources of financing for such
generally to the home-owning public on

specially designed to assist property owners
vement and rehabilitation by protecting the
nd terms of these loans are tailored to meet

Federal Housing
Administration

in minimum loan amounts) up to a maximum
d loans for major home improvements. The
payment period may not exceed 20 years or
life.
one- to four-family structures in any locality.
ore than four units, provided the structure is

Federal Housing
Administration

) in most cases, loans made to finance alter-
other property, and for the building of new,
s. These loans are generally limited to a

n urban renewal areas, see page 13. ■

COMMUNITY FACILITIES

Community Facilities Administration

Community Facilities Administration

Community Facilities Administration

NO MODERN COMMUNITY, large or small, can maintain and serve its economic and human needs without providing the public facilities necessary to support residential, commercial, and industrial growth and improvement. To assist in the planning and construction of such facilities, particularly in the smaller towns which lack the financial and technical resources to cope with urban expansion, the Congress has authorized several types of financial aid.

ADVANCES FOR PUBLIC WORKS PLANNING

Advances are made to non-Federal public agencies for the planning of any type of public works project that they are authorized to plan, finance, and build. These advances, which are interest-free, may be used for either preliminary or complete planning or for both. They are repayable at the time construction of the project is begun.

PUBLIC FACILITY LOANS

Loans are made to local public agencies for financing the construction of a wide range of non-Federal public works, with the exception of schools. To be eligible for a loan, the community or combination of communities to be served by the public work must have a population of less than 50,000. For public facility loans in redevelopment areas designated as such under the Area Redevelopment Act, see page 27.

SCHOOL CONSTRUCTION SERVICES

Engineering, legal, and financial services incident to the program of school construction in areas where Federal activities have caused an increase in school population are performed under a working agreement between the HHFA and the Office of Education in the Department of Health, Education, and Welfare. ■

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MARYLAND
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THE INFLUENCE that existing and projected means for t
transportation of people and things in an urban area have
the shape and direction of urban growth is recognized
special assistance programs authorized by the Housing A
of 1961. Pending establishment of a long-range progra
the 1961 Act made loans and grants available on a limit
basis to assist localities in the planning and improvement
mass transportation systems in conformity with comprehensi
planning for urban areas.

PLANNING GRANTS

Planning grants for the comprehensive planning of ma
transportation for urban areas may be made to appropria
metropolitan or regional agencies. The Federal grant ma
be for as much as two-thirds of the cost of such a plannin
project. (See page 15.)

LOANS

Loans may be made to public bodies to finance the acqu
sition, construction, or improvement of mass transportatio
facilities and equipment, provided the area has or is develo
ing a program for a comprehensive mass transportatio
system and the proposed facilities are or can reasonably b
expected to be required for such a system.

DEMONSTRATION GRANTS

Demonstration grants may be made for projects designe
to contribute to the improvement of mass transportation or
reduce the need for it. A Federal grant of up to two-thir
of the cost may be made for demonstration projects, but th
grant may not be used for major capital improvements. ■

URBAN MASS TRANSPORTATION

ns for the
ea have on
ognized in
ousing Act
program,
a limited
ovement of
prehensive

g of mass
ppropriate
grant may
planning

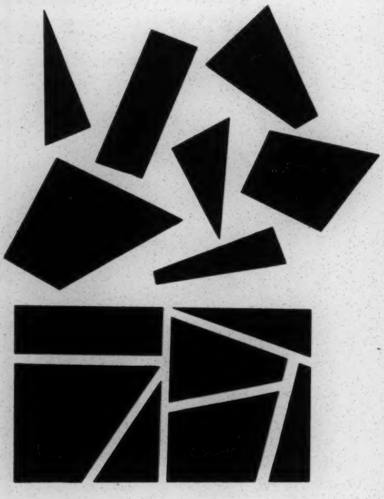
Urban Renewal
Administration

the acqui-
nsportation
s develop-
nsportation
onably be

Office of the Administrator
(Technical services by
Community Facilities
Administration)

designed
ation or to
two-thirds
s, but the
nts. ■

Office of the
Administrator



LIBERALIZED BENEFITS or eligibility requirements in receiving Federal aids for urban planning and development exis in the case of communities located within redevelopmen areas designated as such under the Area Redevelopment Act. These include—

COMMUNITY FACILITIES

Public Facility Loans may be made in such areas to a community or combination of communities with a population of less than 150,000, instead of the usual population limitation of 50,000. (See page 22.) In addition, liberal loans and partial grants especially authorized by the Area Redevelopment Act may be made for community facilities in such areas regardless of population.

URBAN PLANNING

Urban Planning Grants for comprehensive planning for a community in certain redevelopment areas may be as much as 75 percent of the planning project's cost, instead of the usual limitation of two-thirds. There is no population limitation applying to these grants. (See page 15.)

URBAN RENEWAL

Federal Capital Grants for urban renewal projects in such areas may be as much as 75 percent of the net project cost, instead of the usual limitation of two-thirds, in communities with a population of 150,000 or less. Certain requirements with respect to project eligibility and disposition of project land may also be waived in these cases. ■ (See page 11.)

PROGRAMS UNDER THE AREA REDEVELOPMENT ACT

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MUCH OF OUR ABILITY to meet our housing and urban needs in the future will depend on the extent to which we keep pace in knowledge and techniques with these increasing needs. The Congress has authorized the HHFA to undertake or to assist in carrying out certain types of research and experimentation to make our housing and urban efforts more effective.

SPECIAL URBAN AND HOUSING STUDIES

Examples of the kinds of studies in housing and urban problems which may be undertaken with funds recently appropriated include:

- Census data on housing conditions of the elderly.
- Periodic statistics on sales prices and sales volume of new homes.
- Credit factors in mortgage foreclosures.
- Family displacement by public improvement programs.
- Intermunicipal approaches to planning, development, and renewal.

FHA EXPERIMENTAL HOUSING PROGRAM

A new provision of the National Housing Act authorizes special terms for FHA mortgage insurance on sales and rental housing which incorporates new and untried materials, design, and construction standards, or which involves experimental property standards and neighborhood design. FHA is authorized to analyze data obtained and to publish and distribute reports concerning this experimental program.

URBAN RENEWAL DEMONSTRATION PROJECTS

Community projects aimed at developing and improving methods and techniques of urban renewal operations that will help guide renewal programs in other communities are assisted with grants up to two-thirds of costs.

LOW-INCOME EXPERIMENTAL HOUSING PROGRAM

The Housing Act of 1961 authorizes the HHFA Administrator to enter into contracts to make grants, up to a total of $5 million, to public or private bodies for the purpose of developing and demonstrating new or improved means of providing housing for low-income families and individuals. ■

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OFFICES WHERE INFORMATION ON HHFA PROGRAMS CAN BE OBTAINED

REGIONAL OFFICES, HOUSING AND HOME FINANCE AGENCY (programs administered by the Office of the Administrator, the Community Facilities Administration, the Urban Renewal Administration, and the Voluntary Home Mortgage Credit Program).

REGION I: 346 Broadway, New York 13, N.Y. (Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont; also VHMCP activities in Puerto Rico and the Virgin Islands).

REGION II: 1004 Widener Building, Chestnut and Juniper Streets, Philadelphia 7, Pa. (Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia).

REGION III: 645 Peachtree-Seventh Building, Atlanta 23, Ga. (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee).

REGION IV: Room 1500, 360 North Michigan Avenue, Chicago 1, Ill. (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin).

REGION V: Federal Center, 300 West Vickery Boulevard, Fort Worth 4, Tex. (Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas).

REGION VI: 3d Floor, 989 Market Street, San Francisco 3, Calif. (Arizona, California, Guam, Hawaii, Southern Idaho, Nevada, Utah, Wyoming). Area Office: 909 First Avenue, Seattle, Wash. (Alaska, Northern Idaho, Montana, Oregon, Washington).

REGION VII: 1608 Ponce de Leon Avenue, P.O. Box 9093, 4th Floor Garraton Building, Santurce, P.R. (Puerto Rico and the Virgin Islands; VHMCP activities carried out by Region I).

REGIONAL OFFICES, PUBLIC HOUSING ADMINISTRATION

ATLANTA: Room 737, Peachtree-Seventh Building, 50 Seventh Street, NE., Atlanta 23, Ga. (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee).

CHICAGO: Room 2201, 185 North Wabash Avenue, Chicago 1, Ill. (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin).

FORT WORTH: Room 2072, 300 West Vickery Boulevard, Fort Worth 4, Tex. (Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas).

NEW YORK: 346 Broadway, New York 13, N.Y. (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont).

PHILADELPHIA: 1102 Widener Building, Chestnut and Juniper Sts., Philadelphia, Pa. (Delaware, Maryland, Pennsylvania, Virginia, West Virginia, the District of Columbia).

PUERTO RICO: Credito and Ahorro Building, Stop 17, Ponce de Leon Avenue, Santurce, P.R. (Puerto Rico and the Virgin Islands).

SAN FRANCISCO: 1360 Mission Street, San Francisco 3, Calif. (Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming).

INSURING OFFICES, FEDERAL HOUSING ADMINISTRATION

(These offices can supply information on FHA programs, but applications for mortgage insurance must be submitted through private lending institutions.)

ALABAMA: Birmingham—City Hall, 710 North 20th Street.

ALASKA: Anchorage—716 Fifth Avenue, P.O. Box 779.

ARIZONA: Phoeniz—244 West Osborne Road.

ARKANSAS: Little Rock—3433 Federal Office Building, 700 W. Capitol Ave.

CALIFORNIA: Los Angeles 15—Petroleum Building, 714 West Olympic Boulevard; Sacramento 9—819 Nineteenth Street, P.O. Box 1978, San Diego 1—1415 Sixth Ave.; San Francisco 11—100 California Street; Santa Ana—208 N. Main Street.

COLORADO: Denver—Fourth Floor, Railway Exchange Building, 909 17th Street.

CONNECTICUT: Hartford 5—170 Sigourney Street.

DELAWARE: Wilmington—536 Wilmington Trust Bldg.

DISTRICT OF COLUMBIA: Washington 25—Railway Labor Building, 400 First Street, N.W.

FLORIDA: Coral Gables 34—3001 Ponce de Leon Boulevard; Jacksonville 2—St. Johns Apartment Building, 610 Julia Street; Tampa 9—4224-28 Henderson Boulevard, P.O. Box 10596.

GEORGIA: Atlanta 3—Marietta Street Building.

HAWAII: Honolulu—Pacific Insurance Building, 1677 Ala Moana Boulevard.

IDAHO: Boise—331 Idaho Street.

ILLINOIS: Chicago 3—Room 600, 36 S. Wabash Ave.; Springfield—Adams Building, 624–630 East Adams Street.

INDIANA: Indianapolis 4—Architects & Builders Building, 333 North Pennsylvania Street.

IOWA: Des Moines 9—615 Park Street.

KANSAS: Topeka—700 Kansas Ave.

KENTUCKY: Louisville—Madrid Building, Third and Guthrie Streets.

LOUISIANA: New Orleans 12—Federal Building, 701 Loyola Ave; Shreveport—627 Spring Street.

MAINE: Bangor—Exchange Building, 27 State Street.

MARYLAND: Baltimore 31—404 North Bond Street.

MASSACHUSETTS: Boston 16—100 Boylston Street.

MICHIGAN: Detroit—10th Floor, Book Building, 1249 Washington Blvd.; Grand Rapids—B & G Terminal Building, 900 Monroe Avenue, N.W.

MINNESOTA: Minneapolis—256 Federal Building and U.S. Court House.

MISSISSIPPI: Jackson 1—301 Building, 301 N. Lamar Street.

MISSOURI: Kansas City 5—Prudential Insurance Bldg., 427 W. 12th Street; St. Louis 1—315 North Seventh Street.

MONTANA: Helena—Power Block Building.

NEBRASKA: Omaha—8th Floor, New Federal Building, 215 N. 17th Street.

NEVADA: Reno—70 Linden Street.

NEW HAMPSHIRE: Manchester—Post Office Building, Hanover and Chestnut Streets.

NEW JERSEY: Camden 3—The Parkade Building, 519 Federal Street; Newark 2—10 Commerce Court.

NEW MEXICO: Albuquerque—625 Truman Street, N.E.

NEW YORK: Albany 7—City & County Savings Bank Building, Ninth Floor, 100 State Street; Buffalo 2—304 U.S. Court House, Niagara Square; Jamaica 23—205-07 Hillside Avenue; New York City 16—19th Floor, 2 Park Avenue.

NORTH CAROLINA: Greensboro—221 S. Ashe Street.

NORTH DAKOTA: Fargo—203 Tenth Street, North, P.O. Box 407.

OHIO: Cincinnati 2—Room 1109, Enquirer Bldg., 617 Vine St.; Cleveland 15—Stouffer Building, 1375 Euclid Avenue; Columbus 15—Fourth Floor, Old Post Office Building.

OKLAHOMA: Oklahoma City 2—1401 North Robinson Street; Tulsa—6th Floor, 9 E. Fourth Street Building.

OREGON: Portland 4—Cascade Building, 520 Southwest Sixth Avenue.

PENNSYLVANIA: Philadelphia 2—Room 900, 2 Penn Center Plaza; Pittsburgh 19—200 Grant Building, 330 Grant Street.

PUERTO RICO: Santurce—1608 Ponce de Leon Avenue, Garraton Building, P.O. Box 8065, Fernandez Juncos Station.

RHODE ISLAND: Providence 3—Room 300, Post Office Annex.

SOUTH CAROLINA: Columbia—1515 Lady Street.

SOUTH DAKOTA: Sioux Falls—225 S. Main Avenue.

TENNESSEE: Knoxville 2—725 Gay Street, S.W; Memphis 4—43 North Cleveland Street.

TEXAS: Dallas 1—338 Wilson Building, 1621 Main Street; Fort Worth 4—711 West Seventh Street; Houston 2—M & M Building, No. 1 Main Street; Lubbock—1601 Avenue N., P.O. Box 1647; San Antonio 4—535 South Main Avenue.

UTAH: Salt Lake City 11—315 East Second, South.

VERMONT: Burlington—Room 630, Federal Building, Elmwood Avenue.

VIRGINIA: Richmond—8th Floor, Federal Building, 400 North Eighth Street.

WASHINGTON: Seattle 4—Seventh Floor, Norton Building, 801 Second Avenue; Spokane 1—501 American Legion Building, 108 North Washington Street.

WEST VIRGINIA: Charleston 1—New Federal Office Bldg.; 500 Quarrier Street.

WISCONSIN: Milwaukee 2—Fourth Floor, Wisconsin Broadway Building.

WYOMING: Casper—864 South Spruce Street, P.O. Box 1852.

AGENCY OFFICES, FEDERAL NATIONAL MORTGAGE ASSOCIATION

ATLANTA: 34 Peachtree Street, NE., Atlanta 3, Ga. (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee).

CHICAGO: 1120 Commonwealth-Edison Building, 72 West Adams Street, Chicago 3, Ill. (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin).

DALLAS: Dallas Federal Savings Building, 1505 Elm Street, Dallas 1, Tex. (Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas).

LOS ANGELES: 3540 Wilshire Boulevard, Los Angeles 5, Calif. (Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming).

PHILADELPHIA: 211 South Broad Street, Philadelphia 7, Pa. (Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, Virginia, West Virginia).

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The Urban Planning Assistance Program

FACT SHEET

on the program of Federal assistance for comprehensive planning in metropolitan and other urban areas

Housing and Home Finance Agency
Urban Renewal Administration
Washington 25, D. C.

February 1962

"AN EQUAL CHALLENGE IS THE TREMENDOUS URBAN GROWTH THAT LIES AHEAD. .... WE MUST BEGIN NOW TO LAY THE FOUNDATIONS FOR LIVABLE, EFFICIENT, AND ATTRACTIVE COMMUNITIES OF THE FUTURE."

President John F. Kennedy
HOUSING MESSAGE, 1961

THE URBAN PLANNING ASSISTANCE PROGRAM

OUR TREMENDOUS URBAN GROWTH IN recent years has focused national attention and concern on the common problems of urban areas, cities and smaller towns. Four-fifths of our population increase in the past decade has been in our metropolitan centers. Seventy percent of our people now live in cities and urbanized areas, and many of the others in smaller towns are feeling the impact of modern growth and transport in their home communities.

New problems of urban living have developed as our sprawling suburbs have overspilled our older towns and communities. Old problems of decline and deterioration have been magnified as our central cities have lost population and faced mounting costs.

Rapid urbanization will continue in the decades ahead not only in our metropolitan centers but in our small towns as well. The Urban Planning Assistance Program has been established to help both smaller communities and metropolitan areas provide the planning necessary for this growth and to prevent the costly problems of unplanned growth that we are trying to solve today.

PURPOSES

The Urban Planning Assistance Program is one of the programs administered by the Urban Renewal Administration. It is sometimes called the "701 Program" because it is authorized by Section 701 of the Housing Act of 1954, as amended. Section 701 makes possible Federal grants to supplement State and local funds for the purpose of financing timely, comprehensive planning.

The Program encourages and assists comprehensive planning for entire urban areas having common or related urban development problems. The planning work embraces all the basic essentials of sound urban development. These include, but are not limited to, comprehensive land use planning to guide residential, commercial, and industrial expansion, and planning the general location of transportation and other facilities, such as schools and sewer, water, and recreational facilities, for the area's growing requirements.

The 701 Program recognizes the integral relationship of the planning of coordinated transportation systems to comprehensive planning for the development and renewal of entire urban areas. In the preparation of a comprehensive plan and related surveys and studies for an urban area, the general location, character, and extent of routes and terminals are eligible activities.

The Housing Act of 1961 increased from $20 million to $75 million the total Federal appropriations authorized for the 701 Program. It also increased the share of the cost which the Federal Government may contribute to specific undertakings, as described below.

WHAT AREAS MAY BENEFIT

Nearly all types of urban areas may benefit from the Urban Planning Assistance Program, but the procedure differs for places of less than 50,000 population and those of 50,000 or more.

In general, for cities, other municipalities and counties with a population of less than 50,000, as well as for groups of adjacent communities with a total population below that amount, Federal grants are made to the appropriate State planning agency. The State agency provides planning assistance to the localities.

For metropolitan areas and urban regions with central city or urban concentration of 50,000 or more, Federal grants may be made either to a State planning agency or to an official metropolitan or regional planning agency authorized to perform planning in the area.

Grants also are available for State and interstate comprehensive planning, for planning in disaster areas, areas experiencing the impact of a Federal installation, and certain areas designated as redevelopment areas under the Area Redevelopment Act.

HOW TO APPLY FOR URBAN PLANNING ASSISTANCE

(1) Cities, other municipalities, and counties with less than 50,000 population apply directly to their State planning agency, which in turn makes application to the HHFA Regional Office.

(2) Official State, metropolitan, and regional planning agencies apply directly to the HHFA Regional Office.

(3) Official governmental planning agencies for Federally impacted areas and localities which have suffered a major disaster or are located in redevelopment areas so designated by the Commerce Department under authority of the 1961 Area Redevelopment Act, may apply either to the State planning agency or to the HHFA Regional Office.

GRANTS

Under the Housing Act of 1961, the Federal share of the total cost of any urban planning project can be as much as two-thirds. Previously it had been limited to one-half. However, for localities situated in areas designated as redevelopment areas under Section 5(a) of the 1961 Area Redevelopment Act, grants may amount to as much as three-fourths of the project cost.

Local or State sources must provide the balance in all cases.

FOR FURTHER INFORMATION

Detailed information about the Urban Planning Assistance Program and related HHFA community improvement programs may be obtained from the Housing and Home Finance Agency, Washington 25, D.C., or the HHFA Regional Offices, listed below.

REGIONAL OFFICES

HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK,
(MAINE, NEW HAMPSHIRE, VERMONT, MASSACHUSETTS,
CONNECTICUT, RHODE ISLAND, NEW YORK)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND
JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA
(PENNSYLVANIA, NEW JERSEY, MARYLAND, DELAWARE,
DISTRICT OF COLUMBIA, WEST VIRGINIA, VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING,
ATLANTA 23, GEORGIA (KENTUCKY, TENNESSEE, NORTH
CAROLINA, SOUTH CAROLINA, GEORGIA, ALABAMA,
MISSISSIPPI, FLORIDA)

REGION IV: 2000 BANKERS BUILDING, 105 WEST ADAMS
STREET, CHICAGO 3, ILLINOIS (MICHIGAN, OHIO,
INDIANA, ILLINOIS, WISCONSIN, IOWA, MINNESOTA,
NORTH DAKOTA, SOUTH DAKOTA, NEBRASKA)

REGION V: FEDERAL CENTER, 300 WEST VICKERY
BOULEVARD, FORT WORTH 4, TEXAS (KANSAS, MISSOURI,
ARKANSAS, LOUISIANA, OKLAHOMA, TEXAS, COLORADO,
NEW MEXICO)

REGION VI: 989 MARKET STREET, SAN FRANCISCO 3,
CALIFORNIA, (WASHINGTON, OREGON, CALIFORNIA,
IDAHO, NEVADA, ARIZONA, UTAH, MONTANA, WYOMING,
ALASKA, HAWAII, GUAM)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX
9093, 4TH FLOOR GARRATON BLDG., SANTURCE 17,
PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

FACT SHEETS

On HHFA Programs, Available on Request

- The Urban Renewal Program
- The Urban Planning Assistance Program
- Federal Programs for Senior Citizen Housing
- Senior Citizen Housing Loan Program
- Advances for Public Works Planning
- Public Facility Loans
- College Housing Loans
- Public Housing

The Urban Renewal Program

FACT SHEET

on Federal assistance to communities for
urban renewal and related activities

Housing and Home Finance Agency
Urban Renewal Administration
Washington 25, D. C.

February 1962

> "TO DEVELOP AN EFFECTIVE LONG-RANGE PROGRAM TO ARREST AND REMOVE BLIGHT AND REVITALIZE OUR CITIES, LOCAL COMMUNITIES MUST BE ABLE TO COUNT ON ADEQUATE AND CONTINUING SUPPORT THROUGH A LONG-TERM FEDERAL COMMITMENT."
>
> President John F. Kennedy
> HOUSING MESSAGE, 1961

THE URBAN RENEWAL PROGRAM

URBAN RENEWAL IS THE TERM USED TO describe the diversified efforts by localities, with the assistance of the Federal Government, for the elimination and prevention of slums and blight, whether residential or nonresidential, and the removal of the factors that create slums and blighting conditions. In the Housing Act of 1949, as amended, as well as in other legislation, Congress has enacted a number of provisions which include loans, grants, technical assistance, and special mortgage insurance in urban renewal areas. Taken together they represent a "kit of tools" making possible a partnership among local governments, private enterprise, citizens, and the Federal Government in mounting an offensive against slums and the causes of urban blight.

Urban Renewal is a local program--locally conceived, planned, and executed. It is a concerted effort by a community, through its public and private resources, to prevent and correct urban blight and decay and to set in motion long-range, planned redevelopment. It has three main elements:

(1) Slum prevention through neighborhood conservation and housing code enforcement
(2) Rehabilitation of structures and neighborhoods
(3) Clearance and redevelopment of structures and neighborhoods.

Urban renewal projects are planned and carried out by a local public agency, which, depending on State law, may be a separate public agency, a local housing authority, or a department of a city government.

Federal assistance is available to help the community carry out its plans when local resources alone are not adequate to do the job. To qualify for Federal assistance to an urban renewal project, a community must adopt, and have certified by the Administrator of the Housing and Home Finance Agency, a Workable Program for Community Improvement, in which it commits itself to the attainment of certain objectives.

Through the requirement of a Workable Program for Community Improvement, urban renewal projects are tied to a broad and systematic effort to eliminate blight and prevent its recurrence through (1) codes and ordinances, (2) a comprehensive community plan, (3) neighborhood analyses, (4) administrative organization, (5) financing the program, (6) housing for displaced families, and (7) citizen participation.

HOW THE FEDERAL GOVERNMENT HELPS

Federal assistance is available to help a community carry out the related major phases of a comprehensive urban renewal program. These aids include:

- Grant assistance for the preparation of full-range renewal programs on a community-wide basis, including the identification of needs, estimates of financial, rehousing and other resources, and development of tentative schedules.
- Financial aid in planning and carrying out urban renewal projects involving the rebuilding, rehabilitation, or conservation of blighted and deteriorating urban areas. This assistance is provided for specific projects and for planning general neighborhood areas to be renewed over a period of years.
- Grant assistance for comprehensive planning either in metropolitan or other urban areas or in smaller communities for which comprehensive planning aids are usually inadequate.

- Grant assistance for demonstrations of urban renewal techniques and for acquisition of land for permanent open-space uses.
- Special FHA financing aids for new or rehabilitated housing in the redevelopment of urban renewal project areas.
- Special FHA financial aids and public housing assistance to provide low-cost private or public housing for families displaced by urban renewal or other public activities.

The following sections give in summary the main facts about these various kinds of Federal assistance.

URBAN RENEWAL PROJECTS

AN URBAN RENEWAL PROJECT MAY INVOLVE:

- Acquiring and clearing a slum or blighted area--either residential or nonresidential--and disposing of the land for redevelopment in accordance with planned uses.
- Rehabilitation and conservation of structures in such an area by property owners, accompanied by improvement of community facilities by the local government.
- Any combination of the above.

EXECUTION OF URBAN RENEWAL PROJECTS

Project execution activities may include land acquisition, temporary operation of acquired property, relocation of site occupants, demolition work, installation of project improvements, rehabilitation activities, and land disposition activities.

FINANCING URBAN RENEWAL PROJECTS

An urban renewal project is financed by an arrangement between the local public agency and the Federal Government which calls for local contributions, Federal advances and loans, and ultimately a Federal capital grant.

The locality's contribution may take the form of cash or non-cash grants-in-aid, such as donations of land, demolition and removal work, project improvements, certain expenditures by colleges, universities, and hospitals, or public facilities.

Net project cost, or loss, for purposes of determining the amount of the Federal grant, is the total of expenditures for project execution activities plus the value of local non-cash grants-in-aid, less the proceeds from land disposition.

Capital Grants.

An urban renewal capital grant covers the Federal share of net project cost. The percentage of a capital grant varies, depending on size of the community and other factors:

- For any municipality having a population of 50,000 or less (or 150,000 or less for a municipality in a redevelopment area designated as such under Section 5(a) of the Area Redevelopment Act), the Federal contribution is three-fourths of net project cost.
- For any other municipality, the Federal contribution is two-thirds of net project cost. In these communities, the Federal share may be three-fourths if the locality elects to exclude from project cost all local administrative, survey, and planning expenses.

Advances and Loans.

Federal advances and loans may be made to finance project planning and provide working capital for execution activities.

- Planning Advances. Funds may be advanced to finance surveys and planning work necessary before actual operations of the project.
- Temporary Loans. These Federal loans are used by the community as working capital in acquiring land and structures in the project area, clearing the site, preparing the area for redevelopment or rehabilitation, and all other execution activities. The contract with the Federal Government may be used by the local public agency to secure private financing at lower interest rates than the Federal rate.
- Other Financing. Federal capital grant progress payments, local cash grants-in-aid, and land disposition proceeds may be used to provide temporary financing as project execution progresses.

RELOCATION ASSISTANCE

The local public agency is required to offer families displaced from an urban renewal project area decent, safe, and sanitary housing at prices and rents within their means. (See Housing Assistance Programs below for relocation housing aids.)

Relocation Grants.

Grants are made available to communities to reimburse site residents and businesses displaced from an urban renewal area for their moving expenses and direct losses of property. Payments to families and individuals may not exceed $200 for moving costs and property loss. For businesses, the payment may not exceed $3,000 for moving costs and loss of property; however, where moving costs exceed $3,000, payment may be made for actual moving costs, but no payment may be made for loss of property.

Small Business Loans.

The Small Business Administration is authorized to make loans of up to 20 years to assist a small business concern in reestablishing its business, if the concern has suffered substantial economic injury as a result of its displacement by an urban renewal project, a Federal highway construction program, or any other construction conducted or financed by the Federal Government.

PLANNING FOR URBAN RENEWAL PROJECTS

There are two types of planning which a community may undertake with Federal assistance in preparation for urban renewal activities--general neighborhood renewal planning and specific project planning.

General Neighborhood Renewal Planning.

This type of planning is undertaken when an area to be renewed is of such size that renewal activities may have to be spread over a period of up to ten years, and planning for the entire area is desirable in advance of planning and carrying out specific projects. The costs of such general neighborhood planning can be met by Federal advances repayable out of funds that become available for execution of the renewal projects.

Specific Project Planning.

Planning in relation to a particular project is concerned with such matters as eligibility and feasibility, boundaries of the renewal area, proposed new land uses, and preparations for relocation, land acquisition, rehabilitation, site clearance and improvement, land disposition, and other necessary operations. The expenses of such planning may be defrayed through Federal planning advances that are repayable from funds that become available when the project is undertaken.

COMMUNITY RENEWAL PROGRAMS

FEDERAL GRANTS ARE AVAILABLE TO pay up to two-thirds the cost incurred in preparing a Community Renewal Program covering the full range of urban renewal action required to meet local needs. This permits a community to approach its problems of blight on a citywide, rather than on a piecemeal, basis, All the deteriorated and deteriorating areas of the city can be identified and classified as to the relative urgency and degree of urban renewal action needed. The locality's resources for taking urban renewal action--for financing, relocating displaced families, utilizing cleared land, and meeting other program requirements--can be established. Then the community can lay out a long-range program for urban renewal including provision of related public improvements, with its total needs balanced against total resources. It can establish and maintain feasible priorities and schedules for the various types of activities required to carry out its program.

OTHER URBAN RENEWAL PROGRAMS

URBAN PLANNING ASSISTANCE (including Comprehensive Transportation Planning).

The Urban Planning Assistance Program encourages and assists comprehensive planning for entire urban areas having common or related urban development problems to help prevent the spread of urban blight and to accelerate sound planning for the orderly growth and development of our urban areas.

Sometimes called the "701 Program" because it is authorized by Section 701 of the Housing Act of 1954, as amended, the program makes possible Federal grants to supplement State and local funds for the purpose of financing timely, comprehensive planning. The planning includes, but is not limited to, comprehensive land use planning to guide residential, commercial, and industrial expansion, and planning the general location of transportation and other facilities, such as schools, sewer, water, and recreational facilities, for the area's growing requirements.

The 701 Program recognizes the integral relationship of the planning of coordinated mass transportation systems to comprehensive planning for the development and renewal of entire urban areas. In the preparation of a comprehensive plan and related surveys and studies for an urban area, the general location, character, and extent of routes and terminals are eligible activities.

In general, for cities, other municipalities, and counties with a population of less than 50,000, as well as for groups of adjacent communities with a total population below that amount, Federal grants are made to the appropriate State planning agency. For this planning assistance, the localities apply to their State agency.

For metropolitan areas and urban regions with central city or urban concentration of 50,000 or more, Federal grants may be made either to a State planning agency or to an official metropolitan or regional planning agency authorized to perform planning in the area. Applications may be made directly to the HHFA Regional Office or to the State agency.

Grants also are available for State and interstate comprehensive planning, for planning in disaster areas, in areas experiencing the impact of a Federal installation, and in certain areas designated as redevelopment areas under the Area Redevelopment Act.

The Federal share can be as much as two-thirds of the total cost of any urban planning project. However, for localities situated in redevelopment areas designated as such under Section 5(a) of the Area Redevelopment Act, grants may amount to as much as three-fourths of the project cost. Local or State sources must provide the balance in all cases.

OPEN-SPACE LAND

A program of Federal grants is authorized to assist local public bodies in the acquisition of land to be used as permanent open space. Grants may not normally exceed 20 percent of the total cost of acquiring title to, or other interests in, the land. However, such grants may be up to 30 percent of the cost to agencies exercising, or participating in exercising, open space responsibilities for all or a substantial part of a metropolitan area or urban region.

DEMONSTRATION GRANT PROGRAM

Grants up to two-thirds of the total cost of demonstration projects are available to public bodies. A demonstration project may include the development and testing of new or improved techniques or methods of blight prevention and elimination, together with an analysis and report of those activities. Reports of completed demonstration projects are published to help guide renewal programs in other cities.

URBAN RENEWAL SERVICE

URA provides an Urban Renewal Service, which makes available technical and other professional assistance to communities in the preparation and development of their renewal plans and programs. Included in the Service are the publication and dissemination of technical and advisory materials for the information and guidance of local public agencies and others concerned with urban renewal.

HOUSING ASSISTANCE PROGRAMS

FINANCING OF NEW HOUSING AND THE rehabilitation of existing structures must come primarily from private investment. Redevelopment or rehabilitation of slum and blighted areas, as well as other public improvements, often displaces families, many of whom do not have the means to obtain adequate housing in the normal private market. The law requires that there be provided decent, safe, and sanitary dwellings available to families displaced by urban renewal projects, at rents or prices within their means. While some displaced families may be rehoused in low-rent public housing, the bulk of the rehousing resources will be privately owned. Another large area of housing need is accommodations for low and moderate income families generally. The housing assistance programs of HHFA and its constituents are designed to meet both these needs in the following manner:

PUBLIC HOUSING ADMINISTRATION

Preference for admission to new or existing low-rent public housing is provided by law for families of low income displaced by urban renewal or other governmental action. The Public Housing Administration can contract to make development loans and pay annual subsidies for public housing projects, upon application of a local housing authority, and with the approval and cooperation of the local government.

FEDERAL HOUSING ADMINISTRATION

Congress has provided more liberal FHA mortgage insurance to assist in the elimination of slums and urban blight; the rehabilitation and conservation of existing properties and neighborhoods; and the provision of new and rehabilitated sales and rental housing both for families displaced by urban renewal or other governmental action and families of low and moderate income. These provisions are incorporated in two Sections of the National Housing Act, Sections 220 and 221.

Section 220 provides special mortgage insurance assistance in urban renewal areas which have been certified to FHA by the HHFA Administrator. It may be used to assist in financing the rehabilitation and conservation of existing salvable housing, through the refinancing of an existing mortgage, plus the cost of home improvements. It may also be used to assist in financing new sales or rental housing, on single or multi-family structures, in certified areas.

Section 220(h) provides specifically for FHA-insured home improvement loans on properties in urban renewal project areas. These loans may be as low as $1,000 and may not exceed $10,000 per dwelling unit, at not more than 6 percent interest. Term of maturity may be up to 20 years or three-fourths of the remaining economic life of the property, whichever is less. These insured loans are reviewed and processed in FHA Field Offices on a relatively simplified basis.

Section 221 authorizes FHA to insure mortgages on new or rehabilitated housing for sale or rent to families displaced from urban renewal areas or by other governmental action causing displacement, such as the construction of schools, highways, or other public improvements. Mortgage insurance is available for new homes, and for the purchase and repair of existing homes, containing from one to four units. Downpayments are $200 per dwelling unit for displaced families, which may include legal fees and other items contained in closing costs.

Section 221 also provides liberal terms for the purchase of new or existing houses and the repair of housing by any low or moderate income family.

Under Section 221(d)(3), a below-market, or low-interest rate, rental housing program for displaced families and other low and moderate income families is provided. The mortgage financing for a new or rehabilitated rental housing project can bear an interest rate below the market rate and FHA can insure the mortgage with reduced insurance premiums or no premiums. Such mortgages are available in communities having a Workable Program for Community Improvement, certified by the HHFA Administrator, and may be obtained by non-profit corporations, limited dividend corporations, and cooperatives. Public agencies that are not receiving financial assistance for public housing exclusively are also eligible.

Other FHA programs have proven useful in connection with urban renewal. They are Section 213 for the financing of management type cooperative housing and Section 231, which provides special terms for housing for the elderly. Section 203 (k), enacted in 1961, provides home improvement loans, in amounts from $2,500 to $10,000 per dwelling unit, at an interest rate not more than 6 percent, for the improvement of homes outside of urban renewal project areas. These loans may be for terms of up to 20 years or three-fourths of the remaining economic life of the property, whichever is less, and do not require the refinancing of existing mortgages on property.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

Under its special assistance programs, FNMA is authorized to support FHA Section 220 and certain types of Section 221 housing, including all housing for eligible displaced families, by purchasing or making advance commitments to purchase such mortgages.

SPECIAL ASSISTANCE PROGRAMS

DISASTER AREAS

Special Federal assistance is available for disaster areas. An area that is in need of redevelopment or rehabilitation as a result of a catastrophe which the President has declared to be a major disaster may be extended urban renewal assistance without regard to certain laws and regulations governing regular urban renewal projects. Special provision for such areas is also made under the Urban Planning Assistance Program, discussed above.

REDEVELOPMENT AREAS

Special Federal assistance in urban planning and urban renewal is available for areas of substantial and persistent unemployment that have been designated as redevelopment areas by the Secretary of Commerce under Section 5 (a) of the Area Redevelopment Act, as discussed above.

EDUCATIONAL INSTITUTIONS AND HOSPITALS

Special benefits are available to an urban renewal project which is located near the principal buildings or a major branch of an educational institution or hospital. These projects are not subject to certain requirements governing regular urban renewal projects. Furthermore, expenditures by eligible donors for land acquisition, demolition, and relocation may be credited to the required local share of the cost of these projects. This reduces the amount of other local grants-in-aid which the locality would have to provide for its urban renewal program.

URBAN RENEWAL ADMINISTRATION

THE URBAN RENEWAL ADMINISTRATION, one of the constituents of the Housing and Home Finance Agency, supervises the program of Federal assistance to localities for urban renewal. While its functions are headquartered in Washington, the chief point of contact between the Urban Renewal Administration and a city wishing to participate in the program is one of the seven regional offices of the Housing and Home Finance Agency.

All applications for certifications, loans, and grants are filed with regional offices. After review and analysis they are transmitted, with recommendations, to Washington for final action.

Each regional office maintains an urban renewal staff headed by a Regional Director of Urban Renewal and a staff of field representatives who provide consultation and guidance to public officials in developing local programs. Specialists provide the assistance communities require for the various technical phases of their programs.

They include:

Real Estate
Inter-Group Relations
Planning and Engineering
Conservation and rehabilitation
Finance
Relocation and Rehousing
Legal
Code Enforcement

FOR FURTHER INFORMATION

All initial inquiries and dealings with the Federal Government on urban renewal should be directed to the Regional Director of Urban Renewal at the appropriate Regional Office of the Housing and Home Finance Agency, listed below.

REGIONAL OFFICES — HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK, (MAINE, NEW HAMPSHIRE, VERMONT, MASSACHUSETTS, CONNECTICUT, RHODE ISLAND, NEW YORK)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (PENNSYLVANIA, NEW JERSEY, MARYLAND, DELAWARE, DISTRICT OF COLUMBIA, WEST VIRGINIA, VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (KENTUCKY, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA, ALABAMA, MISSISSIPPI, FLORIDA)

REGION IV: 2000 BANKERS BUILDING, 105 WEST ADAMS STREET, CHICAGO 3, ILLINOIS (MICHIGAN, OHIO, INDIANA, ILLINOIS, WISCONSIN, IOWA, MINNESOTA, NORTH DAKOTA, SOUTH DAKOTA, NEBRASKA)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORT WORTH 4, TEXAS (KANSAS, MISSOURI, ARKANSAS, LOUISIANA, OKLAHOMA, TEXAS, COLORADO, NEW MEXICO)

REGION VI: 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA, (WASHINGTON, OREGON, CALIFORNIA, IDAHO, NEVADA, ARIZONA, UTAH, MONTANA, WYOMING, ALASKA, HAWAII, GUAM)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE 17, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

FACT SHEETS

On HHFA Programs, Available on Request

- The Urban Renewal Program
- The Urban Planning Assistance Program
- Federal Programs for Senior Citizen Housing
- Senior Citizen Housing Loan Program
- Advances for Public Works Planning
- Public Facility Loans
- College Housing Loans
- Public Housing

GPO 9 23520

The Open-Space Land Program

FACT SHEET

on Federal assistance in the
acquisition of permanent
open-space land

Housing and Home Finance Agency
Urban Renewal Administration
Washington 25, D. C.

August 1962

THE OPEN-SPACE LAND PROGRAM

> "LAND IS THE MOST PRECIOUS RESOURCE IN THE METROPOLITAN AREA. THE PRESENT PATTERNS OF HAPHAZARD SUBURBAN DEVELOPMENT ARE CONTRIBUTING TO A TRAGIC WASTE IN THE USE OF A VITAL RESOURCE NOW BEING CONSUMED AT AN ALARMING RATE.
>
> "OPEN SPACE MUST BE RESERVED TO PROVIDE PARKS AND RECREATION, CONSERVE WATER AND OTHER NATURAL RESOURCES, PREVENT BUILDING IN UNDESIRABLE LOCATIONS, PREVENT EROSION AND FLOODS, AND AVOID THE WASTEFUL EXTENSION OF PUBLIC SERVICES. OPEN LAND IS ALSO NEEDED TO PROVIDE RESERVES FOR FUTURE RESIDENTIAL DEVELOPMENT, TO PROTECT AGAINST UNDUE SPECULATION, AND TO MAKE IT POSSIBLE FOR STATE AND REGIONAL BODIES TO CONTROL THE RATE AND CHARACTER OF COMMUNITY DEVELOPMENT."
>
> **President John F. Kennedy**
> **March 9, 1961**

Open space is fast diminishing in our urban areas. Land is converted to urban uses at an estimated rate of a million acres a year. The urban population also is increasing: between 1950 and 1960, 97% of our population growth occurred in urban areas. By 1960 more than 125 million Americans--70% of the total population--lived in urban areas, and it is predicted that by 1980, 80% of our total population will be urban. This points to an increasing demand for homes, shops, highways, community facilities, and public services which will consume much of the available undeveloped land. Land left in its natural state--the marshes, woods, fields, stream valleys, and beaches--will become increasingly scarce in expanding metropolitan areas.

Yet, at the time that the amount of open-space land decreases, the urgent need for it increases. For instance, throughout the country the demand for recreation is growing, because of increases in our standard of living, population, mobility, income, and leisure time.

Open space in urban areas is needed to provide accessible outdoor recreation opportunities. It is needed also to help guide the development of urban areas, and to assure that the benefits of natural resources serve a variety of urban needs for land. The same resources that can cause flooding, if the basic balance of nature is not respected, can become assets of an urban environment if a stream valley park program is undertaken.

Recognizing the urgent need to assure a decent living environment in our urban areas with provision for recreation, conservation, and scenic and historic purposes, the Congress has enacted Title VII of the Housing Act of 1961 to assist communities, regions, and States in providing necessary open-space land which could not otherwise be provided. This Open-Space Land Program is administered by the Urban Renewal Administration, Housing and Home Finance Agency, Washington 25, D. C.

WHAT IS OPEN-SPACE LAND?

Open-space land under Title VII is undeveloped or predominantly undeveloped land in urban areas having use for park, recreation, conservation, historic, or scenic purposes.

Open-space lands to be acquired with Federal assistance should be of sufficient size so that their permanent dedication to open-space uses will have a substantial effect on curbing suburban sprawl and preventing the spread of urban blight and deterioration. Ten acres in one contiguous tract has been determined as the minimum necessary to accomplish this purpose. However, smaller tracts may be eligible if they serve the desired purpose.

To be eligible for Federal assistance, open-space land to be acquired must be located in an urban or urbanizing area. An urban area is defined as an area which is urban in character, including those surrounding areas which form an economic and socially related region, taking into consideration such factors as population trends and patterns of urban growth; location of transportation facilities and systems; and distribution of industrial, commercial, residential, governmental, institutional, and other activities. This definition generally follows the Bureau of Census definitions for a Standard Metropolitan Statistical Area or an urbanized area.

WHO MAY APPLY FOR THE GRANTS?

Any State, regional, metropolitan, county, municipal, or other public body established by State law or local law or by interstate compact or agreement which has the:

1. Authority to acquire title to, or other permanent interests in, open-space land.
2. Authority to contract with the Federal Government to receive and spend Federal funds.
3. Ability to provide the non-Federal portion of the cost.

WHAT ARE THE MATCHING ARRANGEMENTS?

The Federal grant to an eligible public body may not exceed 20% of the cost of the land. However, grants of up to 30% may be made where the public body has authority to acquire open-space land (1) for an urban area as a whole, or (2) for all or a substantial portion of an urban area pursuant to an interstate or intergovernmental compact or agreement.

WHAT CAN BE ACQUIRED WITH THE GRANT FUNDS?

The open-space land grant applies only to the cost of acquiring title to open-space lands, or permanent interests, such as easements, where these lesser interests will serve the desired purpose. It does not cover the costs of any proposed construction, development, or improvement, or of administrative expenses such as appraisals, real property taxes, or closing costs. The public body must be able to acquire the proposed open-space land within twelve months after approval of the application for a grant and in no case will the grant cover costs of land acquired before the approval of an application.

WHAT ARE THE REQUIREMENTS FOR OBTAINING GRANTS?

1. Planning Requirements
   - a. A program of comprehensive planning for the urban area must be in effect.
   - b. The proposal for open-space land must be important to the execution of a comprehensive plan for the urban area. If such a plan has not been completed, an application may be approved on the basis of a comprehensive plan for the locality within which the open-space land is situated.
   - c. The open-space land proposal must be reviewed by other public bodies which have responsibilities for comprehensive planning and related phases of the open-space program.
   - d. Evidence must be submitted showing that a maximum of open-space land is being preserved by the governing bodies with a minimum of cost through zoning and subdivision regulations, use of existing public land, special tax provisions, and continuation of appropriate private use of open-space land through leasebacks, easements, and similar arrangements.
2. Other requirements

   In addition, the applicant must supply information which:

   - a. Explains the basis and source of total estimated acquisition costs.
   - b. Assures that land is being acquired at fair market value.
   - c. Establishes the legal authority of the applicant to file the application and to acquire the open-space land in the manner proposed.
   - d. Justifies the necessity of Federal assistance for fulfillment of the proposed open-space program.

FOR FURTHER INFORMATION

All initial inquiries and dealings with the Federal Government on open-space land should be directed to the Regional Director of Urban Renewal at the appropriate Regional Office of the Housing and Home Finance Agency, listed below.

REGIONAL OFFICES HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK (CONNECTICUT, MAINE, MASSACHUSETTS, NEW HAMPSHIRE, NEW YORK, RHODE ISLAND, VERMONT)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (DELAWARE, DISTRICT OF COLUMBIA, MARYLAND, NEW JERSEY, PENNSYLVANIA, VIRGINIA, WEST VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE)

REGION IV: 360 NORTH MICHIGAN AVENUE, CHICAGO 1, ILLINOIS (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORT WORTH 4, TEXAS (ARKANSAS, COLORADO, KANSAS, LOUISIANA, MISSOURI, NEW MEXICO, OKLAHOMA, TEXAS)

REGION VI: 3RD FLOOR, 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA (ARIZONA, CALIFORNIA, GUAM, HAWAII, NEVADA, SOUTHERN IDAHO, UTAH, WYOMING) AREA OFFICE: 909 FIRST AVENUE, SEATTLE, WASHINGTON (ALASKA, MONTANA, NORTHERN IDAHO, OREGON, WASHINGTON)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

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- Advances for Public Works Planning
- Public Facility Loans
- College Housing Loans
- Public Housing
- The Workable Program for Community Improvement
- Urban Transportation
- The Open-Space Land Program

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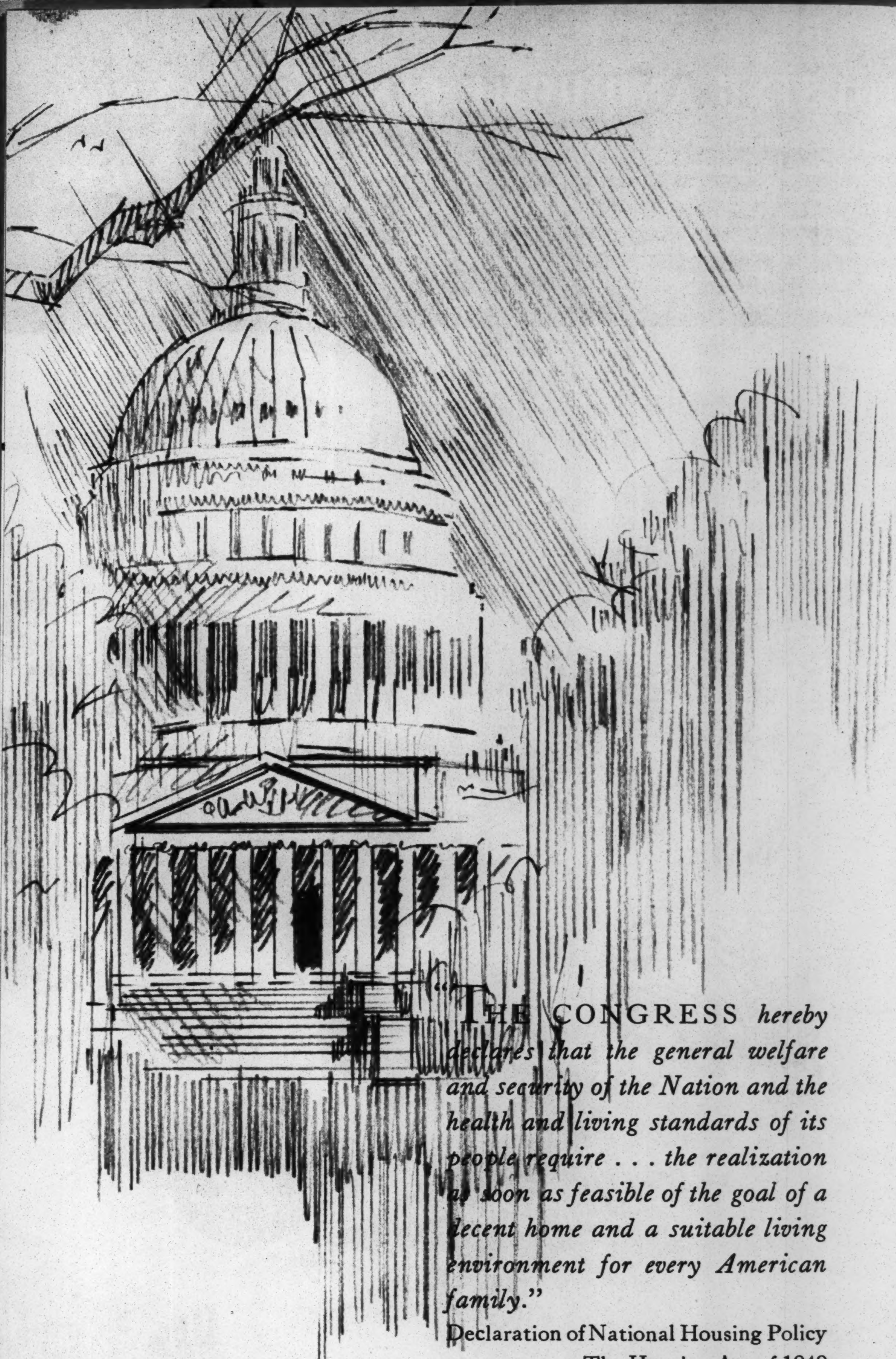
HOUSING AND HOME FINANCE AGENCY

Office of the Administrator
Federal Housing Administration
Public Housing Administration
Federal National Mortgage Association
Community Facilities Administration
Urban Renewal Administration
Revised June 1962

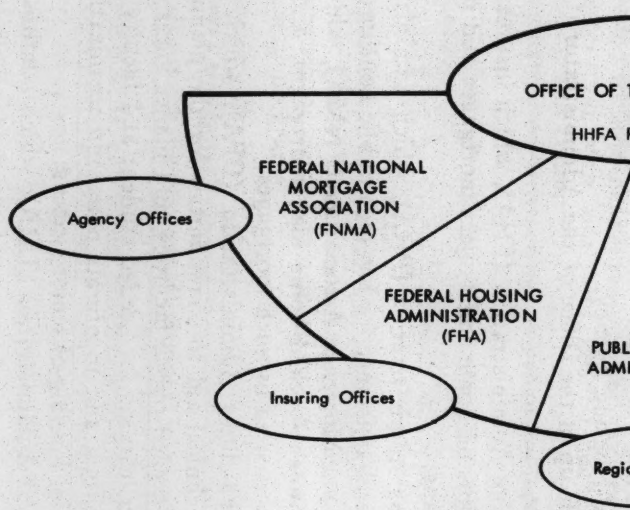
What it is
What it does



"THE CONGRESS *hereby declares that the general welfare and security of the Nation and the health and living standards of its people require . . . the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family.*"

Declaration of National Housing Policy
The Housing Act of 1949

HOUSING AND HOME FINANCE A


OFFICE OF T
HHFA I
FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA)
Agency Offices
FEDERAL HOUSING ADMINISTRATION (FHA)
PUBL
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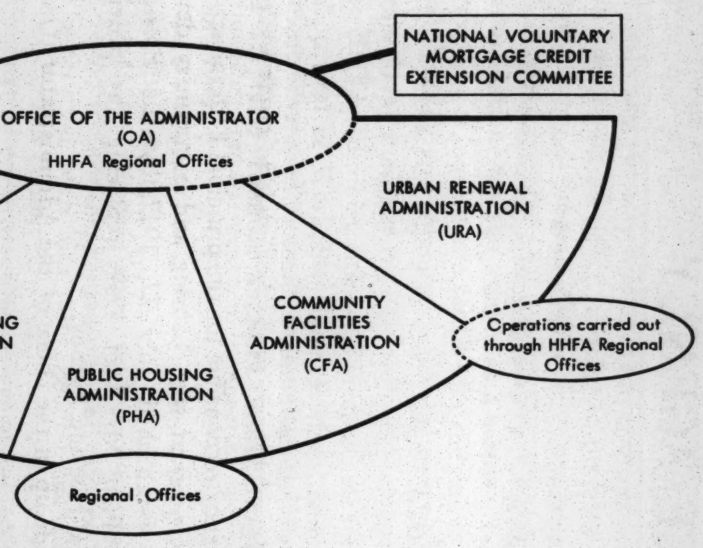
HHFA FIELD O

HHFA Regional Offices (serving OA, URA, CFA) at New York, Philadelphia, Atlanta, Chicago, Fort Worth, San Francisco, and Santurce, P.R.

FHA: 76 Field Insuring Offices and 6 Zone Multifamily Housing Offices

ANCE AGENCY ORGANIZATION CHART


NATIONAL VOLUNTARY MORTGAGE CREDIT EXTENSION COMMITTEE
OFFICE OF THE ADMINISTRATOR (OA)
HHFA Regional Offices
URBAN RENEWAL ADMINISTRATION (URA)
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COMMUNITY FACILITIES ADMINISTRATION (CFA)
Operations carried out through HHFA Regional Offices
PUBLIC HOUSING ADMINISTRATION (PHA)
Regional Offices

FIELD ORGANIZATION

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PHA: Regional Offices at New York, Philadelphia, Atlanta, Chicago, Fort Worth, San Francisco, and Santurce, P.R.

FNMA: Agency Offices at Atlanta, Chicago, Dallas, Philadelphia, and San Francisco

THE HOUSING AND HOME FINANCE AGENCY

What it is

What it does

THE HOUSING AND HOME FINANCE AGENCY (HHFA) is the Government agency responsible for the principal Federal activities and programs concerned with housing and community development. It was established July 27, 1947, by the President's Reorganization Plan No. 3 of 1947, replacing the previously existing National Housing Agency.

HHFA is made up of the Office of the Administrator (OA) and five constituents:

Federal Housing Administration (FHA), which insures private lenders against loss on home and project mortgages and property improvement loans;

Public Housing Administration (PHA), which administers the program of Federal assistance for low-rent public housing;

Federal National Mortgage Association (FNMA), which buys and sells Government-backed home loan mortgages, and makes short-term loans secured by such mortgages;

Community Facilities Administration (CFA), which extends financial and technical aid to communities for the planning and construction of needed public facilities, and makes loans to institutions of higher learning for needed student and faculty housing and related facilities, and to private nonprofit organizations and public agencies for housing of senior citizens;

Urban Renewal Administration (URA), which administers the Federal programs of grants for comprehensive urban planning and of financial and technical assistance to communities in urban renewal undertakings ■

OFFICE OF THE ADMINISTRATOR

OA has clearly defined responsibilities which fall into three basic categories—

Supervision and Coordination

The Housing and Home Finance Administrator is responsible to the President for over-all policy determinations, and supervises and coordinates the activities of the five constituents to insure consistency with over-all policy in order to promote efficient and coordinated use of all program operations toward common objectives.

OA is responsible for final formulation of legislative and budget recommendations for the agency as a whole. It also provides a central point of inquiry and contact for the public and industry on over-all housing and community development matters.

Program Responsibilities

The HHFA Administrator is also responsible for:

- Approval of Workable Programs for Community Improvement developed by local communities for the prevention and elimination of slum and blight conditions, and certain other statutory requirements in connection with urban renewal activities.
- Loans and grants to improve urban mass transportation systems and facilities.
- Grants for demonstration projects on ways of providing housing for low-income families and persons.
- Cooperation with local and Federal agencies in providing housing and community facilities for disaster victims.
- Conducting or contracting for urban studies and housing research.
- Exchanging housing and urban development data with other nations.
- Planning for the provision of housing and community facilities in event of enemy attack.
- Disposition of certain residential and related properties of the Atomic Energy Commission, and management and disposition of certain properties remaining from the war and emergency housing programs.

Other Statutory Duties

The HHFA Administrator is also:

- Chairman of the National Voluntary Mortgage Credit Extension Committee, which represents lenders, builders, and real estate boards, and whose purpose is to find private lenders for Government-backed home loans for home buyers in credit-short areas and for minority group homebuyers in any area.
- Chairman of the Board of Directors of the Federal National Mortgage Association.

Many HHFA activities are conducted through the Agency's Regional Offices. A list of these offices, giving their jurisdictions and addresses, is on the back cover of this pamphlet ■

FEDERAL HOUSING ADMINISTRATION

Under authority of the National Housing Act as amended, FHA insures mortgage loans made by approved lending institutions and secured by homes, rental and cooperative housing projects, nursing homes, and mobile home courts. It also insures approved lenders against loss on property improvement loans. FHA does not make loans or build housing.

The small premium charged by FHA on each loan it insures, together with income from fees and investments, is used to pay its expenses and insurance losses and to establish its insurance reserves.

The various FHA insurance programs are identified below by the titles and sections of the National Housing Act that authorize them.

Title I

Provides for FHA insurance on loans made to finance alterations, repairs, and improvements to homes and other structures and the building of new small nonresidential structures. For most loans, neither collateral nor prior FHA approval is required.

Title II

Provides for FHA insurance of the following kinds of mortgage loans:

Section 203. Loans to finance the building, buying, and refinancing of one- to four-family dwellings. Loans to finance major improvements to one- to four-family dwellings are also insured under this section.

Section 207. Loans on rental housing projects of eight or more units, and on mobile home courts.

Section 213. Loans on cooperative housing projects of five or more units, and supplementary loans for improvements, repairs, or the provision of community facilities to serve the projects. Section 213 also authorizes FHA to furnish technical advice and assistance in the organization of the cooperatives and in the planning, development, construction, and operation of their housing projects.

Section 220. Loans for the construction and rehabilitation of homes and multifamily housing located in urban renewal areas.

Section 221. Loans for the construction and rehabilitation of homes and multifamily housing for families displaced by urban renewal or other governmental actions, and for middle-income families in general. (Section 221 mortgages on multifamily rental housing may carry a below-market interest rate, and FHA may waive its insurance premium, provided the projects are sponsored by nonprofit or limited-dividend corporations, cooperatives, or certain public bodies.)

Section 222. Loans for the building or buying of single-family homes by servicemen on active duty.

Section 231. Loans for the construction or purchase and rehabilitation of rental housing projects of eight or more units for elderly persons.

Section 232. Loans for the construction or rehabilitation of privately owned and operated nursing homes providing skilled nursing care and related medical services.

Section 233. Loans for the construction of one- to four-family homes and rental projects of eight or more units using advanced technology in design, materials, or construction or experimental property standards for neighborhood design with the object of reducing cost and improving quality.

Section 234. Loans for individually owned family units in multifamily structures of five or more units (condominiums).

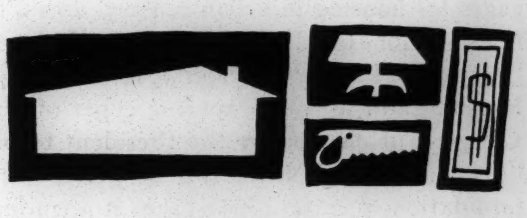
Title VIII

Provides for insurance of mortgages under the following sections:

Section 803. Loans on rental projects of eight or more units for military personnel at or near military installations, on certification by the Secretary of Defense.

Section 809. Loans on one- to four-family owner-occupied homes for civilian employees at research or development installations of the military departments, on certification of need by the Secretary of Defense or the NASA Administrator.

Section 810. Loans on single-family and multifamily rental housing for military personnel and essential civilian personnel in defense-impacted areas, on finding by the FHA Commissioner of need■



PUBLIC HOUSING ADMINISTRATION

PHA administers the federally assisted low-rent public housing program by providing financial aid, technical assistance, and development and management advice to participating local housing authorities. The occupancy of housing aided by this program is limited to those of low income who are unable to afford decent, safe, and sanitary private housing in the locality.

Federally aided public housing is owned and managed by local housing authorities established under State laws and its permanent financing is obtained through sale of bonds on the private market, repayment of which is supported by the guarantee of annual contributions from the Federal Government. Local communities also contribute to the cost of public housing by means of tax exemption under State laws.

Federal financial assistance to low-rent public housing takes two forms:

- Loans to help finance the development and construction of housing units.
- Annual contributions (subsidies) to enable local authorities to hold rents at levels within the means of low-income tenants.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

FNMA is an instrumentality of the Federal government which improves the distribution of home loan funds by providing a readily available secondary (resale) market in which investors and lenders may buy and sell FHA-insured or Veterans Administration-guaranteed (GI) home loans. FNMA may also make short-term loans which are secured by FHA- or VA-backed mortgages.

FNMA also operates, under liberalized terms, special assistance programs through which it may buy FHA- or VA-backed mortgages for housing in urban renewal areas, for new or rehabilitated housing for middle-income and displaced families (see FHA "Section 221"), for the elderly, for disaster victims, for cooperative housing, and for other specific types of housing as designated by Congress or deemed by the President to be in the public interest.

In addition, FNMA is responsible for the management and liquidation of certain mortgages it acquired before it was rechartered by Congress in 1954, or which it subsequently acquired from some other agency of the HHFA■

COMMUNITY FACILITIES ADMINISTRATION

CFA administers various programs of financial and technical assistance in the planning and construction of public facilities and in the provision of student and faculty housing and housing for senior citizens.

These programs are:

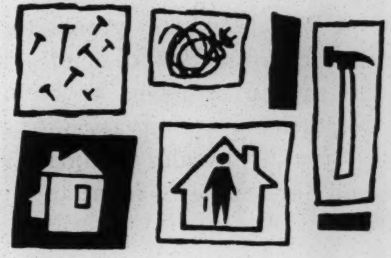
- Loans to assist colleges and universities to finance housing and related facilities for students and faculty members, or to assist public or nonprofit hospitals in providing housing for resident student nurses and interns.
- Loans to local public agencies for the construction of needed public works.
- Loans to private nonprofit corporations, consumer cooperatives, and certain public agencies to provide housing for senior citizens.
- Supervision and disposition of securities held by the Government in connection with the three types of loans listed above.
- Interest-free advances to state and local governments to finance the planning of non-Federal public works.

CFA also performs technical services for the mass transportation loan program administered by the Office of the Administrator.

Under agreement with the Department of Health, Education, and Welfare, CFA provides technical services and supervises construction of school facilities for which Federal aid is provided by that Department's Office of Education.

Under agreement with the Department of Commerce, CFA is responsible for making public works loans and grants in designated redevelopment areas, as authorized by that Department's Area Redevelopment Administration.

CFA is also responsible for the orderly liquidation of certain programs whose legislative authority has expired. These are the Alaska housing program, the prefabricated housing loans program, the war public works program, the defense community facilities program, the first and second advance planning programs, and the public agency loan program (Reconstruction Finance Corporation)■



URBAN RENEWAL ADMINISTRATION

URA administers the Federal programs of financial and technical assistance which communities may utilize in their efforts toward the elimination and prevention of slums and blight, and the removal of the factors that create slums and blighting conditions.

URA makes planning advances, loans, and capital grants to localities for specific urban renewal projects for the rehabilitation of structures and neighborhoods that can be improved in this manner; for slum prevention through neighborhood conservation and code enforcement; and for the clearance and redevelopment of those areas which cannot respond to rehabilitation and conservation treatment. Loans and grants are also available to help a community carry out related phases of a comprehensive urban renewal program, including grants for the preparation of community-wide renewal programs and general neighborhood renewal plans. URA also makes relocation grants to communities to reimburse residents and businesses displaced from an urban renewal area.

Under the Urban Planning Assistance Program, URA makes grants for comprehensive planning, including transportation planning, for the orderly growth and development of metropolitan and other urban areas in their entirety. Grants also are available for State and interstate comprehensive planning and for planning in disaster areas and in areas experiencing the impact of a Federal installation. With certain exceptions the grants are made to official State, metropolitan and regional planning agencies to finance up to ⅔ of the cost of the planning work—up to ¾ of the cost for municipalities and counties in redevelopment areas designated under 5(a) of the Area Redevelopment Act. Local or State sources must provide the balance in all cases.

URA makes demonstration grants to aid localities in developing, testing, and reporting on improved techniques for preventing and eliminating slums and blight.

URA also makes grants to aid States and local public bodies in the acquisition of land required in connection with comprehensive urban plans to be used as permanent open space for recreational, conservation, or scenic purposes.

It also provides technical assistance to localities in preparing and developing their urban renewal plans and programs ■

OTHER HOUSING AND HOME FINANCING ACTIVITIES OF THE U.S. GOVERNMENT

The FEDERAL HOME LOAN BANK BOARD directs operations of the Federal Home Loan Bank System and the Federal Savings and Loan Insurance Corporation, which were established to encourage home ownership and sound home financing, to promote thrift, and to protect the savings of small investors. The Board also is responsible for the supervision of Federal savings and loan associations.

The VETERANS ADMINISTRATION is responsible for handling GI home loans and home-loan guaranties.

The DEPARTMENT OF AGRICULTURE has primary interest in matters relating to farm housing as part of its general farm program and—through its Farmers Home Administration—administers rural housing and farm ownership loan programs.

The DEPARTMENT OF COMMERCE collects housing and construction statistics (Bureau of the Census), tests building materials (National Bureau of Standards), and administers the various aids authorized by the Area Redevelopment Act (Area Redevelopment Administration).

The DEPARTMENT OF LABOR collects and analyzes statistics on construction employment, helps recruit construction labor, promotes apprentice training for construction workers, and enforces various Federal labor standards where applicable.

The DEPARTMENT OF DEFENSE, the ATOMIC ENERGY COMMISSION, and the NATIONAL AERONAUTICS AND SPACE ADMINISTRATION are responsible, as applicable, for certifying the need for military or civilian housing to be financed with mortgages insured by FHA under Sections 222, 803, or 809 of the National Housing Act.

The DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, through its Office of Education, provides Federal financial assistance for schools in Federally-impacted areas and—through its Public Health Service—carries on studies and projects in health and sanitation as they are related to, or are affected by housing and community developments.

The SMALL BUSINESS ADMINISTRATION makes loans to disaster victims for the repair, acquisition, or construction of homes ■

OFFICE OF THE ADMINISTRATOR
HOUSING AND HOME FINANCE AGENCY
1626 K Street, N.W.

Federal Housing
Administration
811 Vermont Avenue, N.W.

Public Housing
Administration
1741 Rhode Island Avenue, N.W.

Federal National
Mortgage Association
811 Vermont Avenue, N.W.

Community Facilities
Administration
1619 Massachusetts Avenue, N.W.

Urban Renewal Administration
811 Vermont Avenue, N.W.

The Housing and Home Finance Agency has a field organization, consisting of HHFA Regional Offices, serving the Office of the Administrator, the Urban Renewal Administration, and the Community Facilities Administration; Regional Offices of the Public Housing Administration; Insuring Offices of the Federal Housing Administration; Agency Offices of the Federal National Mortgage Association; and Regional Committees of the Voluntary Home Mortgage Credit Program. Following are the HHFA REGIONAL OFFICES where information on all programs may be obtained:

REGION	CITY	JURISDICTION
I	346 Broadway New York 13, N.Y.	Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont.
II	1004 Widener Bldg. Chestnut & Juniper Sts. Philadelphia 7, Pa.	Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia.
III	645 Peachtree-Seventh Building Atlanta 23, Georgia	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
IV	360 North Michigan Avenue Chicago 1, Illinois	Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.
V	Federal Center 300 West Vickery Blvd. Fort Worth 4, Texas	Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas.
VI	989 Market Street San Francisco 3, Calif.	Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, Alaska, Guam, Hawaii.
VII	P.O. Box 9093 1608 Ponce de Leon Ave. Santurce 1, Puerto Rico	Puerto Rico, Virgin Islands.

☆ U.S. GOVERNMENT PRINTING OFFICE : 1962—O—649347

College Housing Loans

FACT SHEET

on Federal assistance to institutions of higher education in providing an adequate supply of housing and related facilities for students and faculty

Housing and Home Finance Agency
Community Facilities Administration
Washington 25, D. C.

September 1962

"THE NATIONAL INTEREST REQUIRES AN EDUCATIONAL SYSTEM ON THE COLLEGE LEVEL SUFFICIENTLY FINANCED AND EQUIPPED TO PROVIDE EVERY STUDENT WITH ADEQUATE PHYSICAL FACILITIES TO MEET HIS INSTRUCTIONAL, RESEARCH AND RESIDENTIAL NEEDS."

President John F. Kennedy
MESSAGE ON EDUCATION, 1961

COLLEGE HOUSING LOANS

THE GREAT INFLUX OF STUDENTS INTO our universities, colleges, and teaching hospitals following World War II created a tremendous housing problem for these institutions. The demand was high, and if adequate facilities could be built, there was no doubt that they could be paid for from the revenues they would earn. In 1950 Congress adopted the College Housing program, which is administered by the Community Facilities Administration, a constituent of the Housing and Home Finance Agency. Since 1951 loans amounting to approximately two billion dollars have been approved for college dormitories, faculty and married student housing, dining facilities, college unions, and housing for student nurses and interns.

College enrollments have risen sharply and will continue upward for many years to come. Therefore, the Housing Act of 1961 authorized the lending of $300 million a year for the succeeding four years through the College Housing program, making it possible for institutions of higher learning to plan ahead to meet their anticipated needs. This loan program is a major feature of our national educational effort.

The following information is a brief summary of the College Housing program to enable administrators of eligible institutions to determine whether they should seek more information or make application to the Regional Director of Community Facilities located in a Regional Office of the HHFA.

WHAT INSTITUTIONS ARE ELIGIBLE FOR LOANS?

Public or private non-profit colleges and universities are eligible if they offer at least a two-year program acceptable for full credit toward a bachelor's degree. Theological schools or seminaries are not eligible.

Public or private non-profit hospitals are eligible when they have been approved by the appropriate state authority to operate a school of nursing beyond the level of high school, or have been approved by the American Medical Association or the American Osteopathic Association for internships and residencies.

WHAT KINDS OF PROJECTS ARE ELIGIBLE FOR LOANS?

Housing and related facilities for college students, both single and married, are eligible for College Housing Loans. These facilities include residence halls, married student apartments, dining halls, college unions, and infirmaries. Housing may be provided for faculty members and for student nurses, interns, and resident physicians.

Not eligible are classroom, instructional or general administrative facilities, such as auditoriums, laboratories, libraries, general administrative offices, gymnasiums, and stadiums.

HOW IS THE LOAN MADE?

After the application has been approved by CFA, bonds are issued by the institution to cover the cost of the project. They are advertised for public sale and bought by the Government only if private buyers do not offer terms at least as favorable as CFA's.

WHAT IS THE INTEREST RATE?

The rate is 3 1/2 percent for loans made through June 30, 1963. Loans may be repaid over periods as long as 50 years.

HOW MUCH OF THE PROJECT COST WILL BE COVERED BY A CFA LOAN?

A loan may cover the total cost of the land, site improvements, and construction. Furnishings and movable equipment are not eligible project costs. Applicants are encouraged to use their own funds as much as possible to help pay construction costs. When a project includes a facility for which a loan cannot be made, such as a chapel or a library in a dormitory, the applicant must pay for the ineligible portion of the facility with its own funds.

WHAT ARE THE CONSTRUCTION REQUIREMENTS?

Institutions are encouraged to exercise freedom and initiative in planning their projects. Each institution develops its own plans, subject to local zoning and building codes. The plans will be reviewed by CFA's engineering staff. Projects may not be of elaborate design, materials, and construction, and shall be as economical as possible, consistent with good engineering practice.

Competitive bidding will be required in the letting of construction contracts, which must be awarded to the lowest responsible bidders.

Prevailing wages, as determined by the Department of Labor, must be paid, and no discrimination because of race, creed, color, or national origin may be practiced in hiring workers for construction of the project.

IS OUTSIDE HELP NEEDED TO SECURE A LOAN?

No, and no part of a loan may be used to pay fees or commissions to brokers or private negotiators. Architectural and legal fees are allowable as project costs as long as they are for normal amounts.

WHERE ARE APPLICATIONS FILED?

College and hospital administrators may get advice and information and file applications with the Regional Director of Community Facilities at the HHFA Regional Office that serves their area.

REGIONAL OFFICES HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK (CONNECTICUT, MAINE, MASSACHUSETTS, NEW HAMPSHIRE, NEW YORK, RHODE ISLAND, VERMONT)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (DELAWARE, DISTRICT OF COLUMBIA, MARYLAND, NEW JERSEY, PENNSYLVANIA, VIRGINIA, WEST VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE)

REGION IV: 360 NORTH MICHIGAN AVENUE, CHICAGO 1, ILLINOIS (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORT WORTH 4, TEXAS (ARKANSAS, COLORADO, KANSAS, LOUISIANA, MISSOURI, NEW MEXICO, OKLAHOMA, TEXAS)

REGION VI: 3RD FLOOR, 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA (ARIZONA, CALIFORNIA, GUAM, HAWAII, NEVADA, SOUTHERN IDAHO, UTAH, WYOMING) AREA OFFICE: 909 FIRST AVENUE, SEATTLE, WASHINGTON (ALASKA, MONTANA, NORTHERN IDAHO, OREGON, WASHINGTON)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

FACT SHEETS

On HHFA Programs, Available on Request

- The Urban Renewal Program
- The Urban Planning Assistance Program
- The Open Space Land Program
- Federal Programs for Senior Citizen Housing
- Senior Citizen Housing Loan Program
- Advances for Public Works Planning
- Public Facility Loans
- College Housing Loans
- Public Housing
- Accelerated Public Works Program

GPO 932990

President's Executive Order 11063

EQUAL OPPORTUNITY IN HOUSING

HOUSING AND HOME FINANCE AGENCY

November 24, 1962

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington 25, D.C.—Price 10 cents

President's Executive Order 11063
EQUAL OPPORTUNITY IN HOUSING

WHEREAS the granting of Federal assistance for the provision, rehabilitation, or operation of housing and related facilities from which Americans are excluded because of their race, color, creed, or national origin is unfair, unjust, and inconsistent with the public policy of the United States as manifested in its Constitution and laws; and

WHEREAS the Congress in the Housing Act of 1949 has declared that the general welfare and security of the Nation and the health and living standards of its people require the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family; and

WHEREAS discriminatory policies and practices based upon race, color, creed, or national origin now operate to deny many Americans the benefits of housing financed through Federal assistance and as a consequence prevent such assistance from providing them with an alternative to substandard, unsafe, unsanitary, and overcrowded housing; and

WHEREAS such discriminatory policies and practices result in segregated patterns of housing and necessarily produce other forms of discrimination and segregation which deprive many Americans of equal opportunity in the exercise of their unalienable rights to life, liberty, and the pursuit of happiness; and

WHEREAS the executive branch of the Government, in faithfully executing the laws of the United States which authorize Federal financial assistance, directly or indirectly, for the provision, rehabilitation, and operation of housing and related facilities, is charged with an obligation and duty to assure that those laws are fairly administered and that benefits thereunder are made available to all Americans without regard to their race, color, creed, or national origin;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and laws of the United States, it is ordered as follows:

PART I—*PREVENTION OF DISCRIMINATION*

SECTION 101. I hereby direct all departments and agencies in the executive branch of the Federal Government, insofar as their functions relate to the provision, rehabilitation, or operation of housing and related facilities, to take all action necessary and appropriate to prevent discrimination because of race, color, creed, or national origin—

(a) in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use or occupancy thereof, if such property and related facilities are—

(i) owned or operated by the Federal Government, or

(ii) provided in whole or in part with the aid of loans, advances, grants, or contributions hereafter agreed to be made by the Federal Government, or

(iii) provided in whole or in part by loans hereafter insured, guaranteed, or otherwise secured by the credit of the Federal Government, or

(iv) provided by the development or the redevelopment of real property purchased, leased, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under a loan or grant contract hereafter entered into; and

(b) in the lending practices with respect to residential property and related facilities (including land to be developed for residential use) of lending institutions, insofar as such practices relate to loans hereafter insured or guaranteed by the Federal Government.

SEC. 102. I hereby direct the Housing and Home Finance Agency and all other executive departments and agencies to use their good offices and to take other appropriate action permitted by law, including the institution of appropriate litigation, if required, to promote the abandonment of discriminatory practices with respect to residential property and related facilities heretofore provided with Federal financial assistance of the types referred to in Section 101 (a) (ii),(iii), and (iv).

PART II—*IMPLEMENTATION BY DEPARTMENTS AND AGENCIES*

SEC. 201. Each executive department and agency subject to this order is directed to submit to the President's Committee on Equal Opportunity in Housing established pursuant to Part IV of this order (hereinafter sometimes referred to as the Committee), within thirty days from the date of this order, a report outlining all current programs administered by it which are affected by this order.

SEC. 202. Each such department and agency shall be primarily responsible for obtaining compliance with the purposes of this order as the order applies to programs administered by it; and is directed to cooperate with the Committee, to furnish it, in accordance with law, such information and assistance as it may request in the performance of its functions, and to report to it at such intervals as the Committee may require.

SEC. 203. Each such department and agency shall, within thirty days from the date of this order, issue such rules and regulations, adopt such procedures and policies, and make such exemptions and exceptions as may be consistent with law and necessary or appropriate to effectuate the purposes of this order. Each such department and agency shall consult with the Committee in order to achieve such consistency and uniformity as may be feasible.

PART III—*ENFORCEMENT*

SEC. 301. The Committee, any subcommittee thereof, and any officer or employee designated by any executive department or agency subject to this order may hold such hearings, public or private, as the Committee, department, or agency may deem advisable for compliance, enforcement, or educational purposes.

SEC. 302. If any executive department or agency subject to this order concludes that any person or firm (including but not limited to any individual, partnership, association, trust, or corporation) or any State or local public agency has violated any rule, regulation, or procedure issued or adopted pursuant to this order, or any nondiscrimination provision included in any agreement or contract pursuant to any such rule, regulation, or procedure, it shall endeavor to end and remedy such violation by informal means, including conference, conciliation, and persuasion unless similar efforts made by another Federal department or agency have been unsuccessful. In conformity with rules, regulations, procedures, or policies issued or adopted by it pursuant to Section 203 hereof, a department or agency may take such action as may be appropriate under its governing laws, including, but not limited to, the following:

It may—

(a) cancel or terminate in whole or in part any agreement or contract with such person, firm, or State or local public agency providing for a loan, grant, contribution, or other Federal aid, or for the payment of a commission or fee;

(b) refrain from extending any further aid under any program administered by it and affected by this order until it is satisfied that the affected person, firm, or State or local public agency will comply with the rules, regulations, and procedures issued or adopted pursuant to this order, and any nondiscrimination provisions included in any agreement or contract;

(c) refuse to approve a lending institution or any other lender as a beneficiary under any program administered by it which is affected by this order or revoke such approval if previously given.

SEC. 303. In appropriate cases executive departments and agencies shall refer to the Attorney General violations of any rules, regulations, or procedures issued or adopted pursuant to this order, or violations of any nondiscrimination provisions included in any agreement or contract, for such civil or criminal action as he may deem appropriate. The Attorney General is authorized to furnish legal advice concerning this order to the Committee and to any department or agency requesting such advice.

SEC. 304. Any executive department or agency affected by this order may also invoke the sanctions provided in Section 302 where any person or firm, including a lender, has violated the rules, regulations, or procedures issued or adopted pursuant to this order, or the nondiscrimination provisions included in any agreement or contract, with respect to any program affected by this order administered by any other executive department or agency.

PART IV—*ESTABLISHMENT OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN HOUSING*

SEC. 401. There is hereby established the President's Committee on Equal Opportunity in Housing which shall be composed of the Secretary of the Treasury; the Secretary of Defense; the Attorney General; the Secretary of Agriculture; the Housing and Home Finance Administrator; the Administrator of Veterans Affairs; the Chairman of the Federal Home Loan Bank Board; a member of the staff of the Executive Office of the President to be assigned to the Committee by direction of the President, and such other members as the President shall from time to time appoint from the public. The member assigned by the President from the staff of the Executive Office shall serve as the Chairman and Executive Director of the Committee. Each department or agency head may designate an alternate to represent him in his absence.

SEC. 402. Each department or agency subject to this order shall, to the extent authorized by law (including § 214 of the Act of May 3, 1945, 59 Stat. 134 (31 U.S.C. 691)), furnish assistance to and defray the necessary expenses of the Committee.

PART V—*POWERS AND DUTIES OF THE PRESIDENT'S COMMITTEE ON EQUAL OPPORTUNITY IN HOUSING*

SEC. 501. The Committee shall meet upon the call of the Chairman and at such other times as may be provided by its rules. It shall: (a) adopt rules to govern its deliberations and activities; (b) recommend general policies and procedures to implement this order; (c) consider reports as to progress under this order; (d) consider any matters which may be presented to it by any of its members; and (e) make such reports to the President as he may require or the Committee shall deem appropriate. A report to the President shall be made at least once annually and shall include references to the actions taken and results achieved by departments and agencies subject to this order. The Committee may provide for the establishment of subcommittees whose members shall be appointed by the Chairman.

SEC. 502. (a) The Committee shall take such steps as it deems necessary and appropriate to promote the coordination of the activities of departments and agencies under this order. In so doing, the Committee shall consider the overall objectives of Federal legislation relating to housing and the right of every individual to participate without discrimination because of race, color, creed, or national origin in the ultimate benefits of the Federal programs subject to this order.

(b) The Committee may confer with representatives of any department or agency, State or local public agency, civic, industry, or labor group, or any other group directly or indirectly affected by this order; examine the relevant rules, regulations, procedures, policies, and practices of any department or agency subject to this order and make such recommendations as may be necessary or desirable to achieve the purposes of this order.

(c) The Committee shall encourage educational programs by civic, educational, religious, industry, labor, and other nongovernmental groups to eliminate the basic causes of discrimination in housing and related facilities provided with Federal assistance.

SEC. 503. The Committee shall have an executive committee consisting of the Committee's Chairman and two other members designated by him from among the public members. The Chairman of the Committee shall also serve as Chairman of the Executive Committee. Between meetings of the Committee, the Executive Committee shall be primarily responsible for carrying out the functions of the Committee and may act for the Committee to the extent authorized by it.

PART VI—*MISCELLANEOUS*

SEC. 601. As used in this order, the term "departments and agencies" includes any wholly-owned or mixed-ownership Government corporation, and the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories of the United States.

SEC. 602. This order shall become effective immediately.

JOHN FITZGERALD KENNEDY

THE WHITE HOUSE,
November 20, 1962.

U.S. GOVERNMENT PRINTING OFFICE : 1962 OF—669386

REGULATIONS AND INSTRUCTIONS
ON EQUAL OPPORTUNITY IN HOUSING
ISSUED BY THE HOUSING AND HOME FINANCE AGENCY
UNDER THE PRESIDENT'S EXECUTIVE ORDER NO.11063
AS OF JANUARY 1, 1963

Additions and Amendments: These regulations and instructions are subject to change from time to time. Notification of changes will be given to HHFA regional and field offices, local housing authorities, urban renewal agencies, and others directly involved with program operations.

The purpose of the President's Executive Order on Equal Opportunity in Housing, issued November 20, 1962, is to assure that the benefits of Federal assistance for housing and related facilities will be available to all Americans without regard to race, color, creed, or national origin.

Implementation of the Executive Order

Section 101 of the Order directs executive departments and agencies whose functions relate to housing to take necessary and appropriate action to prevent discrimination because of race, color, creed, or national origin with respect to housing and related facilities provided with Federal assistance after the date of the Executive Order. In addition, Section 102 of the Order directs the HHFA and all other executive departments and agencies to promote the abandonment of practices of discrimination with respect to housing provided with Federal assistance before issuance of the Executive Order, through the use of good offices and other appropriate action permitted by law.

The attached regulations and instructions have been issued by the HHFA and its constituent agencies for their principal housing and urban programs, pursuant to the directive of Section 101 of the Executive Order.

Complaints and Compliance

Each constituent agency of the HHFA is responsible under its applicable procedures for handling complaints and compliance with the Executive Order. In each case of complaint of alleged discrimination, the matter should be brought to the attention of the appropriate agency field or regional office for inquiry into the full facts, and if an apparent violation has occurred, for discussion with the parties involved and determinations by the agency of the corrective action needed.

Primary objective of all compliance procedures is the elimination of discriminatory practices through mediation, conciliation, and persuasion. Applicable sanctions also may be applied.

The regulations and instructions for each agency are prefaced by a brief explanatory statement.

INITIAL REGULATIONS AND INSTRUCTIONS IN THIS SET:

1. Federal Housing Administration: Insured Mortgages.
2. Public Housing Administration: Federally-aided Low-Rent Public Housing.
3. Community Facilities Administration: Housing Loans for Senior Citizens, College Housing Loans.
4. Urban Renewal Administration: Urban Renewal Projects.

Office of Public Affairs
Housing and Home Finance Agency
Washington 25, D.C.

February 1963

WHERE TO GET CURRENT INFORMATION

Office of the Administrator
Community Facilities Administration
Urban Renewal Administration

Regional Offices:

I: 346 Broadway, New York 13, N. Y. (Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York)

II: 1004 Widener Building, Chestnut and Juniper Streets, Philadelphia 7, Pa. (Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, West Virginia, Virginia)

III: 645 Peachtree-Seventh Building, Atlanta 23, Ga. (Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida)

IV: 360 North Michigan Avenue, Chicago 1, Ill. (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin)

V: Federal Center, 300 West Vickery Blvd., Fort Worth 4, Texas. (Kansas, Missouri, Arkansas, Louisiana, Oklahoma, Texas, Colorado, New Mexico)

VI: Third Floor, 989 Market Street, San Francisco 3, Cal. (Arizona, California, Guam, Hawaii, Idaho, Nevada, Utah, Wyoming, Alaska, Montana, Oregon, Washington)

VII: 1608 Ponce De Leon Avenue, P.O. Box 9093, Fourth Floor, Garraton Bldg., Santurce 17, Puerto Rico. (Puerto Rico and the Virgin Islands)

Public Housing Administration

Regional Offices:

(Areas of jurisdiction are identical to HHFA regional offices in same cities except for the State of New Jersey, which comes under the jurisdiction of the New York City PHA office)

NEW YORK: 346 Broadway, New York 13, N.Y.

PHILADELPHIA: 1102 Widener Building, Chestnut and Juniper Streets, Philadelphia 7, Pa.

ATLANTA: 737 Peachtree-Seventh Building, Atlanta 23, Ga.

CHICAGO: 185 North Wabash Avenue (Room 2201), Chicago 1, Illinois.

FORT WORTH: 300 West Vickery Blvd. (Room 2072), Fort Worth 4, Texas.

SAN FRANCISCO: 1360 Mission Street, San Francisco 3, Cal.

PUERTO RICO: Credito and Ahorro Building, Stop 17, Ponce De Leon Avenue, Santurce, Puerto Rico.

Federal Housing Administration

Address of any FHA insuring office for a given area can be obtained from local mortgage lenders or from the Federal Housing Administration, Washington 25, D.C. Current information also is available from local FHA mortgagees.

1. Federal Housing Administration

The attached FHA regulations, as published in the Federal Register during the last week of November 1962, are designed to "assure compliance with the established policy of the United States that housing and related facilities, financed with assistance under provisions of the National Housing Act will be made available for use without discrimination based on race, color, creed or national origin."

The regulations apply to applications for FHA mortgage insurance received by FHA after November 20, 1962, the date of the Executive Order.

Owner-occupied one- and two-family dwellings are exempted by the regulations.

All subdivision reports and letters of eligibility or feasibility for home or multifamily projects will contain the applicant's agreement to comply with the non-discrimination regulations.

Corporate charters, regulatory agreements, and other contracts relating to multifamily projects under which FHA exercises control over rentals or methods of operation will contain provisions requiring compliance with the regulations.

Contracts involving sale, rental, or management of properties owned by FHA will contain similar provisions.'

The three-page attachment is a reproduction from Regulations and Rulings, Volume II, FHA Manual.

Subpart I—Nondiscrimination and Equal Opportunity in Housing

Sec.
200.300 Nondiscrimination policy.
200.305 Notice to public.
200.310 Definition of "discriminatory practice".
200.315 Prohibition against discriminatory practices.
200.320 Subdivision site approvals.
200.325 Corporate charters and regulatory agreements.
200.330 Federal Housing Administration-owned properties.
200.335 Provisions in legal instruments.
200.340 Complaints and hearings.
200.345 Sanctions.
200.350 Appeals from findings of Field Office Directors.
200.355 Reinstatement.

AUTHORITY: §§ 200.300 to 200.355 issued under sec. 2, 48 Stat. 1246, as amended: sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f.

§ 200.300 Nondiscrimination policy.

The regulations in this subpart are prescribed pursuant to the provisions of Executive Order 11063, issued by the President under date of November 20, 1962, and are designed to assure compliance with the established policy of the United States that housing and related facilities, financed with assistance under the provisions of the National Housing Act, will be made available for use without discrimination based on race, color, creed or national origin.

Amended: November 27, 1962

§ 200.305 Notice to public.

Participants in insurance programs of the Federal Housing Administration shall be informed of the established policy on nondiscrimination and equal opportunity in housing through all appropriate means and as early as possible in their negotiations or upon indicating interest in the sponsorship or financing of housing and related facilities.

Added: November 27, 1962

§ 200.310 Definition of "discriminatory practice".

As used in this subpart, the term "discriminatory practice" shall mean any discrimination because of race, color, creed or national origin in lending practices or in the sale, rental or other disposition of residential property or related facilities, or in the use or occupancy thereof if:

(a) Such property is or will be constructed, rehabilitated, purchased or financed with the proceeds of a loan or investment insured under the provisions of the National Housing Act pursuant to an application for mortgage insurance received by the Commissioner after November 20, 1962; or

Amended: November 29, 1962

(b) Such property is offered for sale under terms which include financing under the provisions of the National Housing Act pursuant to an application for mortgage insurance received by the Commissioner after November 20, 1962; or

(c) Such property is improved with a loan reported for insurance under Title I of the National Housing Act, the proceeds of which are disbursed after November 20, 1962; or

Added: November 29, 1962

(d) Such property is owned by the Federal Housing Administration.

Added: November 27, 1962; Amended: November 29, 1962

§ 200.315 Prohibition against discriminatory practice.

(a) No person, firm or other entity receiving the benefits of Federal Housing Administration mortgage insurance or doing business with the Federal Housing Administration shall engage in a "discriminatory practice" as such term is defined in this subpart.

(b) Except as to lending practices, paragraph (a) of this section shall not apply to transactions involving any one- or two-family dwelling which has been occupied by the owner.

Added: November 27,1962; Amended: November 29, 1962

§ 200.320 Subdivision site approvals.

All subdivision reports and letters of site eligibility or feasibility for home or multifamily projects issued pursuant to requests submitted after November 20, 1962 shall be signed by the applicant and shall contain his agreement to comply with the regulations in this subpart.

Added: November 27, 1962

§ 200.325 Corporate charters and regulatory agreements.

Corporate charters, regulatory agreements and other instruments relating to multifamily projects insured pursuant to applications received after November 20, 1962 under which the Commissioner exercises controls over rentals or methods of operation of mortgagors participating in housing programs of the Federal Housing Administration shall contain provisions requiring compliance with the regulations in this subpart.

Added: November 27, 1962

§ 200.330 Federal Housing Administration-owned properties.

Contracts involving sale, rental or management of properties owned by the Federal Housing Administration, entered into after November 20, 1962, shall contain provisions requiring compliance with the regulations in this subpart.

Added: November 27, 1962

§ 200.335 Provisions in legal instruments.

Contracts and other instruments of the nature described in §§ 200.310 through 200.330 shall contain provisions to the effect that failure or refusal to comply with the regulations in this subpart shall be a proper basis for future rejection of applications and refusal by the Federal Housing Administration to enter into contracts with or insure loans involving persons, firms or other entities identified with such failure and refusal.

Added: November 27, 1962

§ 200.340 Complaints and hearings.

(a) Upon receipt of a written complaint signed by the complainant to the effect that any person, firm or other entity has engaged in a discriminatory practice, such person, firm or other entity shall be invited to discuss the matter in an informal hearing with the Field Office Director or his designee having jurisdiction.

(b) If the existence of a discriminatory practice is denied by the person, firm or other entity against which a complaint has been made, the Field Office Director or his designee shall conduct such inquiries and hearings as may be deemed appropriate for the purpose of ascertaining the facts.

(c) If it is found that the person, firm or other entity against which a complaint has been made has not engaged in a discriminatory practice, the parties concerned shall be so notified.

(d) If it is found that there has been a violation of the regulations in this subpart, the person, firm or other entity in violation shall be requested to attend a conference for the purpose of discussing the matter. Failure or refusal to attend such a conference shall be proper basis for the application of sanctions.

(e) The conference arranged for discussing a violation shall be conducted in an informal manner and shall have as its primary objective the elimination of the discriminatory practice. If such practice is eliminated and satisfactory assurances are received that the person, firm or other entity in violation will not engage in such practices in the future, the parties concerned shall be so notified.

Added: November 27, 1962

§ 200.345 Sanctions.

Failure or refusal to eliminate a discriminatory practice or to give satisfactory assurances of future compliance with the requirements of this subpart shall be proper basis for applying sanctions. In the case of discrimination involving lending practices, the sanction may include the withdrawal of the lender's approval as a mortgagee. In other cases the sanctions may take the form of placing the offender's name on an ineligible list. Applications for mortgage insurance shall be rejected as ineligible if any person, firm or other entity included on the ineligible list is identified in any manner with the proposed transaction.

Added: November 27, 1962

Added: November 27, 1962

§ 200.350 Appeals from findings of Field Office Directors.

Upon written application, a complainant or a person, firm or other entity against which a complaint has been filed under the regulations may apply to the Commissioner for a rehearing or a readjudication of the action taken by the Field Office Director. Upon receiving such application, the Commissioner may designate a representative to conduct a hearing and to make a report of findings. The Commissioner may, after a review of the record on appeal, reverse an action taken by the Field Office Director.

Added: November 27, 1962

§ 200.355 Reinstatement.

Reinstatement of restricted persons, firms or other entities shall be within the discretion of the Commissioner and under such conditions as he may prescribe.

Added: November 27, 1962

2. Public Housing Administration

The requirements set forth in the attached PHA circular letter dated November 28, 1962, affect Public Housing projects not under annual contributions contracts before November 21, 1962.

PHA contracts for annual contributions entered into after November 20, 1962, shall contain a non-discrimination clause.

PHA contracts for preliminary loans entered into after November 20, 1962, will provide that a non-discrimination clause will be included in any subsequent annual contributions contracts.

Contracts for preliminary loans entered into prior to November 21, 1962, will be amended to include the non-discrimination provision before additional advances may be made.

All Federally owned or operated projects shall immediately conform to the Order.

Public Housing community space and other non-dwelling facilities within a public housing project also are subject to the non-discrimination requirements. Examples: community buildings, health rooms, and play areas.

PUBLIC HOUSING ADMINISTRATION
HOUSING AND HOME FINANCE AGENCY WASHINGTON 25, D.C.

CIRCULAR
11-28-62

TO: Central Office Division and Branch Heads
Regional Directors
Local Authorities
Housing Managers

SUBJECT: Executive Order No. 11063, November 20, 1962, Equal Opportunity in Housing

Enclosed is a copy of the above Executive Order. In compliance therewith:

1. All contracts for annual contributions which initially cover a project or projects after November 20, 1962, shall contain the following provision with respect to such project or projects:

> "The Local Authority shall not discriminate because of race, color, creed, or national origin in the sale, leasing, rental, or other disposition of housing or related facilities (including land) included in any Project or Projects initially covered after November 20, 1962, by a contract for annual contributions under the United States Housing Act of 1937, or in the use or occupancy thereof. The Local Authority shall not, on account of race, color, creed, or national origin, deny to any family the opportunity to apply for such housing, nor deny to any eligible applicant the opportunity to lease or rent any dwelling in any such housing suitable to its needs."

2. All contracts for preliminary loans entered into after November 20, 1962, shall also contain such provision. This may be accomplished by amending the first sentence of Sec. 23. (A) to read as follows:

> "(A) Upon approval by PHA of a development program prepared pursuant to this Contract the Local Authority shall execute an annual contributions contract or amend an outstanding annual contributions contract between the Local Authority and the PHA on terms and conditions substantially in the form of PHA-3010 and 3011 covering the project or projects described in such development program which annual contributions contract will contain the following provision:

> 'The Local Authority shall not discriminate because of race, color, creed, or national origin in the sale, leasing, rental, or other disposition of housing or related facilities (including land) included in any Project or Projects initially covered after November 20, 1962, by a contract for annual contributions under the United States Housing Act of 1937, or in the use or occupancy thereof. The Local Authority shall not, on account of race, color, creed, or national origin, deny to any family the opportunity to apply for such housing, nor deny to any eligible applicant the opportunity to lease or rent any dwelling in any such housing suitable to its needs.'"

3. Contracts for preliminary loans entered into prior to November 21, 1962, shall be amended in accordance with 2, above before additional advances may be made thereunder.

4. All Federally owned or operated projects shall immediately conform to the provisions of the Executive Order and PHA policy as expressed in the above contract provisions.

Marie C. McGuire
Commissioner

Enclosure

3. Community Facilities Administration

The President's Executive Order banning discrimination in housing applies to the programs for College Housing loans and Senior Citizens Housing loans administered by the Community Facilities Administration. CFA's new instructions include a restatement of a previous CFA requirement banning discrimination in the Senior Citizens program.

The attached instructions were issued by CFA to implement the Order, requiring the addition of a standard covenant to all College Housing and Senior Citizens Housing loan agreements entered into after November 20, 1962.

Under the covenant the borrower agrees not to discriminate because of race, color, creed, or national origin, nor permit discrimination by lessees or any others operating the facilities, in the use or occupancy of the housing or related facilities built or acquired with the loan.

The instructions cover both housing and related facilities. For example, in the case of a College Housing loan, the non-discrimination covenant will apply not only to dormitories but also to college unions, dining halls, recreational facilities, lounges, etc. The same applies to craft or recreational facilities that may be built as a part of a Senior Citizen housing project.

Community Facilities Administration

Instructions to Implement Executive Order No. 11063

These instructions, distributed during the first week of December 1962, require the addition of a standard covenant to all College Housing and Senior Citizens Housing loan agreements entered into after November 20, 1962.

The Senior Citizens program had already included in its regulations a requirement banning discrimination because of race, color, creed, or national origin. The new instructions provide a somewhat stronger restatement of the requirement.

The text of the instructions follows:

"Pursuant to Executive Order No. 11063, you are required, after November 20, 1962, to add the following standard covenant to all College Housing and Senior Citizens loan agreements: 'This agreement is subject to the provisions of Executive Order 11063, dated November 20, 1962. The borrower covenants and agrees that it will not discriminate nor permit discrimination by its agents, lessees, or any others operating housing and related facilities, in the use or occupancy of said facilities because of race, color, creed, or national origin.' This standard covenant should be inserted as Section 7 in College Housing loan agreements, as special condition 5(I), Part I of Senior Citizens loan agreement and as Paragraph 3(b) of the Senior Citizens regulatory agreement after re-numbering Paragraph 3 of such agreement to read 3(a). In addition, the present provisions of the Senior Citizens mortgage prohibiting execution of property restrictions on the basis of race, color, creed, or national origin should be modified to read as follows: 'It will not discriminate, nor permit discrimination by its agents, lessees, or any other persons operating the mortgaged premises as to the use or occupancy thereof because of race, color, creed or national origin.' In any case where housing and related facilities are included in any Public Facility loan, Advance Planning offer, or Accelerated Public Works Grant report such proposed case to CFA for advice."

Housing and Home Finance Agency
Washington 25, D.C.
January 1963

4. Urban Renewal Administration

Basic URA regulations to implement Executive Order No. 11063 and related policies were stipulated in the attached Local Public Agency Letter No. 256.

The regulations apply to any urban renewal project for which a loan and grant contract is signed after November 20, 1962. They apply to projects planned or initiated prior to November 21, 1962, if no loan and grant contract had been signed before that date.

The prohibition against discrimination applies to the management and disposition of land in an urban renewal project area and the following uses of such land:

1. All types of housing and residential uses, including dormitories, hotels, motels, and nursing homes.

2. Publicly-owned facilities of all kinds, such as parks, playgrounds, schools, libraries.

3. Other facilities related to housing and residential uses, such as stores, barbershops, beauty parlors, bakeries, repair shops, bowling alleys, etc. The only exception to this will be when the local agency can show that a certain facility in the project area is either citywide in character or is not needed by residents of the area.

The regulations apply to any public facility provided in a project area, as well as any public facility whether in or outside of a project area, if it is to be credited as a non-cash grant-in-aid to help pay for project cost.

Every loan and grant contract executed after November 20, 1962, will specify that the Local Public Agency must include a covenant in every lease, conveyance or other instrument for disposition of project land which will prohibit the party receiving the land from discriminating in any use of the land affected by the Order. This covenant will be binding not only on the original party but on any and all successors in interest.

HOUSING AND HOME FINANCE AGENCY
URBAN RENEWAL ADMINISTRATION • *Washington 25, D. C.*

November 30, 1962

LOCAL PUBLIC AGENCY LETTER NO. 256

SUBJECT: Executive Order on Equal Opportunity in Housing

Executive Order No. 11063, concerning Equal Opportunity in Housing, was issued by President Kennedy on November 20, 1962. A copy of the Executive Order, which became effective immediately, is attached to this Letter. The purpose of this Letter is to describe the applicability and effect of the Executive Order and related policy requirements on urban renewal projects undertaken with assistance under Title I of the Housing Act of 1949, as amended.

Under Section 101 of the Executive Order, the Urban Renewal Administration is required

> . . . to take all action necessary and appropriate to prevent discrimination because of race, color, creed, or national origin -
>
> (a) in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use or occupancy thereof, if such property and related facilities are -
>
> * * *
>
> (ii) provided in whole or in part with the aid of loans, advances, grants, or contributions hereafter agreed to be made by the Federal Government, or
>
> * * *
>
> (iv) provided by the development or the redevelopment of real property purchased, leased, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under a loan or grant contract hereafter entered into; . . .

This Letter sets forth the basic actions necessary to carry out this directive and related policies. It does not deal specifically with other aspects of the Executive Order, such as the nature and functions of the President's Committee on Equal Opportunity in Housing, related Federal administrative and enforcement machinery, and policies and actions which may be developed pursuant to Section 102 of the Order in an effort to end discriminatory practices in existing housing and related facilities.

TYPES OF DISCRIMINATORY ACTION PROHIBITED

Discrimination because of race, color, creed, or national origin in the sale, leasing, rental, or other disposition of affected real property, or in the use or occupancy of such property, is prohibited by this Letter.

It should be noted that this prohibits such discrimination in any form, not merely through discriminatory written instruments, which are already covered in existing Contracts for Loan and Grant. For example, in the case of a multifamily housing project, not only restrictive lease provisions are prohibited but also actual discrimination in tenant selection.

It should also be noted that this Letter covers actions respecting transfers of property and interests therein and also the use and occupancy of property. The latter terms are interpreted to include discrimination in the availability of the goods and services provided by facilities described below under the heading "Land Uses Affected."

PROJECTS AFFECTED

This Letter applies to any project undertaken under a Contract for Loan and Grant entered into after November 20, 1962, and to activities undertaken under an Early Land Acquisition Loan Contract entered into after that date. This is true regardless of any previous Federal assistance or approvals, including approval of an Application for Loan and Grant and the allocation of Federal funds. It covers all types of contracts under which project execution activities are undertaken whether they involve loans, grants, or both.

Projects for which Contracts for Loan and Grant were executed on or before November 20, 1962, are not affected by this Letter. Such projects will continue to be outside the scope of this Letter notwithstanding modifications resulting from contract amendments or Urban Renewal Plan changes. However, areas which in effect constitute new projects cannot be added to an existing project area by means of a contract amendment.

LAND USES AFFECTED

Discrimination is prohibited (1) in the management and disposition of project land by LPA's, and (2) in the following uses on project land obtained from an LPA, or retained by it:

1. All types of housing and residential uses including, without limitation, dormitories, hotels, motels, and nursing homes.

2. Publicly owned facilities of all kinds.

3. Other facilities related to housing and residential uses in the project area including, without limitation:

    a. Retail commercial establishments.

    b. Retail and personal service establishments such as launderettes, barbershops, and repair shops.

    c. Group facilities such as those providing for entertainment, sporting events, food service, and public transportation stations.

    Any of the facilities covered by this Item 3 will be deemed to be covered by the requirements of this Letter unless the LPA submits with Part I of the Application for Loan and Grant (as an additional item of the Report on Planning Proposals, Checklist Code No. R 214(2)) adequate documentation showing that the facility is either citywide in character or not necessary to provide convenience goods and services to residents of the project area.

For the purposes of contract provisions pursuant to the requirements of this Letter (see "Contract Requirements" below), uses included in the categories set forth above shall constitute "housing or facilities related to residential uses."

PUBLIC FACILITIES PROVIDED AS NON-CASH LOCAL GRANTS-IN-AID

In order properly to complement other provisions of this Letter, a new policy requirement shall be applied to public facilities (whether or not located in a project area) proposed as non-cash local grants-in-aid. Each such facility must be open without regard to race, color, creed, or national origin to all occupants of the project area after renewal. With Part I of the Application for Loan and Grant (Cost Estimate and Financing Report, Checklist Code No. R 226(2)), the LPA must submit satisfactory assurances that this will be the case.

CONTRACT REQUIREMENTS

To implement this Letter, each Contract for Loan and Grant or Early Land Acquisition Loan Contract executed after November 20, 1962, will contain a provision that the LPA will

> Include in every agreement, lease, conveyance, or other instrument whereby Project Land is disposed of for uses which may include

housing or facilities related to residential uses (as defined by the Administrator) an affirmative covenant binding on the contractor, lessee, grantee, or other party to such instrument and on the successors in interest to such contractor, lessee, grantee, or other party that there shall be no discrimination upon the basis of race, color, creed, or national origin in the sale, lease, or rental or in the use or occupancy of such land or any improvements erected or to be erected thereon; and the Local Public Agency will take all steps necessary to enforce such covenant (such enforcement obligation to survive this Contract) and will not itself so discriminate.

EFFECT ON PENDING APPLICATIONS FOR LOAN AND GRANT

In any case where Part I or Part II of an Application for Loan and Grant has heretofore been submitted to the HHFA Regional Office and a resulting Contract for Loan and Grant was not finally executed on or before November 20, 1962, the LPA should as promptly as possible supplement the application by submitting:

1. If public facilities are proposed as local grants-in-aid, the assurances described above, under the heading "Public Facilities Provided As Non-Cash Local Grants-in-Aid." (Checklist Code No. R 226(2).)

2. If the LPA believes that under the Urban Renewal Plan any facilities of the types defined above in Item 3 under the heading "Land Uses Affected" will be either citywide in character or not necessary to provide convenience goods and services to residents of the project area, the documentation required by that item. (Checklist Code No. R 214(2).)

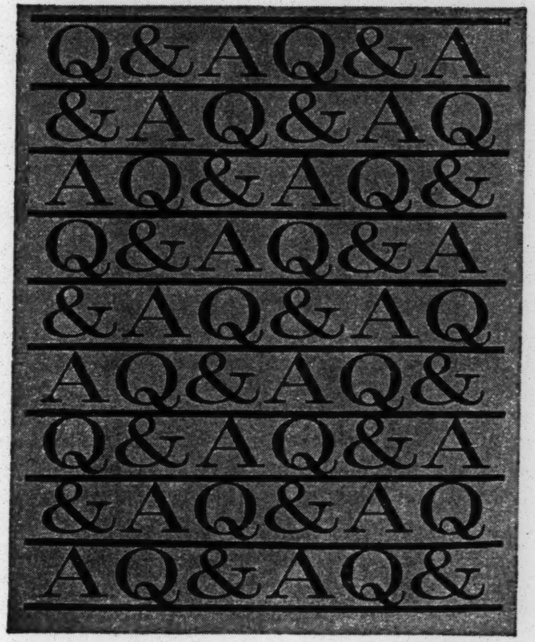
In cases where a Contract for Loan and Grant was tendered to an LPA on or before November 20, 1962, but has not been fully executed, it will be necessary for the contract form to be revised, incorporating the implementing provision set forth above. The HHFA Regional Office will proceed promptly with preparation of such a revised contract immediately upon receipt of the assurances described in the previous paragraph, or upon a showing that such assurances are not required by the project financing plan.

William L Slayton
William L. Slayton
Urban Renewal Commissioner

Attachment

20

QUESTIONS
& ANSWERS
ON URBAN
RENEWAL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Urban Renewal Administration
Housing and Home Finance Agency
Washington 25, D. C.

February 1963

THE NATURE OF URBAN RENEWAL

1. *What is urban renewal?*

Urban renewal is the term used to describe the official program of a community to improve itself through the elimination of slums and blight and the removal of the causes of slum and blighted areas, thereby preventing their recurrence.

Urban renewal is a locally planned and executed community-wide improvement program, using public and private resources. Through it a city seeks to re-fashion and rebuild its physical plant along modern lines, so that it can cope more successfully with the many problems of this industrial age—poor housing, traffic congestion, inadequate sites for commercial and industrial growth, decay of downtown areas, and neighborhood deterioration.

2. *Is urban renewal the same as slum clearance?*

Not necessarily. Urban renewal may include slum clearance, but it is much more. It is systematic improvement according to a comprehensive plan for the entire community, using a variety of techniques and instruments. Slum clearance is only one way of getting rid of blight. Others include conservation of neighborhoods, repair and modernization of individual buildings, and installation of necessary public improvements.

The job of correcting deficiencies and instituting new patterns of growth may be tackled through one or more urban renewal projects. Some areas may be in such poor shape that complete clearance and redevelopment is the only practical answer. Others may be in better condition and require less drastic action—conservation measures to halt the inroads of blight. These include rehabilitating rundown but still sound buildings, and possibly supplying needed public improvements and facilities—road pavings, parks, playgrounds, and schools, for example. The final decision as to what needs to be done rests with the city, based on its needs and desires.

To achieve successful urban renewal, a city should first survey its assets and liabilities—the things that have to be corrected and the resources that are available to do the job. This can be done through development of a Community Renewal Program, which can be prepared with Federal financial assistance. Under the CRP, a plan and a timetable are set up to initiate and carry out the necessary actions on a sound, continuing basis.

3. *How widespread are slums and blight?*

Practically every city suffers from slum and blighting conditions. According to the 1960 Census of Housing, 15.7 million homes, about one out of five of our dwellings, were either dilapidated or deteriorating at that time. Most of these were located in slum or blighted areas. And not all of the remaining four-fifths were up to standard. In fact, of the units classified as structurally sound, some lacked hot water and some had no private toilet or private bath, while some did not have even cold running water.

The human cost of slums and blight is enormous. Disease, crime, and juvenile delinquency are much more frequent in rundown areas than elsewhere. The economic cost is huge, too. As blight spreads, it creates greater and greater needs for municipal services, while at the same time blighted areas return less and less tax revenue to the city.

Businesses suffer from slums and blight, too. Inefficient sites, lack of room for expansion, traffic congestion, poor housing and community facilities for employees, and inadequate transportation—all of these create higher operating costs for businesses, force many of them to abandon their locations for more modern and efficient sites.

ROLE OF THE FEDERAL GOVERNMENT

4. *What is the U.S. Government's role in urban renewal?*

Federal assistance is available to help a community carry out its urban renewal program when local resources alone are not adequate to do the job. To obtain this assistance, a community must meet the requirements of local, State, and Federal laws. Voluminous testimony by many city officials and private businessmen during hearings on the Housing Act of 1949, the first Federal urban renewal legislation, and the extensive review made in 1953 by the President's Advisory Committee on Housing Policies and Programs, indicated clearly that very few cities had adequate public or private resources to undertake urban renewal on the scale necessary to make an effective attack on slums and blight. Evidence of the need for some Federal participation was conclusive, and since then Congress has repeatedly recognized this need in urban renewal legislation.

Congress has provided for loans, grants, and technical assistance to communities, and special mortgage insurance for housing related to urban renewal activities. Together, these represent a "kit of tools" making possible a partnership among local and State governments, private enterprise, citizens, and the Federal Government to attack slums and the causes of urban blight.

Federal assistance for urban renewal takes the following forms:

- Grant assistance for the preparation of full-range renewal programs on a community-wide basis, including the identification of needs, estimates of financial, rehousing and other resources, and programming of urban renewal projects and activities.
- Loan and grant assistance for planning and carrying out urban renewal projects involving the rebuilding or conservation of blighted and deteriorating urban areas. This assistance is provided for specific projects and for planning general neighborhood areas to be renewed over a period of years.
- Grant assistance for comprehensive planning either in metropolitan or other urban areas or in smaller communities for which comprehensive planning aids are usually inadequate.
- Grant assistance for demonstrations of urban renewal techniques and for acquisition of land for permanent open-space uses.
- Special FHA mortgage financing aids for new or rehabilitated housing in the redevelopment of urban renewal project areas.
- Special FHA mortgage financing aids and public housing assistance to provide low-cost private or public housing for families displaced by urban renewal or other public activities.

5. *What decides whether an area is blighted, or a slum?*

Very definite standards must be met. These are contained in the legislation and regulations governing Federal urban renewal assistance for loans and grants. States also have statutory provisions for such standards.

To qualify for Federal urban renewal assistance, an area must be so deteriorated that public action is necessary to eliminate and prevent the development or spread of slums and blight. Evidence of slum and deteriorated conditions must meet certain specific criteria, including building and environmental deficiencies.

Building deficiencies may include inadequate original construction or alterations, deteriorating conditions because of a defect which cannot be corrected by normal maintenance, and inadequate or unsafe plumbing, heating, or electrical facilities. Environmental deficiencies may include overcrowding, or improper location of structures on the land, excessive dwelling unit density, and deficient streets.

ROLE OF THE LOCAL GOVERNMENT

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6. *What is the local government's role?*

Urban renewal projects are carried out by a local public agency. Depending on State law, it may be a separate urban renewal agency, a local housing authority, or a department of the city government. It is not a part of the Federal Government. This local agency initiates, plans, and carries out local urban renewal programs.

However, all urban renewal activities in a city are under the effective control of the city council or other governing body. It is the governing body, for example, which approves specific projects and bond issues; enforces local housing codes; authorizes applications for urban renewal and related forms of Federal financial assistance; and approves provisions of the Workable Program for Community Improvement (a prerequisite for most Federal urban renewal and housing aids), the Community Renewal Program (whereby, with Federal financial aid, a city analyzes its problems and assets and sets up a broad schedule for accomplishing its renewal goals), and local budgets for urban renewal operations. In short, the urban renewal law is so written that the elected representatives of the people, not the local renewal agency, control the basic direction of urban renewal, make the key decisions on location and types of projects, and authorize the spending of funds for urban renewal purposes.

The Urban Renewal Administration provides technical and financial assistance and sees to it that the local decisions are made in accordance with local, State, and Federal laws, and administrative requirements.

All of these and other protections of local governmental processes are embodied in Title I of the Housing Act of 1949, the basic statute establishing the Federally-assisted program of urban renewal, to make sure that the decisions on urban renewal reflect the will of the people in the locality applying for assistance.

7. *What is a Workable Program for Community Improvement?*

Federal programs of assistance to communities, including urban renewal, are designed to aid communities and stimulate local action, on the principle that these programs can accomplish their purposes only when they are based on a community's own plan of action for using both private and public local resources to eliminate and prevent slums and blight and to foster local development. Such a local plan of action is called a "Workable Program for Community Improvement."

A local Workable Program must be designed to bring permanent benefits to the community and therefore should include the basic elements necessary to meet certain goals and objectives. The community must submit its proposed Workable Program to the Administrator of the Housing and Home Finance Agency for approval and certification to qualify for certain types of Federal assistance for urban improvement. Once approved, the Workable Program must be recertified annually, based on a "Review of Progress," to show that the community is taking effective action toward meeting its goals and objectives.

Formal approval of a Workable Program is required by law before a community is eligible to receive Federal aids in the form of loans and grants for urban renewal projects, aid for low-rent public housing, and more liberal FHA mortgage insurance to assist in the private redevelopment of project areas and for rehousing displaced families.

The Workable Program embraces seven minimum elements, based on tested and accepted principles of good municipal management. They are:

I Codes and Ordinances
II Comprehensive Community Plan
III Neighborhood Analyses
IV Administrative Organization
V Financing
VI Housing for Displaced Families
VII Citizen Participation

These seven elements are interrelated—they should move forward together as the Program progresses.

Full information and technical assistance on the drafting of a Workable Program, including the forms to be used, are available from any Regional Office of the Housing and Home Finance Agency.

8. *How is public opinion on urban renewal expressed?*

In most States, urban renewal decisions are made by elected representatives of the people. Also in some States, citizens have a right to vote on whether urban renewal shall be undertaken, and on bond issues for the financing of such activities.

Under our representative form of government, certain powers are given to the Mayor, City Council, Aldermen, Board of Education, or other elected representatives of the people. These elected officials are given the responsibility and authority to operate the city's business, or run the schools, or decide where new water lines or sewers are to go; and to make the many and varied decisions necessary to run a municipality. In most States, urban renewal is considered to be one of the normal functions of city government. Since urban renewal is a highly complex operation, involving technical, planning, legal, and financing considerations, and expert judgments, the details are usually delegated to designated public bodies and officials. These officials, whether elected or appointed, are, in the final analysis, responsible to the voters.

In addition, the Federal law recognizes the importance of public hearings in the democratic process, and requires that a local public hearing be held in connection with every urban renewal project. These public hearings are conducted under the laws of the State and city in which the project is located. They must be widely advertised, well in advance of the hearing date.

FINANCING AND REDEVELOPMENT OF AN URBAN RENEWAL PROJECT AREA

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9. *How is an urban renewal project financed?*

Advances may be made by the Federal Government through the Urban Renewal Administration to localities to finance surveys and plans which must be made before a project is undertaken. When a project has been approved, the locality may obtain a loan from the URA for carrying out the project—acquisition of project land, relocating site residents, clearing any buildings which must be eliminated, and getting the land ready for disposition and redevelopment. None of the Federal money may be used for construction of buildings. However, the local renewal agency may undertake a limited amount of rehabilitation of residential structures for demonstration purposes.

When the cleared land has been sold for redevelopment, a deficit, known as the "net project cost," will usually result. Net project cost is the difference between the cost of acquiring, clearing, and preparing the land for its new uses and the return from the resale of the land for its new uses. A similar deficit may be incurred when an area is scheduled primarily for rehabilitation, since the costs of replanning, improved public facilities, advisory assistance to property owners, and spot clearance must be met. The Federal Government absorbs up to two-thirds of this net project cost (three-fourths where the city has less than 50,000 population, in any city of 150,000 or under in an officially designated redevelopment area, or in any other city that assumes its own planning and other administrative costs). The city meets its share of this cost through cash, or through local project improvements or public facilities that serve the project site, such as streets, schools, fire stations, sidewalks, and sewers. When these improvements and facilities are applied to the city's contribution, they are known as "non-cash local grants-in-aid."

10. *Who develops urban renewal project areas?*

Redevelopment is carried on by private enterprise, which constructs the new housing and other buildings appropriate under the urban renewal plan, except where the city itself or some other local governmental agency, such as a school board, highway department, or park board uses part or all of the land for a public purpose. This is in accordance with the policy established by Congress in the Housing Act of 1949 that "private enterprise shall be encouraged to serve as large a part of the total need as it can." Special Federal Housing Administration mortgage insurance is available for certain types of privately built housing.

After adoption of an urban renewal plan showing the appropriate reuse for the land in the project area, local officials publicize the plan and invite redevelopers to submit proposals. The land is disposed of under either competitive conditions or negotiation, at not less than its fair value for the new uses, as established by the local renewal agency and concurred in by Regional Offices of the Housing and Home Finance Agency. Thus, all land purchase and construction negotiations take place between the redeveloper and the local renewal agency.

Federal funds are neither used nor made available for private construction. Individual property owners must undertake rehabilitation privately. Federal funds may be used only to help local renewal agencies purchase, clear, and prepare land for redevelopment, provide advisory services to owners of property to be rehabilitated, construct essential improvements, and conduct other urban renewal activities.

11. *What is the extent of urban renewal?*

By the end of October 1962, 636 localities were undertaking some kind of urban renewal activity in nearly 1300 projects. More than 60 percent of these cities are under 50,000 in population, 18 percent with a population of less than 10,000.

As to project size, for the 624 projects for which information was available at the end of 1961, 434 or 70 percent had less than 50 acres. The smallest project is Gates House in York, Pennsylvania, which covers less than one-half acre. The largest is Eastwick in Philadelphia, 2500 acres.

Urban renewal projects are primarily concerned with the removal of bad housing or the provision of good housing. Another basic concern is clearance of obsolete commercial and industrial areas for residential redevelopment. Poor housing may be removed for needed commercial and industrial sites and, under certain circumstances, non-residential areas may be renewed for other non-residential purposes.

Because of the increasing needs for commercial and industrial expansion in many cities, Congress has permitted the use of 30 percent of the amount authorized for urban renewal nationally since passage of the Housing Act of 1959 to be applied to projects which are predominantly non-residential before redevelopment and which will continue to be used for predominantly non-residential purposes after redevelopment. Special exceptions from the residential requirement are also provided for projects involving colleges, universities, and hospitals, and projects in officially designated redevelopment or disaster areas.

The local renewal agency determines the types of new structures to be built in a project area.

12. *Does urban renewal "subsidize" private real estate developers?*

The redeveloper who builds new housing in previously slum or blighted areas obtains no Federal grant or subsidy.

Sometimes labeled as a "write-down," the difference between the cost to the city of buying, clearing, and preparing the land for redevelopment and the selling price of the land is actually the net cost of making available for redevelopment land which would otherwise have remained slum or blighted. It is part of the cost of rebuilding for a better community. Since the urban renewal plan may call for lower densities, conversion from mixed to residential uses, or a change from a built-up area to a park, school, or other public use, the dollar value of the land for such redevelopment may be less than its cost. This "net project cost," or deficit, is shared by the Federal Government and the locality.

When it has been determined that an area is slum or blighted and should be redeveloped, it is cleared, made available to a redeveloper for rebuilding at its fair value for uses in accordance with the redevelopment or urban renewal plan. The great expense of obtaining and preparing land for redevelopment was one of the reasons why private enterprise was so reluctant to build in slums and blighted areas in the past. The land and buildings acquired by the local renewal agency are bought at fair market value of the existing uses. After the land is cleared and site improvements such as new streets, sidewalks, or sewers are installed, it is sold to redevelopers at fair value for the new uses required by the urban renewal plan.

Federal funds are neither used nor made available for private construction. Individual property owners must undertake rehabilitation privately. Federal funds may be used only to help local renewal agencies purchase, clear, and prepare land for redevelopment, provide advisory services and demonstrations to owners of property to be rehabilitated, construct essential public improvements and conduct other urban renewal activities. Special Federal Housing Administration mortgage insurance is available for certain types of privately built housing.

RELOCATION OF FAMILIES AND ACQUISITION OF PROPERTIES

13. *What safeguards are provided for families and businesses displaced by urban renewal activities?*

The local public renewal agency is required to offer families displaced from an urban renewal project area decent, safe, and sanitary housing, conveniently located and at prices or rents within their means. Also, displaced site residents are reimbursed for their moving costs, up to $200.

If the city chooses, it may build low-rent public housing with Federal assistance for its displaced low-income families. A city may adopt other rehousing plans, provided they meet federally approved local standards for "decent, safe, and sanitary" housing.

The Federal Government will not provide any assistance to a community for urban renewal unless the local officials can provide assurance that satisfactory housing accommodations, as set forth above, will be available for displaced families.

Businesses displaced by urban renewal activities may be reimbursed up to $3,000 for both property losses and moving expenses or up to $25,000 for moving expenses only. Some may also obtain low-interest loans from the Small Business Administration for re-establishing their businesses. Local renewal agencies may also offer technical assistance and advice to businesses in finding new locations.

14. *How does a city acquire private property?*

A city, State, or other governmental unit that needs to acquire private property for a public use may do so either by direct purchase or under what is known as the "eminent domain" process.

"Eminent domain" is the right of the State or one of its political subdivisions to purchase the property of any individual, in accordance with due process of law and upon payment of just compensation to the owner, when the public good requires it. This method of taking land has been used widely in this country, from its earliest days, for acquiring the land needed for schools, dams, parks, military bases, fire stations, rights-of-way for highways, railroads, pipelines, and irrigation lines, or any other public use deemed necessary. Urban redevelopment has been deemed to be a public use by the Legislatures of 45 of the 50 States, and this has been upheld by the highest courts of most of the States and by the U.S. Supreme Court.

15. *How is the amount of compensation to a property owner determined?*

The Constitution of the United States and all State Constitutions provide that property may be taken for a public purpose only with the payment of just compensation. In the U.S. Constitution, this provision is contained in the Fifth Amendment.

Land acquired for urban renewal purposes is acquired through the same methods used for land acquisition for highways, parks, schools, and other public purposes. Urban Renewal Administration regulations require that the local renewal agency pay fair market value for property it acquires, based on its condition at the time it is acquired. Fair market value is determined by making at least two separate independent appraisals of the property. The appraisals are made by recognized appraisers who are familiar with local real estate values.

In setting a value on property, an appraiser must determine the value in accordance with practices and precedents which have been established in eminent domain proceedings in State and local courts. Definitions of fair market value vary from State to State; however, generally it is considered to be the price which a property would bring if exposed for sale on the open market with reasonable time allowed in which to find a knowledgeable purchaser, the seller not being required to sell and the purchaser not being required to purchase.

If a property owner is not satisfied with the compensation offered by the city, the matter can be taken to court for a determination of fair market value.

CONSTITUTIONALITY, HISTORIC PRESERVATION, HOUSING CODES, BACKERS, AND BENEFITS

16. *What is the constitutionality of urban renewal?*

The highest courts of 30 States and Puerto Rico, and the Supreme Court of the United States have ruled that urban renewal is a proper exercise of governmental powers, and therefore constitutional. In its unanimous opinion in the case of *Berman* v. *Parker*, decided on November 22, 1954, the U.S. Supreme Court stated in part:

> Miserable and disreputable housing conditions may do more than spread disease and crime and immorality. They may

> also suffocate the spirit by reducing the people who live there to the status of cattle. They may indeed make the living an almost insufferable burden. They may also be an ugly sore, a blight on the community which robs it of charm, which makes it a place from which men turn. The misery of housing may despoil a community as an open sewer may ruin a river.
>
> . . . The concept of the public welfare is broad and inclusive. . . . The values it represents are spiritual as well as physical, esthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled.

In this same decision, the U.S. Supreme Court also upheld the acquisition of sound structures within a slum or blighted area when such acquisition is necessary for replanning and redesigning an area as a whole to eliminate the conditions that cause slums.

17. *Do historic buildings and sites have a place in urban renewal?*

Yes, in a number of cities urban renewal has made possible the preservation of historic or architecturally significant structures by providing the means whereby the deleterious surroundings have been removed and the historic building or place has had a chance to survive. While the actual restoration work must be undertaken with non-Federal funds, Federal grants are available through the urban renewal program for planning for the reconstruction of such areas.

Examples of the use of urban renewal in preserving historic sites and structures include: Portsmouth, New Hampshire, where the 18th century charm of its "Strawbery Banke" is being restored; Philadelphia's "Society Hill" and "Independence Mall" projects, containing the scenes of some of the most treasured moments in our national history; New Haven's "Wooster Square," which contains many fine specimens of architecture of earlier days; Monterey, California's "Custom House" project with handsome old buildings in a harmonious setting; and Washington, D.C.; Providence, Rhode Island; Norfolk, Virginia; York, Pennsylvania; Bethlehem, Pennsylvania; and San Juan, Puerto Rico, where similar activities are taking place.

18. *Why are housing codes necessary?*

Local governments have the primary responsibility and authority to set minimum standards for the use of property to protect the health and welfare of the community, and to prevent the misuse of property to the detriment of living standards and investments of others in the community. These responsibilities, long standing in the fields of sanitation, fire protection, construction, zoning, and other regulations, are well established in law as essential to the common interest of the community.

Many localities today recognize that slums and slum costs are caused not only through carelessness, neglect, and obsolescence, but also, to some extent, by the exploitation of properties and people by irresponsible owners who use their holdings for slum profits without regard for the destructive effect this has on decent living standards of people and the property values of others. Cities have enacted housing codes establishing minimum standards to prevent overcrowding, and to assure essential light and ventilation, and other basic requirements for acceptable human habitation. While these do not represent higher standards than are encouraged for better neighborhoods, they express the minimum that a community considers acceptable for the use and maintenance of its housing. Federal urban renewal assistance is available only when a community is prepared to set such a minimum, as well as to seek general improvement in living and neighborhood standards.

A community, therefore, must present a satisfactory Workable Program for Community Improvement, covering the various basic responsibilities of the locality in community improvement, in order to obtain Federal help in meeting its renewal problems. One of these responsibilities is the establishment and enforcement of housing and building regulations that will assure at least minimum standards for its housing and neighborhoods. The Federal Government does not provide or enforce local housing codes and ordinances, however.

19. *Who is behind urban renewal?*

The Federal Government first became interested in slum clearance and urban renewal in 1892, when Congress appropriated $20,000 for an investigation of slum conditions in cities having more than 200,000 population.

Forty-five years later, Congress passed the United States Housing Act of 1937, which contained limited slum clearance provisions. The Act provided for assistance to cities to build low-rent housing for low-income families, and included an "equivalent elimination" requirement under which cities had to remove one slum dwelling for every new low-rent public housing unit.

The Housing Act of 1949, a bipartisan legislative action, broadened the authority of the Federal Government to help cities remove slums and blight and rebuild in accordance with sound planning. Since 1949, this legislation has been extensively amended and broadened, in every instance with the support of both Democrats and Republicans, regardless of which party was in control of Congress or the White House.

Throughout the country, more than 600 communities have undertaken some 1,300 urban renewal projects under the Federal assistance program. In these communities, the program has received the backing and support of political, civic, business, and professional leaders; labor unions; chambers of commerce; church and social welfare groups; and a general cross-section of citizens.

20. *What are the benefits of urban renewal?*

Urban renewal produces many important human benefits. People get better housing; they no longer need live in squalor and filth. People who never before had the chance to do so can now enjoy many of the fruits of our affluent society.

Urban renewal also produces very tangible dollars-and-cents benefits to local communities. New structures in renewal areas ordinarily result in a substantial increase in tax revenues to the city. At the same time, the value of properties adjacent to the renewal area tends to increase as the blighting influence is removed, and investment in rehabilitation and in new buildings begins to take place.

Equally important, slums have typically required a very high level of fire, health, police, and welfare services, compared with better neighborhoods. With the elimination of slums, the cost of providing these services ordinarily goes down very sharply.

Areas and cities benefit from better design. Obsolete land uses are replaced with more efficient, more pleasant patterns of development. There are also less direct benefits. For example, urban renewal will enhance the economic base of the entire community as a result of construction activity, new business coming into formerly deteriorated areas, and the consequent increase in employment, payrolls, and tax revenues.

* * * * * * * * *

The federally assisted program of urban renewal is supervised by the Urban Renewal Administration, a constituent of the Housing and Home Finance Agency. The main points of contact between communities and the Federal Government on urban renewal are the Regional Offices of the Housing and Home Finance Agency. Further information on the urban renewal program may be obtained from the Regional Director of Urban Renewal at the appropriate Regional Office listed below:

Regional Office	*Jurisdiction*
REGION I 346 Broadway New York 13, New York	Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont.
REGION II 1004 Widener Building Chestnut and Juniper Streets Philadelphia 7, Pennsylvania	Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia.
REGION III 645 Peachtree-Seventh Building Atlanta 23, Georgia	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee.
REGION IV 360 North Michigan Avenue Chicago 1, Illinois	Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.
REGION V Federal Center 300 West Vickery Boulevard Fort Worth 4, Texas	Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas.
REGION VI Third Floor 989 Market Street San Francisco 3, California	Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, Alaska, Guam, Hawaii.
REGION VII 1608 Ponce de Leon Avenue P.O. Box 9093 Santurce 1, Puerto Rico	Puerto Rico, Virgin Islands.

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The Federal National Mortgage Association

FACT SHEET

on the program activities of "Fannie Mae"

Housing and Home Finance Agency
Federal National Mortgage Association
Washington 25, D.C.

May 1963

> "THE FEDERAL NATIONAL MORTGAGE ASSOCIATION....HAS MADE HOME OWNERSHIP A REALITY FOR MANY WHO MIGHT NOT OTHERWISE HAVE HAD IT AVAILABLE TO THEM. ITS PROGRAM OF PURCHASE AND SALE OF RESIDENTIAL MORTGAGES HAS BEEN A STRIKING EXAMPLE OF HOW GOVERNMENT AND INDUSTRY CAN COOPERATE TO ACCOMPLISH MOST WORTHWHILE RESULTS IN OUR ECONOMY."
>
> **President John F. Kennedy**
> FEBRUARY 1963

THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

The Federal National Mortgage Association, a constituent of the Housing and Home Finance Agency, provides assistance in the financing of homes across the Nation. Its operations consist of buying, servicing and selling mortgages insured by the Federal Housing Administration and those guaranteed by the Veterans Administration, including home improvement loans, and the making of short-term loans on the security of such mortgages.

The effect of its purchases is to increase the amount of housing credit available in the economy. This, in turn, gives support to home building and enables home purchasers to obtain loans at times when, and in places where, mortgage credit might not otherwise be available.

Generally speaking, mortgages are sold to FNMA when mortgage investment funds are in short supply and are sold by the Association at times and places of ample credit. Thus, its purchases and sales provide liquidity in the mortgage market called for under the terms of the Association's statutory charter.

FNMA, the world's largest residential mortgage operation, is a mixed ownership type of government corporation, with its preferred stock owned by the Federal Government and its common stock by members of the public.

BACKGROUND, HISTORY

FNMA, or Fannie Mae as it is popularly called, came into being in the 1930's as part of an overall effort to broaden home ownership and spur a near-stagnant economy. Part of the solution to expand housing in the mid-'30's was legislation to authorize government insurance (issued by the Federal Housing Administration) of home mortgages, which could be originated with low down payments and amortized over long terms.

Many lending institutions, however, found they were near their lending capacities and unable or reluctant to tie up additional funds in mortgages for long terms. To assure a secondary market for these FHA-insured mortgages, the Federal Housing Administrator on February 10, 1938, chartered the Federal National Mortgage Association under authority provided by the National Housing Act. Beginning July 1, 1948, FNMA was also authorized to buy, service and sell home mortgages guaranteed by the Veterans Administration.

In August, 1954, FNMA was rechartered as a constituent of the Housing and Home Finance Agency and, effective November 1, 1954, was empowered to conduct the three separate types of activities in which it is now engaged.

OPERATIONS

Secondary Market Operations: Under this activity, FNMA purchases FHA and VA mortgages in times when and in areas where market funds are needed; it holds such mortgages available for sale to private investors; and it makes short-term loans on the security of these types of mortgages. Certain fees are charged under these operations with the objective that they will reasonably prevent excessive use of FNMA's facilities and help make the operations fully self-supporting.

Organizations selling mortgages to FNMA under its Secondary Market Operations are required to make payments into capital incident to subscriptions for FNMA non-voting common stock in amounts ranging from 1% to 2% of the unpaid principal balances of the mortgages purchased; borrowers from the Association are required to make payments into capital equal in amount to 1/2% of the amounts borrowed. Other funds come from preferred stock issued to the Secretary of the Treasury; from borrowings through the sale of debentures and short-term discount notes to private investors, and from interest on, and liquidation of, mortgages.

FNMA pays the Federal Government a full equivalent of income tax on earnings from its Secondary Market Operations.

Requirements for sale of mortgages to FNMA under this activity include the following: they must come from qualified sellers (who must agree to service the mortgages or arrange for their servicing); their principal obligations must not exceed, or have exceeded $20,000 for each family residence or dwelling unit covered by the mortgage; they must generally meet the purchase standards of private investors, and they must have been insured by FHA or guaranteed by VA within a certain period immediately preceding the offering date.

Special Assistance Functions: FNMA's Special Assistance Functions are designed to accomplish various broad national housing policies and objectives, as determined by the President of the United States or by the Congress. In general, the Special Assistance Functions provide financing support for specific classes of mortgages until such time as the mortgages have acquired the characteristic of market acceptance by private investors. When such market acceptance has been established, this type of special financial support is discontinued.

Programs currently designated for special assistance are: housing for victims of major disasters; residential properties on Guam; properties rehabilitated or constructed under neighborhood conservation programs and for families displaced from urban renewal areas or as a result of other governmental action; housing for the elderly; below-market-interest rate mortgages on properties for families of moderate or low incomes; experimental housing; housing on restricted Indian lands; cooperative housing, and housing for civilians connected with a military research or development program and rental housing for military and essential civilian personnel in defense impacted areas.

In general, mortgages to be eligible for purchase by FNMA under the special assistance authority may not exceed, or may not have exceeded $17,500 in principal obligation for each family residence or dwelling unit. This limitation, however, does not apply to housing in Guam, Alaska, and Hawaii, to armed services (FHA Title VIII) housing, cooperative (FHA Title 213) housing in urban renewal areas, or to urban renewal area (Section 220) housing. Sellers of mortgages must be original mortgagees (lenders) and also must agree to service, or arrange for servicing of the mortgages.

Mortgage sellers under these functions are not required to make contributions into capital. Fees for the agency's services are established with the objective that its operations will be self-supporting. Funds required for the operation of this activity come from such fees, portfolio liquidation, and borrowings from the Secretary of the Treasury. All benefits and burdens of this operation inure solely to the Secretary of the Treasury.

Management and Liquidating Functions: The third major operation of FNMA involves the management and liquidation of mortgages acquired under contracts entered into before November 1, 1954 (the year in which FNMA was rechartered). Since then, FNMA has been empowered by law to manage and liquidate other types of mortgages. Two groups of mortgages in this category have been acquired since 1954: mortgages valued at $159,000,000 from the Public Housing Administration, and mortgages valued at $651,000 from the Community Facilities Administration.

Funds for this activity are obtained from borrowings from the Secretary of the Treasury, and from the sale to the public of FNMA obligations and portfolio liquidation. All benefits and burdens of this activity inure solely to the Secretary of the Treasury.

ADMINISTRATION

By charter, FNMA policies are formulated by a Board of Directors composed of the HHFA Administrator (Chairman), and four members appointed by him from HHFA, FNMA or any other Government department or agency (with the consent of the head of such agency). The business affairs are administered by its President as chief executive officer. Other corporate officers are: Vice-President, General Counsel, Secretary, Treasurer and Controller.

The Association's activities are administered through five field offices located in Atlanta, Chicago, Dallas, Los Angeles, and Philadelphia so as to best serve the needs of the organizations that do business with the Association. In addition to these field offices, FNMA maintains a fiscal agency office and a mortgage sales office in New York City, and an administrative office in Washington, D. C.

The Association is fully self-supporting and receives no direct appropriations for the payment of its administrative or other expense, although it is limited by provisions contained in the annual Independent Offices Appropriations Act as to the amount of its funds that may be expended for administrative expenses.

FOR FURTHER INFORMATION

More detailed information concerning the program activities of the Federal National Mortgage Association may be obtained from the appropriate agency offices of the FNMA, or by inquiry addressed to the Federal National Mortgage Association, Washington 25, D. C.

AGENCY OFFICES FEDERAL NATIONAL MORTGAGE ASSOCIATION

ATLANTA: 34 PEACHTREE STREET, NE., ATLANTA 3, GA. (ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE).

CHICAGO: 1120 COMMONWEALTH-EDISON BUILDING, 72 WEST ADAMS STREET, CHICAGO 3, ILL. (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN).

DALLAS: DALLAS FEDERAL SAVINGS BUILDING, 1505 ELM STREET, DALLAS 1, TEX. (ARKANSAS, COLORADO, KANSAS, LOUISIANA, MISSOURI, NEW MEXICO, OKLAHOMA, TEXAS).

LOS ANGELES: 3540 WILSHIRE BOULEVARD, LOS ANGELES 5, CALIF. (ALASKA, ARIZONA, CALIFORNIA, GUAM, HAWAII, IDAHO, MONTANA, NEVADA, OREGON, UTAH, WASHINGTON, WYOMING).

PHILADELPHIA: 211 SOUTH BROAD STREET, PHILADELPHIA 7, PA. (CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, VERMONT, VIRGIN ISLANDS, VIRGINIA, WEST VIRGINIA).

FACT SHEETS ON HHFA PROGRAMS

- The Workable Program for Community Improvement
- Urban Transportation
- HHFA Programs for Senior Citizen Housing

- The Urban Renewal Program
- The Urban Planning Assistance Program
- The Open-Space Land Program

- Accelerated Public Works Program
- Senior Citizen Housing Loan Program
- College Housing Loans
- Public Facility Loans
- Advances for Public Works Planning

- Public Housing
- The Public Housing Program for Senior Citizens

- Federal National Mortgage Association

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Housing
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New York Post

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Luxury or Renewal

A valid and serious point is made in a letter on this page dealing with the West Side Urban Renewal Plan.

This $180,000,000 project will, when its third stage has been completed, have thoroughly transformed 20 rundown blocks of Manhattan's Upper West Side. It is right for the City Planning Commission to seek expeditious action on it.

But why should the low-income families now living there, mostly Puerto Rican, have to carry the burden? That is what will happen if the City Planning Commission insists upon the present scheme of priorities, with its inexplicable emphasis on luxury housing.

The clear alternative is to provide for less luxury and more middle and low-income housing in the first stage of the plan.

The West Side Urban Renewal Plan projects an exciting, attractive image of community renewal. It would be a pity to have it identified with lack of consideration for the poor and disadvantaged and as another island for those who are least in need of refuge.

Letters to the Editor

West Side Urban Renewal

A great deal of heat has been generated over the West Side Urban Renewal Plan which affects the area between 87th and 97th Sts., from the park to Amsterdam Av. Since the plan will get its final review from the Board of Estimate this Friday, it might be well to appraise some of the sources of controversy dispassionately and reasonably.

First, it should be noted that almost everyone on the West Side welcomes Urban Renewal and supports its objectives enthusiastically. However, there are a substantial number of responsible people, including all four elected public officials from the local area, who feel that the plan can and should be modified if it is to have a truly constructive effect in the community and in the city.

The basic problem lies in the balance between luxury housing on the one hand, and desperately needed low and middle-income housing on the other. The plan now provides for no less than 2,800 new units of luxury housing – $50 per month per room and up – out of 7,800 new apartments to be constructed. The morality of using taxpayers' money to subsidize private builders of luxury housing is dubious at best, but in this instance, the disproportionate number of units involved makes it particularly objectionable.

Most unfortunate of all, while there will be 2,800 more luxury apartments in the area, there will be a net decrease – at an absolute minimum – of 3,300 units for low-income families.

Let us ignore the obviously unfavorable sociological implications of these statistics. Let us instead merely recognize that it makes no sense to wind up with fewer low-income units than we began with, when everyone acknowledges that there is already a critical shortage of housing in this category.

Even proponents of the plan in its present form, do not defend this balance enthusiastically. They say we must take it exactly as it is or face interminable delays -- possibly even abandonment of the plan -- if we seek to modify it.

I reject this framing of the alternatives. Given good will in the relevant bureaus here and in Washington, the plan can be amended quickly to provide for more low and middle-income housing and less luxury housing.

A pattern is being set for generations to come. We have a right to demand the best plan creative people can devise.

ROBERT L. WECHSLER,
District Leader, 5 A. D. South.

* * *

Housing
NYC

BOARD OF ESTIMATE HEARING

WEST SIDE URBAN RENEWAL

FRIDAY JUNE 22ND BEGINNING AT 10:00 A.M.

Directions:

8th Ave. Express "A" Train to Chamber St. Station

7th Ave. Express to Park Place

Lexington Ave. to Brooklyn Bridge Station

All these stations are about a block from City Hall.

The Board of Estimate chamber is on the second floor.

The hearing will begin at 10:00 A.M. and continue until all are heard, so come when you can , even after work.

ATTEND THE HEARING

EXPRESS YOUR OPINION

WEAR YOUR "FAIR URBAN RENEWAL" TAG

HOUSING AND HOME FINANCE AGENCY
WASHINGTON 25, D.C.
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HHFA-URA-No. 63-488
(Phone DU 2-4045 or DU 2-4433)

FOR RELEASE
Tuesday A.M.
June 25, 1963

Two major steps to increase the effectiveness of urban renewal in providing equal opportunity for housing were announced today by William L. Slayton, Commissioner, Urban Renewal Administration. They involved Community Renewal Programs and the relocation of families displaced by urban renewal operations.

Robert C. Weaver, Administrator of the Housing and Home Finance Agency, described Mr. Slayton's action as being "in accord with our deep concern for the human aspects of urban renewal" and as "providing leadership in assisting local governments to meet a problem in urban renewal which faces them and threatens the success of the program."

Describing urban renewal as having as its objective "not only the physical renaissance of the city, but also the dignity and well being of the city's people," Commissioner Slayton stated that free access to housing for all families, regardless of race, color, creed or national origin, is basic to the achievement of this objective.

"In order to hasten progress toward this goal, it is necessary to look beyond the scope of isolated urban renewal projects," Commissioner Slayton said.

He then announced that the Urban Renewal Administration is revising its regulation covering grants for Community Renewal Programs, which are made to cities for taking inventory of their citywide physical renewal needs and resources, and establishing a program and schedule for meeting requirements for community improvement.

"We are revising our regulations to make equal opportunity a central factor in the development of communities engaged in such programs," the Urban Renewal Commissioner announced. "In addition, we are asking cities which have CRP's underway to include this basic objective in their existing programs. Specifically, we are requiring that CRP's include: (1) an analysis of the existing pattern of housing occupied by Negroes and other minorities and the extent to which this pattern is a result of discrimination; (2) projection of the housing needs of Negro and other minority families, including those displaced by urban renewal and other public action, and those newly moving into the community; (3) development of an affirmative program to increase the quantity, improve the quality, and eliminate barriers to housing for Negro and other minority families."

In the second major step, Commissioner Slayton pointed out that, as part of its concern for the relocation of displaced families, the Urban Renewal Administration also has an obligation to make sure that such families are assisted in finding homes that are "free from racial and other such restrictions."

Local renewal agencies are required by law to make decent, safe, and sanitary housing accommodations at reasonable prices and rents available to families displaced by urban renewal.

"As of today," Commissioner Slayton announced, "we are revising our relocation regulations to prohibit the listing of housing accommodations that are not available to all families regardless of race, color, creed, or national origin. Thus the local renewal agency in listing housing available to families being displaced because of urban renewal may not include units that are denied minority families.

"Through these measures the Urban Renewal Administration hopes to increase its effectiveness in advancing equal opportunity in housing. The Urban Renewal Administration is also continuing the examination of its rules and regulations to identify additional means of contributing to this vital national objective."

Housing Administrator Robert C. Weaver issued the following statement commenting on the Urban Renewal Commissioner's action:

> "The policy statement issued by Commissioner Slayton is in accord with our deep concern for the human aspects of urban renewal. Not only is it a reflection of the spirit of President Kennedy's Executive Order on Equal Opportunity in Housing, but it will contribute significantly to the success of our activities for revitalizing and renewing the cities of the nation. In this instance the Federal Government is providing leadership in assisting local governments to meet a problem in urban renewal which faces them and threatens the success of the program."

- 0 -

Statement by William L. Slayton
Commissioner, Urban Renewal Administration
Housing and Home Finance Agency
on
Revised Regulations Regarding Equal Opportunity
in
Housing in Urban Renewal Programs

The urban renewal program is a major national effort to replace slums and blighted areas with attractive working and living environments. It is also an effort to rehouse American families in sound dwellings and socially healthy neighborhoods. Thus it has as its objective not only the physical renaissance of the city, but also the dignity and well-being of the city's people.

Basic to this objective is the achievement of free access to housing for all families regardless of race, color, creed, or national origin.

The President in his Executive Order on Equal Opportunity in Housing has clearly stated this commitment: "The granting of Federal assistance for the provision, rehabilitation, or operation of housing and related facilities from which Americans are excluded because of their race, color, creed, or national origin is unfair, unjust, and inconsistent with the public policy of the United States as manifested in its Constitution and laws."

In order to hasten progress toward this goal, it is necessary to look beyond the scope of isolated urban renewal projects. A comprehensive program that examines the needs and requirements of the entire community is essential. The Community Renewal Program of the Urban Renewal Administration offers the means for such an examination. It is a citywide action program for renewal and related activities.

Today we are revising our regulations with respect to grants for Community Renewal Programs to make equal opportunity in housing a central factor in the development of communities engaged in such programs. In addition, we are asking cities which have CRP's underway to include this basic objective in their existing programs. Specifically, we are requiring that CRP's include: (1) an analysis of the existing pattern of housing occupied by Negroes and other minorities and the extent to which this pattern is a result of discrimination; (2) projection of the housing needs of Negro and other minority families, including those displaced by urban renewal and other public action, and those newly moving into the community; (3) development of an affirmative program to increase the quantity, improve the quality, and eliminate barriers to housing for Negro and other minority families."

As part of its concern for the relocation of families displaced by urban renewal, the Urban Renewal Administration also has a responsibility for seeing that these families are assisted in finding housing accommodations that are free from racial or other such restrictions.

Consequently as of today we are revising our relocation regulations to prohibit the listing of housing accommodations that are not available to all families regardless of race, color, creed, or national origin. Thus the local renewal agency in listing housing available to families being displaced because of urban renewal may not include units that are denied minority families.

Through these measures, the Urban Renewal Administration hopes to increase its effectiveness in advancing equal opportunity in housing. The Urban Renewal Administration is also continuing the examination of its rules and regulations to identify additional means of contributing to this vital national objective.

– 0 –

June 20, 1963

S. W. Bridge Project

191 buildings owned by
city now

middle income project
for 1,600 families

Total 63.6 million private
16.2 million public

Housing 7.04 acres /
15 acres Total

do they already own land

42 million — sponser
Tishman Realty +
construction Co.
666 5 th Ave.

---

school K-2 —
can build an overpass
to PS-1 — where PS-24

Add Int.

HUMAN RELATIONS ADVISORY COMMITTEE

TO

RELOCATION DEPARTMENT

OK 1/3/63
JB

3R 4
rental up to $100

Agenda

1. Address of Welcome by Commissioner Herman Badillo
2. Purposes of Committee by Frank Arricale – Marsha & Shirley
    - a) Finder's Fee Program – up to $300
        - Integration
        - Stereotype Welfare Clients
    - b) West Side Skewed Rental Program
    - c) Sensitizing Relocation Personnel
3. Areas of Concern
    - a) Community Leadership
        - Clergy
        - Fraternal and Civic Organizations
        - Real Estate and Landlord Groups
        - Tenant Groups
        - Community Councils and Civic Organizations
    - b) Rent Controlled Areas
        - Queens
        - North Bronx
        - Staten Island
        - Brooklyn Heights, Bushwick Areas of Brooklyn
4. Discussion
5. Resolutions
6. Setting Date For Regular Meetings
7. Closing Remarks By Commissioner Badillo

Jan. 8, 10:00 A.M.

RELOCATION

NEWS

HERMAN BADILLO
Commissioner

NEW YORK CITY
DEPARTMENT OF RELOCATION
2 Lafayette St.
New York 7, N.Y.
WO 4-5656

FRANK ARRICALE
Director of Public Information
&
Community Services
EXT. 592

Interract
Housing

December 17, 1963

FOR IMMEDIATE RELEASE NO. 13

Relocation Commissioner, Herman Badillo announced today the creation of a Human Relations Advisory Committee that will cooperate with his Department in promoting human values and intergroup harmony both within his Department and among community and neighborhood groups of the City.

"I am sure that this Committee, so many of whose members are professionally engaged in the field of Human Relations and who represent agencies with long lists of success in this field, will be able to help us to achieve our goals. My Department was begun in order to promote and to insure human values in the area of relocation. The work that this Committee will do with our Bureau of Community Services will help us to fulfill the objectives for which our agency was started one year ago by the Mayor," remarked Commissioner Badillo at the Committee's first formal meeting.

The Commissioner emphasized "one of the most important objectives that we will seek to attain with the cooperation of the Advisory Committee is the breaking down of barriers which hinder prompt and effective racial integration in private housing. These racial barriers constitute a very special hardship for those minority group families who are required to seek new living quarters because they have been dislocated to make way for new schools, health stations, highways, or publicly assisted middle and low income housing units. Racial barriers restrict the number of housing resources available to relocation families belonging to minority groups. Through community education and action programs, we hope to make it possible for Negro and Puerto Rican families to be welcome as neighbors in communities in which they are now denied the right to live."

The Department of Relocation will also be concerned in its educational and action programs to destroy prevailing negative stereotypes of families who are receiving public assistance and who will need standard housing because of relocation programs.

Commissioner Badillo pointed out at the first meeting of the Committee that he was hoping the Committee would also work with members of his executive staff in planning and carrying out programs with Department of Relocation personnel to insure that every member of the agency was sensitive to the human relations goals which form the basis of the Department's policies and operations.

Through the Finder's Fee Program, the Department of Relocation has a useful tool to aid the City's "Open Occupancy Program" and in breaking down racial or ethnic barriers in housing. Landlords, brokers, and agents who list their standard empty apartments with the Department's Central Vacancy Listing Unit receive up to $300 when a tenant referred by Relocation accepts a listed apartment. A campaign by the Department's Bureau of Community Services has been in operation to encourage landlords in hitherto all white areas to list with the Department so that Negro and Puerto Rican relocatees, among others, from Capital Improvement and Urban Renewal Sites may seek and find apartments in these districts. At the meeting, the Director of the Bureau of Community Services discussed methods and techniques which could be used to expand and strengthen the campaign. Representatives of the various Human Relations agencies at the meeting expressed their desire to aid in this campaign.

Members of the Human Relations Advisory Committee: Mrs. Jane Mills - West Side Urban Renewal Area; Robert Paul - Archdiocese of New York; Vincent Mase - Local 32B Building Service Employees Union; Morris S. Sass - Anti-Defamation League of B'nai B'rith; Frances Levinson - New York State Committee Against Discrimination In Housing; Raymond Pickard - Congress of Neighborhood Organizations of Staten Island; Joseph B. Robison - American Jewish Congress; Israel A. Laster - American Jewish Committee; Allyn P. Robinson - National Conference of Christians & Jews; Norman Hill - CORE; Jack E. Wood, Jr. - City Commission on Human Rights; Alice B. Arrington - Y.W.C.A.; James J. Farrell - The Wakefield Taxpayers & Civic League of the Bronx Rita Smollens - Urban League of Greater New York; Adele Tunick - United Parents Association; Rev. Philip S. Hurley, S.J. - Catholic Inter-racial Council of New York;

Joseph Morales - Commonwealth of Puerto Rico; Paul Gibson - NAACP; Cyril Tyson - Harlem Youth Opportunities Unlimited; Livingston Wingate - Association of Community Teams; Norman Uris - Department of Real Estate; Elizabeth Kempton - Housing & Redevelopment Board.

-ooOoo-

The Federal National Mortgage Association

FACT SHEET

on the program activities of "Fannie Mae"

Housing and Home Finance Agency
Federal National Mortgage Association
Washington 25, D.C.

May 1963

THE FEDERAL NATIONAL MORTGAGE ASSOCIATION

> "THE FEDERAL NATIONAL MORTGAGE ASSOCIATION....HAS MADE HOME OWNERSHIP A REALITY FOR MANY WHO MIGHT NOT OTHERWISE HAVE HAD IT AVAILABLE TO THEM. ITS PROGRAM OF PURCHASE AND SALE OF RESIDENTIAL MORTGAGES HAS BEEN A STRIKING EXAMPLE OF HOW GOVERNMENT AND INDUSTRY CAN COOPERATE TO ACCOMPLISH MOST WORTHWHILE RESULTS IN OUR ECONOMY."
>
> President John F. Kennedy
> FEBRUARY 1963

The Federal National Mortgage Association, a constituent of the Housing and Home Finance Agency, provides assistance in the financing of homes across the Nation. Its operations consist of buying, servicing and selling mortgages insured by the Federal Housing Administration and those guaranteed by the Veterans Administration, including home improvement loans, and the making of short-term loans on the security of such mortgages.

The effect of its purchases is to increase the amount of housing credit available in the economy. This, in turn, gives support to home building and enables home purchasers to obtain loans at times when, and in places where, mortgage credit might not otherwise be available.

Generally speaking, mortgages are sold to FNMA when mortgage investment funds are in short supply and are sold by the Association at times and places of ample credit. Thus, its purchases and sales provide liquidity in the mortgage market called for under the terms of the Association's statutory charter.

FNMA, the world's largest residential mortgage operation, is a mixed ownership type of government corporation, with its preferred stock owned by the Federal Government and its common stock by members of the public.

BACKGROUND, HISTORY

FNMA, or Fannie Mae as it is popularly called, came into being in the 1930's as part of an overall effort to broaden home ownership and spur a near-stagnant economy. Part of the solution to expand housing in the mid-'30's was legislation to authorize government insurance (issued by the Federal Housing Administration) of home mortgages, which could be originated with low down payments and amortized over long terms.

Many lending institutions, however, found they were near their lending capacities and unable or reluctant to tie up additional funds in mortgages for long terms. To assure a secondary market for these FHA-insured mortgages, the Federal Housing Administrator on February 10, 1938, chartered the Federal National Mortgage Association under authority provided by the National Housing Act. Beginning July 1, 1948, FNMA was also authorized to buy, service and sell home mortgages guaranteed by the Veterans Administration.

In August, 1954, FNMA was rechartered as a constituent of the Housing and Home Finance Agency and, effective November 1, 1954, was empowered to conduct the three separate types of activities in which it is now engaged.

OPERATIONS

Secondary Market Operations: Under this activity, FNMA purchases FHA and VA mortgages in times when and in areas where market funds are needed; it holds such mortgages available for sale to private investors; and it makes short-term loans on the security of these types of mortgages. Certain fees are charged under these operations with the objective that they will reasonably prevent excessive use of FNMA's facilities and help make the operations fully self-supporting.

Organizations selling mortgages to FNMA under its Secondary Market Operations are required to make payments into capital incident to subscriptions for FNMA non-voting common stock in amounts ranging from 1% to 2% of the unpaid principal balances of the mortgages purchased; borrowers from the Association are required to make payments into capital equal in amount to 1/2% of the amounts borrowed. Other funds come from preferred stock issued to the Secretary of the Treasury; from borrowings through the sale of debentures and short-term discount notes to private investors, and from interest on, and liquidation of, mortgages.

FNMA pays the Federal Government a full equivalent of income tax on earnings from its Secondary Market Operations.

Requirements for sale of mortgages to FNMA under this activity include the following: they must come from qualified sellers (who must agree to service the mortgages or arrange for their servicing); their principal obligations must not exceed, or have exceeded $20,000 for each family residence or dwelling unit covered by the mortgage; they must generally meet the purchase standards of private investors, and they must have been insured by FHA or guaranteed by VA within a certain period immediately preceding the offering date.

Special Assistance Functions: FNMA's Special Assistance Functions are designed to accomplish various broad national housing policies and objectives, as determined by the President of the United States or by the Congress. In general, the Special Assistance Functions provide financing support for specific classes of mortgages until such time as the mortgages have acquired the characteristic of market acceptance by private investors. When such market acceptance has been established, this type of special financial support is discontinued.

Programs currently designated for special assistance are: housing for victims of major disasters; residential properties on Guam; properties rehabilitated or constructed under neighborhood conservation programs and for families displaced from urban renewal areas or as a result of other governmental action; housing for the elderly; below-market-interest rate mortgages on properties for families of moderate or low incomes; experimental housing; housing on restricted Indian lands; cooperative housing, and housing for civilians connected with a military research or development program and rental housing for military and essential civilian personnel in defense impacted areas.

In general, mortgages to be eligible for purchase by FNMA under the special assistance authority may not exceed, or may not have exceeded $17,500 in principal obligation for each family residence or dwelling unit. This limitation, however, does not apply to housing in Guam, Alaska, and Hawaii, to armed services (FHA Title VIII) housing, cooperative (FHA Title 213) housing in urban renewal areas, or to urban renewal area (Section 220) housing. Sellers of mortgages must be original mortgagees (lenders) and also must agree to service, or arrange for servicing of the mortgages.

Mortgage sellers under these functions are not required to make contributions into capital. Fees for the agency's services are established with the objective that its operations will be self-supporting. Funds required for the operation of this activity come from such fees, portfolio liquidation, and borrowings from the Secretary of the Treasury. All benefits and burdens of this operation inure solely to the Secretary of the Treasury.

Management and Liquidating Functions: The third major operation of FNMA involves the management and liquidation of mortgages acquired under contracts entered into before November 1, 1954 (the year in which FNMA was rechartered). Since then, FNMA has been empowered by law to manage and liquidate other types of mortgages. Two groups of mortgages in this category have been acquired since 1954: mortgages valued at $159,000,000 from the Public Housing Administration, and mortgages valued at $651,000 from the Community Facilities Administration.

Funds for this activity are obtained from borrowings from the Secretary of the Treasury, and from the sale to the public of FNMA obligations and portfolio liquidation. All benefits and burdens of this activity inure solely to the Secretary of the Treasury.

ADMINISTRATION

By charter, FNMA policies are formulated by a Board of Directors composed of the HHFA Administrator (Chairman), and four members appointed by him from HHFA, FNMA or any other Government department or agency (with the consent of the head of such agency). The business affairs are administered by its President as chief executive officer. Other corporate officers are: Vice-President, General Counsel, Secretary, Treasurer and Controller.

The Association's activities are administered through five field offices located in Atlanta, Chicago, Dallas, Los Angeles, and Philadelphia so as to best serve the needs of the organizations that do business with the Association. In addition to these field offices, FNMA maintains a fiscal agency office and a mortgage sales office in New York City, and an administrative office in Washington, D. C.

The Association is fully self-supporting and receives no direct appropriations for the payment of its administrative or other expense, although it is limited by provisions contained in the annual Independent Offices Appropriations Act as to the amount of its funds that may be expended for administrative expenses.

FOR FURTHER INFORMATION

More detailed information concerning the program activities of the Federal National Mortgage Association may be obtained from the appropriate agency offices of the FNMA, or by inquiry addressed to the Federal National Mortgage Association, Washington 25, D. C.

AGENCY OFFICES FEDERAL NATIONAL MORTGAGE ASSOCIATION

ATLANTA: 34 PEACHTREE STREET, NE., ATLANTA 3, GA. (ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, SOUTH CAROLINA, TENNESSEE).

CHICAGO: 1120 COMMONWEALTH-EDISON BUILDING, 72 WEST ADAMS STREET, CHICACO 3, ILL. (ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, NEBRASKA, NORTH DAKOTA, OHIO, SOUTH DAKOTA, WISCONSIN).

DALLAS: DALLAS FEDERAL SAVINGS BUILDING, 1505 ELM STREET, DALLAS 1, TEX. (ARKANSAS, COLORADO, KANSAS, LOUISIANA, MISSOURI, NEW MEXICO, OKLAHOMA, TEXAS).

LOS ANGELES: 3540 WILSHIRE BOULEVARD, LOS ANGELES 5, CALIF. (ALASKA, ARIZONA, CALIFORNIA, GUAM, HAWAII, IDAHO, MONTANA, NEVADA, OREGON, UTAH, WASHINGTON, WYOMING).

PHILADELPHIA: 211 SOUTH BROAD STREET, PHILADELPHIA 7, PA. (CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, VERMONT, VIRGIN ISLANDS, VIRGINIA, WEST VIRGINIA).

FACT SHEETS ON HHFA PROGRAMS

- The Workable Program for Community Improvement
- Urban Transportation
- HHFA Programs for Senior Citizen Housing

- The Urban Renewal Program
- The Urban Planning Assistance Program
- The Open-Space Land Program

- Accelerated Public Works Program
- Senior Citizen Housing Loan Program
- College Housing Loans
- Public Facility Loans
- Advances for Public Works Planning

- Public Housing
- The Public Housing Program for Senior Citizens

- Federal National Mortgage Association

GPO 943564

The Workable Program for Community Improvement

FACT SHEET

on organization and use of local resources to meet the planning and development needs of communities

Housing and Home Finance Agency
Office of the Administrator
Washington, D. C. 20410

June 1963

I. Codes and Ordinances

II. Comprehensive Community Plan

III. Neighborhood Analyses

IV. Administrative Organization

V. Financing

VI. Housing for Displaced Families

VII. Citizen Participation

"OUR COMMUNITIES ARE WHAT WE MAKE THEM. WE AS A NATION HAVE BEFORE US THE OPPORTUNITY -- AND THE RESPONSIBILITY -- TO REMOLD OUR CITIES, TO IMPROVE OUR PATTERNS OF COMMUNITY DEVELOPMENT, AND TO PROVIDE FOR THE HOUSING NEEDS OF ALL SEGMENTS OF OUR POPULATION."

President John F. Kennedy

THE WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT

FEDERAL PROGRAMS OF ASSISTANCE TO housing and community development are designed to aid communities and to stimulate local action to assure to every family the opportunity to secure a decent home in a suitable living environment and to foster economic and cultural growth.

These Federal assistance programs can accomplish their purpose only when they are based on a community's own plan of action through which both private and public local resources are used to eliminate and prevent slums and blight and to foster local development.

Such a plan of action is called a "Workable Program for Community Improvement."

On the sound principle that certain forms of Federal assistance can bring permanent benefits only to those communities that are making a real effort to help themselves, Congress has provided that these Federal aids shall go only to communities which are actively carrying out a locally-adopted Workable Program which has been certified by the Administrator of the Housing and Home Finance Agency.

The original Workable Program certification is for one year. To remain eligible for the Federal aids there must be an annual recertification. This is based on a "Review of Progress" submitted each year by the community to show that it is taking effective action toward meeting its goals and objectives as established in the Workable Program. Recertification submissions are reviewed carefully to determine whether the community is making adequate progress toward its goals and objectives. Where reasonable, balanced progress is not being made, recertification is denied until corrective action is taken.

A Workable Program carries no direct Federal aid in itself. It is a prerequisite for the following Federal aids to communities--

- Urban Renewal Administration loans and grants for clearing, redeveloping and rehabilitating slums and blighted areas,

- Section 220 Federal Housing Administration mortgage insurance for housing construction or improvement in urban renewal project areas,

- Section 221(d)(3) FHA mortgage insurance to provide rental housing for families of low and moderate income and those displaced by governmental action,

- Public Housing Administration loans and grants to provide housing for families unable to afford standard housing in the private market.

BENEFITS OF A WORKABLE PROGRAM

For the community

The Workable Program generates action in a community to--

- Provide a sounder basis for planning and programming public facilities and services in accordance with community needs,
- Increase the tax base,
- Provide the environment that will foster the expansion and growth of commerce and industry,
- Eliminate slums and blighted areas, thus wiping out the inordinate cost of municipal services to such areas,
- Improve administrative and fiscal management,
- Make it a more pleasant place in which to live and work,
- Shape growth and development along sound planning principles,
- Reach community consensus and assure community support, through active citizen participation, on desirable Program goals and necessary private or public courses of action.

For the individual

For the individual citizen the Workable Program serves to--

- Enhance the value of his property and his pride of ownership,
- Create the kind of living and working conditions for him, his family, and for his neighbors that are appropriate to their needs,
- Assure him of full value for his tax dollar,
- Increase his opportunities to better his housing conditions,
- Give him a means of voicing his views on programs for community development,
- Create pride in neighborhood and community,
- Create the kind of environment in which children can grow and develop as responsible citizens of the community and the Nation.

REQUIREMENTS OF A WORKABLE PROGRAM

THE SEVEN ELEMENTS THAT GO TO make up a Workable Program represent nothing more than the use of tested and accepted principles of good municipal management.

While there are seven elements, none of them stands alone. They are interrelated--they are developed together and they move forward together as the Program progresses.

I. CODES AND ORDINANCES

If not already adopted, adequate codes and ordinances that provide sound standards for the construction and for the use and occupancy of dwelling units must be put into effect within one year after original Workable Program certification. Model codes developed and kept up to date by recognized national organizations are preferred, but local codes are acceptable provided they set comparable standards and do not contain restrictive provisions that unduly increase housing costs.

The basic codes are--

... Building
... Plumbing
... Electrical
... Housing

Code compliance must follow the adoption of the basic codes, and a systematic Housing Code compliance program by neighborhoods or otherwise must be under way within one year after the Housing Code is adopted.

Provision must be made for--

- Coordinating the work of those responsible for the various codes,
- Keeping the codes up to date by a regular review,
- Reporting on enforcement and compliance accomplishments.

II. COMPREHENSIVE COMMUNITY PLAN

This provides a means for the community, working through its planning agency, assisted by technical experts, to make an assessment of its physical resources and to develop a plan and a program for providing the kind of environment needed for improvement, growth and development. The basic planning decisions are incorporated in--

- A land use plan
- A major thoroughfare plan
- A community facilities plan.

These decisions are put into effect through--

- A zoning ordinance
- Subdivision regulations
- A capital improvements program.

Plans are wasted unless--

- They are used for the purposes intended,
- They are kept current and responsive to changing conditions.

No community is an island unto itself. Growth and development--and slums and blight--are no respecters of jurisdictional lines. Judicious planning must encompass an entire area having related problems and related physical resources. It serves best when it covers an entire region. Every community should consider this in its planning and should join neighbor jurisdictions in setting up county, area and regional planning programs as needed.

The Congress has recognized this need, for, in addition to the urban planning assistance grants through State agencies to cities with less than 50,000 population, it has provided grants to encourage metropolitan area, regional and even statewide planning programs.

The Federal Urban Planning Assistance Program (the "701" program), administered by the Urban Renewal Administration, may be used to help meet specific requirements of a community's Workable Program, including preparation of the comprehensive community plan.

III. NEIGHBORHOOD ANALYSES

This is an extension of the planning process to each neighborhood--an examination of its problems, its physical resources, environmental conditions--and decisions concerning what part each neighborhood should play in the total community program and a schedule for doing whatever needs to be done so that it can play its proper role. It involves--

... Study
... Planning
... Programming
... Action.

The analyses should cover not only residential areas but commercial and industrial areas as well.

Neighborhood Analyses should not be concerned only with the protection of good areas and rehabilitation and clearance where needed. Attention should be given also to needed community facilities and services, and to the elimination of blighting influences such as heavy traffic and non-conforming land uses.

The Community Renewal Program of the Urban Renewal Administration provides acceptable neighborhood analyses. Under this Program grants are available to pay up to two-thirds of the cost of assembling information covering the full scope of community improvement actions required to meet local needs. It permits the community to prepare a long-range program for meeting those needs, balancing them against the public and private resources that will be available for that purpose. Neighborhood analyses also may be prepared under the 701 Urban Planning Assistance Program.

IV. ADMINISTRATIVE ORGANIZATION

Under normal circumstances a local government provides the services the people need or ask for. Under its Workable Program the community sets for itself goals which require the coordinated and positive use of almost all of its administrative resources to achieve those goals. So it checks its existing organization and makes the adjustments needed for effective action, at the same time assuring that--

- Responsibility for program coordination is fixed,
- Provision is made for adequate personnel for planning, code enforcement and other needed service and operating functions.

V. FINANCING

The costs of the Workable Program need not be burdensome. Prudence must be exercised in planning and budgeting for the most efficient use of current personnel and public improvements expenditures and for additional requirements for--

... Planning
... Code Compliance
... Public Improvements.

It is also important that a long-range public improvements budget be prepared as a base for scheduling improvements needed to upgrade neighborhoods and to provide grant-in-aid credit for any urban renewal projects that may be undertaken.

VI. HOUSING FOR DISPLACED FAMILIES

As a community moves forward with its Workable Program, families will be displaced from the homes they occupy as a result of the elimination of slums, code enforcement, the construction of public improvements or other governmental actions. This places with the community a clear responsibility--and an opportunity--to use its public and private resources so that the displaced families are given a chance to secure decent housing in a suitable living environment.

A community can best discharge this responsibility by developing and implementing an effective program for assisting such families to obtain standard housing within their means. This will require that it determine both the immediate and the long-range relocation needs before displacement occurs, and that it plan, organize and initiate projects and activities that will assure the availability of the necessary housing resources. Such projects and activities should include establishment of a housing referral service; the participation by builders, lenders, real estate firms and others in programs for the construction of relocation housing; the provision of special incentives by communities, where possible, to stimulate such participation; and the initiation of appropriate steps to obtain the use of Federal aids intended to facilitate construction, rehabilitation and financing of housing needed by displaced families.

VII. CITIZEN PARTICIPATION

Citizen participation is the keystone of a community's Workable Program. It is the means by which citizens, through an officially designated citizens advisory committee, can contribute by--

- Informing themselves of goals and progress,
- Assisting in formulating programs and goals,
- Serving as the medium for bringing private resources into the Program.

The citizens advisory committee must be community-wide and representative in scope. It can use subcommittees as its work force to deal with special problems such as--

... Public Information
... Community Planning
... Neighborhood Improvement
... Codes-Adoption and Enforcement
... Home Financing
... Relocation Housing
... Housing for Minority Groups

A subcommittee or special committee on minority group housing is required in any community in which all housing resources, public and private, are not available on a basis of full equality to minority group families. The purpose of this committee is to study and formulate a program of community action in this field. Minority groups should be represented on the citizens advisory committee as well as on the subcommittee or special committee.

In order to do its job effectively, the advisory committee and its subcommittees or special committees should--

- Have a definite work program,
- Meet on a regular schedule,
- Have staff assistance.

PREPARATION OF THE PROGRAM

Additional informational materials, including individual Program Guides on each of the seven Program elements, are available from HHFA Regional Offices.

An Urban Renewal Service is also available, upon request to the appropriate HHFA Regional Office, to render technical assistance to a community in the preparation and development of its Workable Program.

A Workable Program for Community Improvement submission and the Reports of Progress are prepared, under the direction of a local official designated by the executive head of the community, on forms that are available in the HHFA Regional Office.

FACT SHEETS ON HHFA PROGRAMS

- The Workable Program for Community Improvement
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- Accelerated Public Works Program
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- Advances for Public Works Planning

- Public Housing
- The Public Housing Program for Senior Citizens

- Federal National Mortgage Association

GPO 861-737

The Urban Renewal Program

FACT SHEET

on Federal assistance to communities for urban renewal and related activities

Housing and Home Finance Agency
Urban Renewal Administration
Washington, D.C. 20410

August 1963

"TO DEVELOP AN EFFECTIVE LONG-RANGE PROGRAM TO ARREST AND REMOVE BLIGHT AND REVITALIZE OUR CITIES, LOCAL COMMUNITIES MUST BE ABLE TO COUNT ON ADEQUATE AND CONTINUING SUPPORT THROUGH A LONG-TERM FEDERAL COMMITMENT."

President John F. Kennedy
HOUSING MESSAGE, 1961

THE URBAN RENEWAL PROGRAM

URBAN RENEWAL IS THE TERM USED TO describe the diversified efforts by localities, with the assistance of the Federal Government, for the elimination and prevention of slums and blight, whether residential or nonresidential, and the removal of the factors that create slums and blighting conditions. In the Housing Act of 1949, as amended, as well as in other legislation, Congress has enacted a number of provisions which include loans, grants, technical assistance, and special mortgage insurance in urban renewal areas. Taken together they represent a "kit of tools" making possible a partnership among local governments, private enterprise, citizens, and the Federal Government in mounting an offensive against slums and the causes of urban blight.

Urban Renewal is a local program--locally conceived, planned, and executed. It is a concerted effort by a community, through its public and private resources, to prevent and correct urban blight and decay and to set in motion long-range, planned redevelopment. It has three main elements:

(1) Slum prevention through neighborhood conservation and code enforcement
(2) Rehabilitation of structures and conservation of neighborhoods
(3) Clearance and redevelopment of structures and neighborhoods.

Urban renewal projects are planned and carried out by a local public agency, which, depending on State law, may be a separate public agency, a local housing authority, or a department of a city government.

Federal assistance is available to help the community carry out its plans when local resources alone are not adequate to do the job. To qualify for Federal assistance to an urban renewal project, a community must adopt, and have certified by the Administrator of the Housing and Home Finance Agency, a Workable Program for Community Improvement, in which it commits itself to the attainment of certain objectives.

Through the requirement of a Workable Program for Community Improvement, urban renewal projects are tied to a broad and systematic effort to eliminate blight and prevent its recurrence through (1) codes and ordinances, (2) a comprehensive community plan, (3) neighborhood analyses, (4) administrative organization, (5) financing the program, (6) housing for displaced families, and (7) citizen participation.

HOW THE FEDERAL GOVERNMENT HELPS

Federal assistance is available to help a community carry out the related major phases of a comprehensive urban renewal program. These aids include:

- Grant assistance for the preparation of full-range renewal programs on a community-wide basis, including the identification of needs, estimates of financial, rehousing and other resources, and development of tentative schedules.
- Financial aid in planning and carrying out urban renewal projects involving the rebuilding or conservation of blighted and deteriorating urban areas. This assistance is provided for specific projects and for planning general neighborhood areas to be renewed over a period of years.
- Grant assistance for comprehensive planning either in metropolitan or other urban areas or in smaller communities for which comprehensive planning aids are usually inadequate.

- Grant assistance for demonstrations of urban renewal techniques and for acquisition of land for permanent open-space uses.
- Special FHA financing aids for new or rehabilitated housing in the redevelopment of urban renewal project areas.
- Special FHA financial aids and public housing assistance to provide low-cost private or public housing for families displaced by urban renewal or other public activities.

The following sections give in summary the main facts about these various kinds of Federal assistance.

URBAN RENEWAL PROJECTS

AN URBAN RENEWAL PROJECT MAY INVOLVE:

- Acquiring and clearing a slum or blighted area--either residential or nonresidential--and disposing of the land for redevelopment in accordance with planned uses.
- Rehabilitation of structures in such an area by property owners, accompanied by improvement of community facilities by the local government, resulting in conservation of the area.
- Any combination of the above.

EXECUTION OF URBAN RENEWAL PROJECTS

Project execution activities may include land acquisition, temporary operation of acquired property, relocation of site occupants, demolition work, installation of project improvements, rehabilitation and conservation activities, and land disposition activities.

FINANCING URBAN RENEWAL PROJECTS

An urban renewal project is financed by an arrangement between the local public agency and the Federal Government which calls for local contributions, Federal advances and loans, and ultimately a Federal capital grant.

The locality's contribution may take the form of cash or non-cash grants-in-aid, such as donations of land, demolition and removal work, project improvements, certain expenditures by colleges, universities, and hospitals, or public facilities.

Net project cost, or loss, for purposes of determining the amount of the Federal grant, is the total of expenditures for project execution activities plus the value of local non-cash grants-in-aid, less the proceeds from land disposition.

Capital Grants.

An urban renewal capital grant covers the Federal share of net project cost. The percentage of a capital grant varies, depending on size of the community and other factors:

- For any municipality having a population of 50,000 or less (or 150,000 or less for a municipality in a redevelopment area designated as such under Section 5(a) of the Area Redevelopment Act), the Federal contribution is three-fourths of net project cost.
- For any other municipality, the Federal contribution is two-thirds of net project cost. In these communities, the Federal share may be three-fourths if the locality elects to exclude from project cost all local administrative, survey, and planning expenses.

Advances and Loans.

Federal advances and loans may be made to finance project planning and provide working capital for execution activities.

- Planning Advances. Funds may be advanced to finance surveys and planning work necessary before actual operations of the project.
- Temporary Loans. These Federal loans are used by the community as working capital in acquiring land and structures in the project area, clearing the site, preparing the area for redevelopment or conservation, and all other execution activities. The contract with the Federal Government may be used by the local public agency to secure private financing at lower interest rates than the Federal rate.
- Other Financing. Federal capital grant progress payments, local cash grants-in-aid, and land disposition proceeds may be used to provide temporary financing as project execution progresses.

RELOCATION ASSISTANCE

The local public agency is required to offer families displaced from an urban renewal project area decent, safe, and sanitary housing at prices and rents within their means. (See Housing Assistance Programs below for relocation housing aids.)

Relocation Grants.

Grants are made available to communities to reimburse site residents and businesses displaced from an urban renewal area for their moving expenses and direct losses of property. Payments to families and individuals may not exceed $200 for moving costs and property loss. For businesses, the payment may not exceed $3,000 for moving expenses and loss of property; however, where actual moving expenses alone, incurred on or after October 2, 1962, are greater than $3,000, the maximum relocation payment to a business concern may not exceed the total of the actual moving expenses or $25,000, whichever is less, and no payment may be made for loss of property.

Small Business Loans.

The Small Business Administration is authorized to make loans of up to 20 years to assist a small business concern in reestablishing its business, if the concern has suffered substantial economic injury as a result of its displacement by an urban renewal project, a Federal highway construction program, or any other construction conducted or financed by the Federal Government.

PLANNING FOR URBAN RENEWAL PROJECTS

There are two types of planning which a community may undertake with Federal assistance in preparation for urban renewal activities--general neighborhood renewal planning and specific project planning.

General Neighborhood Renewal Planning.

This type of planning is undertaken when an area to be renewed is of such size that renewal activities may have to be spread over a period of up to ten years, and planning for the entire area is desirable in advance of planning and carrying out specific projects. The costs of such general neighborhood planning can be met by Federal advances repayable out of funds that become available for execution of the renewal projects.

Specific Project Planning.

Planning in relation to a particular project is concerned with such matters as eligibility and feasibility, boundaries of the renewal area, proposed new land uses, and preparations for relocation, land acquisition, rehabilitation and conservation, site clearance and improvement, land disposition, and other necessary operations. The expenses of such planning may be defrayed through Federal planning advances that are repayable from funds that become available when the project is undertaken.

COMMUNITY RENEWAL PROGRAMS

FEDERAL GRANTS ARE AVAILABLE TO pay up to two-thirds of the cost incurred in preparing a Community Renewal Program covering the full range of urban renewal action required to meet local needs. This permits a community to approach its problems of blight on a citywide, rather than on a piecemeal, basis, All the deteriorated and deteriorating areas of the city can be identified and classified as to the relative urgency and degree of urban renewal action needed. The locality's resources for taking urban renewal action--for financing, relocating displaced families, utilizing cleared land, and meeting other program requirements--can be established. Then the community can lay out a long-range program for urban renewal including provision of related public improvements, with its total needs balanced against total resources. It can establish and maintain feasible priorities and schedules for the various types of activities required to carry out its program.

OTHER URBAN RENEWAL PROGRAMS

URBAN PLANNING ASSISTANCE (including Comprehensive Transportation Planning).

The Urban Planning Assistance Program encourages and assists comprehensive planning for entire urban areas having common or related urban development problems to help prevent the spread of urban blight and to accelerate sound planning for the orderly growth and development of our urban areas.

Sometimes called the "701 Program" because it is authorized by Section 701 of the Housing Act of 1954, as amended, the program makes possible Federal grants to supplement State and local funds for the purpose of financing timely, comprehensive planning. The planning includes, but is not limited to, comprehensive land use planning to guide residential, commercial, and industrial expansion, and planning the general location of transportation and other facilities, such as schools, sewer, water, and recreational facilities, for the area's growing requirements.

The 701 Program recognizes the integral relationship of the planning of coordinated mass transportation systems to comprehensive planning for the development and renewal of entire urban areas. In the preparation of a comprehensive plan and related surveys and studies for an urban area, the general location, character, and extent of routes and terminals are eligible activities.

In general, for cities, other municipalities, and counties with a population of less than 50,000, as well as for groups of adjacent communities with a total population below that amount, Federal grants are made to the appropriate State planning agency. For this planning assistance, the localities apply to their State agency.

For metropolitan areas and urban regions with central city or urban concentration of 50,000 or more, Federal grants may be made either to a State planning agency or to an official metropolitan or regional planning agency authorized to perform planning in the area. Applications may be made directly to the HHFA Regional Office or to the State agency.

Grants also are available for State and interstate comprehensive planning and for planning in disaster areas, in areas experiencing the impact of a Federal installation, and in certain areas designated as redevelopment areas under the Area Redevelopment Act.

The Federal share can be as much as two-thirds of the total cost of any urban planning project. However, for localities situated in redevelopment areas designated as such under Section 5(a) of the Area Redevelopment Act, grants may amount to as much as three-fourths of the project cost. Local or State sources must provide the balance in all cases.

OPEN-SPACE LAND

A program of Federal grants is authorized to assist local public bodies in the acquisition of land to be used as permanent open space. Grants may not normally exceed 20 percent of the total cost of acquiring title to, or other interests in, the land. However, such grants may be up to 30 percent of the cost to agencies exercising, or participating in exercising, open space responsibilities for all or a substantial part of a metropolitan area or urban region.

DEMONSTRATION GRANT PROGRAM

Grants up to two-thirds of the total cost of demonstration projects are available to public bodies. A demonstration project may include the development and testing of new or improved techniques or methods of blight prevention and elimination, together with an analysis and report of those activities. Reports of completed demonstration projects are published to help guide renewal programs in other cities.

URBAN RENEWAL SERVICE

URA provides an Urban Renewal Service, which makes available technical and other professional assistance to communities in the preparation and development of their renewal plans and programs. Included in the Service are the publication and dissemination of technical and advisory materials for the information and guidance of local public agencies and others concerned with urban renewal.

HOUSING ASSISTANCE PROGRAMS

FINANCING OF NEW HOUSING AND THE rehabilitation of existing structures must come primarily from private investment. Redevelopment or conservation of slum and blighted areas, as well as other public improvements, often displaces families, many of whom do not have the means to obtain adequate housing in the normal private market. The law requires that there be provided decent, safe, and sanitary dwellings available to families displaced from urban renewal areas, at rents or prices within their means. While some displaced families may be rehoused in low-rent public housing, the bulk of the rehousing resources will be privately owned. Another large area of housing need is accommodations for low and moderate income families generally. The housing assistance programs of HHFA and its constituents are designed to meet both these needs in the following manner:

PUBLIC HOUSING ADMINISTRATION

Preference for admission to new or existing low-rent public housing is provided by law for families of low income displaced by urban renewal or other governmental action. The Public Housing Administration can contract to make development loans and pay annual subsidies for public housing projects, upon application of a local housing authority, and with the approval and cooperation of the local government.

FEDERAL HOUSING ADMINISTRATION

Congress has provided more liberal FHA mortgage insurance to assist in the elimination of slums and urban blight; the rehabilitation and conservation of existing properties and neighborhoods; and the provision of new and rehabilitated sales and rental housing both for families displaced by urban renewal or other governmental action and families of low and moderate income. These provisions are incorporated in two Sections of the National Housing Act, Sections 220 and 221.

Section 220 provides special mortgage insurance assistance in urban renewal areas which have been certified to FHA by the HHFA Administrator. It may be used to assist in financing the rehabilitation of existing salvable housing, through the refinancing of an existing mortgage, plus the cost of home improvements. It may also be used to assist in financing new sales or rental housing, on single or multi-family structures, in certified areas.

Section 220(h) provides specifically for FHA-insured home improvement loans on properties in urban renewal project areas. These loans may be as low as $1,000 and may not exceed $10,000 per dwelling unit, at not more than 6 percent interest. Term of maturity may be up to 20 years or three-fourths of the remaining economic life of the property, whichever is less. These insured loans are reviewed and processed in FHA Field Offices on a relatively simplified basis.

Section 221 authorizes FHA to insure mortgages on new or rehabilitated housing for sale or rent to families displaced from urban renewal areas or by other governmental action causing displacement, such as the construction of schools, highways, or other public improvements. Mortgage insurance is available for new homes, and for the purchase and repair of existing homes, containing from one to four units. Downpayments are $200 per dwelling unit for displaced families, which may include legal fees and other items contained in closing costs.

Section 221 also provides liberal terms for the purchase of new or existing houses and the repair of housing by any low or moderate income family.

Under Section 221(d)(3), a below-market, or low-interest rate, rental housing program for displaced families and other low and moderate income families is provided. The mortgage financing for a new or rehabilitated rental housing project can bear an interest rate below the market rate and FHA can insure the mortgage with reduced insurance premiums or no premiums. Such mortgages are available in communities having a Workable Program for Community Improvement, certified by the HHFA Administrator, and may be obtained by non-profit corporations, limited dividend corporations, and cooperatives. Public agencies that are not receiving financial assistance for public housing exclusively are also eligible.

Other FHA programs have proven useful in connection with urban renewal. They are Section 213 for the financing of management type cooperative housing and Section 231, which provides special terms for housing for the elderly. Section 203(k), enacted in 1961, provides home improvement loans, in amounts from $2,500 to $10,000 per dwelling unit, at an interest rate not more than 6 percent, for the improvement of homes outside of urban renewal project areas. These loans may be for terms of up to 20 years or three-fourths of the remaining economic life of the property, whichever is less, and do not require the refinancing of existing mortgages on property.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

Under its special assistance programs, FNMA is authorized to support FHA Section 220 and certain types of Section 221 housing, including all housing for eligible displaced families, by purchasing or making advance commitments to purchase such mortgages.

SPECIAL ASSISTANCE PROGRAMS

DISASTER AREAS

Special Federal assistance is available for disaster areas. An area that is in need of redevelopment or rehabilitation as a result of a catastrophe which the President has declared to be a major disaster may be extended urban renewal assistance without regard to certain laws and regulations governing regular urban renewal projects. Special provision for such areas is also made under the Urban Planning Assistance Program, discussed above.

REDEVELOPMENT AREAS

Special Federal assistance in urban planning is available for areas of substantial and persistent unemployment that have been designated as redevelopment areas by the Secretary of Commerce under Section 5(a) of the Area Redevelopment Act, and special urban renewal assistance is available to areas certified under Sections 5(a) or 5(b) of that Act, as discussed above.

EDUCATIONAL INSTITUTIONS AND HOSPITALS

Special benefits are available to an urban renewal project which is located near the principal buildings or a major branch of an educational institution or hospital. These projects are not subject to certain requirements governing regular urban renewal projects. Furthermore, expenditures by eligible donors for land acquisition, demolition, and relocation may be credited to the required local share of the cost of these projects. This reduces the amount of other local grants-in-aid which the locality would have to provide for its urban renewal program.

URBAN RENEWAL ADMINISTRATION

THE URBAN RENEWAL ADMINISTRATION, one of the constituents of the Housing and Home Finance Agency, supervises the program of Federal assistance to localities for urban renewal. While its functions are headquartered in Washington, the chief point of contact between the Urban Renewal Administration and a city wishing to participate in the program is one of the seven Regional Offices of the Housing and Home Finance Agency.

All applications for certifications, loans, and grants are filed with a Regional Office. After review and analysis they are transmitted, with recommendations, to Washington for final action.

Each Regional Office maintains an Urban Renewal branch headed by a Regional Director of Urban Renewal and a staff of field representatives who provide consultation and guidance to public officials in developing local programs. Specialists provide the assistance communities require for the various technical phases of their programs.

They include:

- Real Estate
- Intergroup Relations
- Planning and Engineering
- Rehabilitation and Conservation
- Finance
- Relocation and Rehousing
- Legal
- Codes and Code Administration

FOR FURTHER INFORMATION

All initial inquiries and dealings with the Federal Government on urban renewal should be directed to the Regional Director of Urban Renewal at the appropriate Regional Office of the Housing and Home Finance Agency, listed below.

REGIONAL OFFICES — HOUSING and HOME FINANCE AGENCY

REGION I: 346 BROADWAY, NEW YORK 13, NEW YORK, (MAINE, NEW HAMPSHIRE, VERMONT, MASSACHUSETTS, CONNECTICUT, RHODE ISLAND, NEW YORK)

REGION II: 1004 WIDENER BUILDING, CHESTNUT AND JUNIPER STREETS, PHILADELPHIA 7, PENNSYLVANIA (PENNSYLVANIA, NEW JERSEY, MARYLAND, DELAWARE, DISTRICT OF COLUMBIA, WEST VIRGINIA, VIRGINIA)

REGION III: 645 PEACHTREE - SEVENTH BUILDING, ATLANTA 23, GEORGIA (KENTUCKY, TENNESSEE, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA, ALABAMA, MISSISSIPPI, FLORIDA)

REGION IV: 360 NORTH MICHIGAN AVENUE, CHICAGO 1, ILLINOIS (MICHIGAN, OHIO, INDIANA, ILLINOIS, WISCONSIN, IOWA, MINNESOTA, NORTH DAKOTA, SOUTH DAKOTA, NEBRASKA)

REGION V: FEDERAL CENTER, 300 WEST VICKERY BOULEVARD, FORT WORTH 4, TEXAS (KANSAS, MISSOURI, ARKANSAS, LOUISIANA, OKLAHOMA, TEXAS, COLORADO, NEW MEXICO)

REGION VI: 989 MARKET STREET, SAN FRANCISCO 3, CALIFORNIA, (WASHINGTON, OREGON, CALIFORNIA, IDAHO, NEVADA, ARIZONA, UTAH, MONTANA, WYOMING, ALASKA, HAWAII, GUAM)

REGION VII: 1608 PONCE DE LEON AVENUE, P.O. BOX 9093, 4TH FLOOR GARRATON BLDG., SANTURCE 17, PUERTO RICO (PUERTO RICO AND THE VIRGIN ISLANDS)

FACT SHEETS ON HHFA PROGRAMS

- The Workable Program for Community Improvement
- Urban Transportation
- HHFA Programs for Senior Citizen Housing

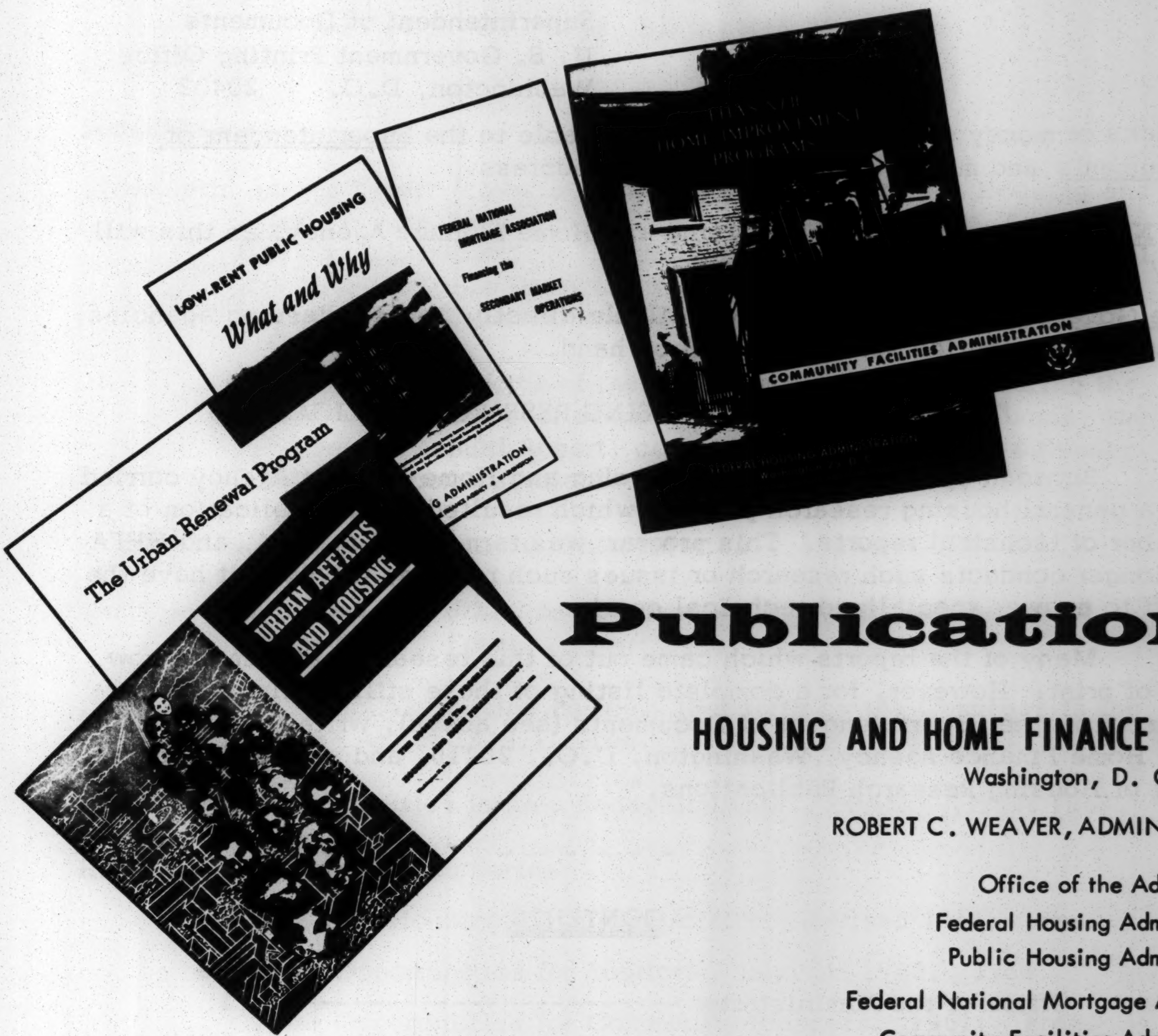
- The Urban Renewal Program
- The Urban Planning Assistance Program
- The Open-Space Land Program

- Accelerated Public Works Program
- Senior Citizen Housing Loan Program
- College Housing Loans
- Public Facility Loans
- Advances for Public Works Planning

- Public Housing
- The Public Housing Program for Senior Citizens

- Federal National Mortgage Association

GPO 864-048


LOW-RENT PUBLIC HOUSING
What and Why
FEDERAL NATIONAL MORTGAGE ASSOCIATION
Financing the
SECONDARY MARKET OPERATIONS
HOME IMPROVEMENT PROGRAMS
COMMUNITY FACILITIES ADMINISTRATION
The Urban Renewal Program
URBAN AFFAIRS AND HOUSING

Publications
OF THE
HOUSING AND HOME FINANCE AGENCY

Washington, D. C. 20410

ROBERT C. WEAVER, ADMINISTRATOR

Office of the Administrator
Federal Housing Administration
Public Housing Administration
Federal National Mortgage Association
Community Facilities Administration
Urban Renewal Administration

Revised September 1963

ORDERING GOVERNMENT PUBLICATIONS

Publications offered for sale may be purchased from the --

Superintendent of Documents
U. S. Government Printing Office
Washington, D.C. 20402

Checks or money orders should be made payable to the Superintendent of Documents and mailed to him at the above address.

DO NOT send payment to the Housing and Home Finance Agency, as this will only delay shipment of publications.

Free Government publications are available directly from the issuing agencies, provided distribution stocks are still on hand.

"A SPECIAL LIST OF HOUSING RESEARCH PUBLICATIONS"

Between 1948 and 1954, the Housing and Home Finance Agency carried out a general housing research program which resulted in the publication of a number of technical reports. This program was terminated in 1954, and HHFA no longer conducts such research or issues such reports, nor does it have the staff to answer specialized technical queries.

Many of the reports which came out of this research program are now out of print. However, for a complete listing of those still available for purchase from the Superintendent of Documents (see above), write to the Housing and Home Finance Agency, Washington, D.C., 20410, and ask for "A Special List of Housing Research Publications."

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OFFICE OF THE ADMINISTRATOR

General -

(Sixteenth) Annual Report (covering calendar year 1962) of the Housing and Home Finance Agency -- Office of the Administrator, Federal Housing Administration, Public Housing Administration, Federal National Mortgage Association, Community Facilities Administration, and Urban Renewal Administration. 1963. * $2.25.

(Note: Annual Reports of the HHFA become available during the year following the year covered in the report. For example, the Seventeenth Annual Report, covering activities during calendar 1963 will become available during the latter part of 1964.)

Capital Funds for Housing in the United States. 1960. * 40¢.

Children and Youth in an Urban Environment -- A Background Statement. March 1959. Free.

Declaration of National Housing Policy. (Set forth by the Congress in the Housing Act of 1949.) Free.

HHFA Aids to Communities in Area Redevelopment. Revised August 1962. * 20¢.

HHFA Career Opportunities Series:

- Careers in Housing and Urban Affairs. Revised 1961. Free.
- Career Opportunities for Auditors. Revised 1960. Free.
- Career Opportunities for Community Planners. 1961. Free.
- Career Opportunities for Engineers. Revised 1960. Free.
- Career Opportunities for Field Representatives. Revised 1960. Free.
- Career Opportunities for Finance Analysts. Revised 1960. Free.
- Career Opportunities for Secretaries and Typists. Revised 1960. Free.
- The Housing Intern Program. Revised 1960. Free.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

Housing and Home Finance Agency -- What It Is, What It Does. Revised June 1962. Free.

Housing Definitions -- As They Relate to Programs of the Housing and Home Finance Agency. January 1959. * 30¢.

Housing and Planning References. (Prepared by the HHFA Library, this bimonthly bibliography is a selected list of publications and an index of articles concerning housing and urban development.) Free.

Housing Statistics. (Compiled from Government and other sources, this monthly publication provides current statistical information on housing production and costs, home financing, and community development programs.) Free.

How to Make and Use Local Housing Surveys. 1954. Free.

Low-Income Housing Demonstration Program. (An HHFA Program Guide.) March 1963. Free.

Potential Housing Demand of Non-White Population in Selected Metropolitan Areas. (A study of 1950-1960 Census data.) April 1963. Free.

Program Guide on the Mass Transportation Demonstration Grant Program. (A guide for communities interested in the new program established by the Housing Act of 1961.) Revised December 1962. Free.

Program Guide on the Mass Transportation Loan Program. (A guide for communities interested in the new program established by the Housing Act of 1961.) Revised December 1962. Free.

Publications of the Housing and Home Finance Agency. Revised 1963. Free.

Questions and Answers on Equal Opportunity in Housing. (Eight-page leaflet explaining application of Executive Order No. 11063 barring discrimination in Federal or federally assisted housing.) April 1963. * 5¢.

Recommendations on Government Housing Policies and Programs -- A Report of the President's Advisory Committee on Housing Policies and Programs. 1953. * $1.00.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

60 Books on Housing and Community Planning. (A selected bibliography prepared by the HHFA Library as guide to introductory and orientation readings for anyone interested in housing and community planning.) February 1963. Free.

Urban Affairs and Housing -- The Coordinated Programs of the Housing and Home Finance Agency. Revised September 1962. * 25¢.

Urban Studies and Housing Research Program for Fiscal Year Ending June 30, 1962. (An HHFA Progress Report.) March 1962. Free.

Urban Transportation. (A fact sheet of general information about the Federal aids available to localities on problems of urban mass transportation.) May 1962. Free.

Voluntary Home Mortgage Credit Program -- What It Is, How It Works. Revised May 1963. * 5¢ ($2.50 per 100 copies).

Women's Congress on Housing. (Report of the Congress held in Washington, D.C., April 23-25, 1956.) October 1956. * 60¢.

Workable Program for Community Improvement. (Fact sheet of general information.) February 1962. Free.

Workable Program for Community Improvement. (Supersedes earlier publication, "How Localities Can Develop a Workable Program for Urban Renewal," on basic requirements a locality must meet.) Revised February 1962. * 40¢.

Workable Program for Community Improvement -- Program Guide Series --

Program Guide 1: Codes and Ordinances. 1962. Free.

Program Guide 2: Comprehensive Community Plan. 1962. Free.

Program Guide 3: Neighborhood Analyses. 1962. Free.

Program Guide 4: Administrative Organization. 1962. Free.

Program Guide 5: Financing. 1962. Free.

Program Guide 6: Housing for Displaced Families. 1962. Free.

Program Guide 7: Citizen Participation. 1962. Free.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

Housing for the Elderly -

(Includes certain items also listed under CFA, FHA, FNMA, and PHA.)

FHA Mortgage Insurance on Housing for the Elderly. (Fact sheet of general information about the rental housing program authorized by Section 231 of the National Housing Act.) (FHA 247.) Revised March 1963. Free.

HHFA Programs for Senior Citizen Housing. (Fact sheet of general information.) Revised March 1963. Free.

Housing for the Aged; A Reading List for Architects. (Prepared by the HHFA Library primarily to assist the architect, this annotated bibliography is useful also to others interested in meeting housing needs of senior citizens.) 1963. Free.

Housing for the Elderly -- Architect's Check List. February 1962. Free.

Management of Housing for Senior Citizens. September 1961. * 20¢.

Minimum Property Standards for Nursing Homes. (FHA 334.) Revised 1962. * 30¢.

Nursing-Home Mortgage Insurance. (FHA 696.) Revised February 1962. * 15¢.

115,000 Senior Citizens -- The Story of What Public Housing Has Done and Is Doing for Them. Revised 1961. * 15¢.

Public Housing Program for Senior Citizens. (Fact sheet of general information.) February 1963. Free.

Senior Citizens and How They Live. (An analysis of the 1960 Census data.) Part I: The National Scene. July 1962. Free.

Senior Citizens Housing Loan Program. (Fact sheet of general information about the program of direct Federal loans to finance housing for elderly persons of moderate income.) Revised April 1963. Free.

Senior Citizens Housing Loan Program -- Information for Applicants. July 1962. Free.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

FEDERAL HOUSING ADMINISTRATION

A Comparison of FHA Home Improvement Programs. (Fact sheet of general information to assist in relating the appropriate type of FHA-insured loan for home improvement and rehabilitation; discusses FHA-insured loan program under Title I, under Section 203(b), and under Section 203(k) of the National Housing Act.) (FHA 770.) November 1962. Free.

Amortization and Insurance Premium Tables for Home Improvement and Rehabilitation Loans to be Used under the National Housing Act. (FHA 2008.) 1961. * 45¢.

Amortization and Insurance Premium Tables for Home Mortgages and Loans to be Insured under the National Housing Act. (FHA 2025.) July 1961. *70¢.

(Twenty-ninth) Annual Report of the Federal Housing Administration. (A separately-bound reprint of Part III of the Sixteenth Annual Report of the Housing and Home Finance Agency, covering FHA activities during calendar year 1962.) 1963. * $1.00.

Dealers' and Contractors' Guide for Property Improvement Loans. (FH 30A.) * Revised June 1962. *10¢.

Digest of Insurable Loans. (FHA 2575.) Revised January 1963. * 10¢.

Estimating Ability to Pay for a Home. (A guide to FHA mortgage credit analysis.) (FHA 201.) Revised May 1962. Free.

FHA and the Home-Buying Serviceman. (FHA 895.) Revised April 1962. * 10¢.

FHA Appraised Values and Maximum Mortgage Amounts for One-, Two-, and Three-Family Residences. (FHA 426.) Revised July 1961. Free.

FHA Cooperative Housing Program - Management Type. (FHA 3250.) Revised October 1960. * 15¢.

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* For sale by G.P.O. (See ordering instructions inside front cover.)

FHA Experience with Mortgage Foreclosure and Property Acquisitions (of single-family homes). (FHA 554.) 1963. * 50¢.

FHA Experimental Housing Program. (Fact sheet of general information about the program authorized by Section 233 of the National Housing Act.) (FHA 246.) April 1962. Free.

FHA Field Offices Directory. (FHA 147.) March 1963. Free.

FHA Financing for Home Purchases and Home Improvements. (A guide to financing costs and home-buying ability.) (FHA 428.) Revised November 1962. * 10¢.

FHA Forbearance Provisions. (Fact sheet of general information concerning the steps that may be taken to prevent foreclosure of FHA-insured mortgages if the home owner encounters unforeseen financial hardship.) (FHA 467.) Revised October 1962. Free.

FHA Home Mortgage Insurance. (Fact sheet of general information for the home buyer.) (FHA 208.) Revised January 1963. * 5¢.

FHA Home Owner's Guide. (FHA 100.) Revised July 1962. * 15¢.

FHA Intern Program for Appraisers, Architectural Examiners, Loan Assistants and Housing Market Analysts. (FHA 423.) Revised March 1963. Free.

FHA Low Cost Housing for Small Towns and Outlying Areas. (Fact sheet of general information about the mortgage insurance program authorized by Section 203(i) of the National Housing Act.) (FHA 492.) Revised March 1963. Free.

FHA Mortgage Insurance for Rental and Cooperative Housing for Families of Low and Moderate Income. (Fact sheet of general information about the below-market interest rate program authorized by Section 221(d)(3) of the National Housing Act.) (FHA 221.) Revised August 1963. Free.

FHA Mortgage Insurance for Urban Renewal. (Fact sheet of general information about the mortgage insurance program authorized by Section 220 of the National Housing Act for the construction or rehabilitation of housing in urban renewal areas.) (FHA 528.) March 1963. Free.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

FHA Mortgage Insurance on Condominiums. (Fact sheet of general information about the program authorized by Section 234 of the National Housing Act to provide for FHA insurance on individually owned units in multifamily structures.) (FHA 491.) Revised March 1963. Free.

FHA Mortgage Insurance on Housing for the Elderly. (Fact sheet of general information about the rental housing program authorized by Section 231 of the National Housing Act.) (FHA 247.) Revised March 1963. Free.

FHA Mortgage Insurance on Low-Cost Homes. (Fact sheet of general information about the program authorized by Section 221(d)(2) of the National Housing Act.) (FHA 219.) Revised November 1962. Free.

FHA Story in Summary, 1934 - 1959. (FHA 375.) * 20¢.

FHA Underwriting Handbook (Volume VII, Book 1, FHA Manual). (FHA 2049.) Revised 1959. * $3.50.

FHA's New Home Improvement Programs. (A booklet of general information about the home improvement and rehabilitation programs authorized by Section 203(k) and Section 220(h) of the National Housing Act.) (FHA 206.) Revised December 1962. * 15¢.

FHA's Rental Housing Program -- What It Is, How It Works. (FHA 415.) Revised April 1963. * 10¢.

How FHA Helps Improve Home-Building Techniques. (FHA 191.) Revised 1959. * 10¢.

How to Do Business with the FHA . . . A Message to Builder. (FHA 232.) Revised June 1963. Free.

Materials, Products and Special Construction Methods . . . used in FHA Insured Properties. (A guide for manufacturers, suppliers, architects, engineers and builders.) (FHA 521.) March 1963. Free.

Improving Your Property with Title I Insured Loans. (Fact sheet of general information.) (FHA 313.) January 1963. * 5¢.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

Minimum Design Standards for Community Sewerage Systems. (FHA 720.) Revised July 1963. Free.

Minimum Property Requirements for Properties of Three or More Living Units. (FHA 160.) Revised 1961. * 70¢.

Minimum Property Standards for Low Cost Housing. (FHA 18.) June 1963. *25¢.

Minimum Property Standards for Mobile Home Courts. (FHA 2424.) Revised August 1962. * 30¢.

Minimum Property Standards for Nursing Homes. (FHA 334.) July 1963. * 30¢.

Minimum Property Standards for One and Two Living Units. (FHA 300.) Revised 1960. * $2.00.

Minimum Property Standards for Swimming Pools. (FHA 550.) September 1962. Free.

Minimum Property Standards for Urban Renewal Rehabilitation. (FHA 950.) May 1963. Free.

Mortgagees' Handbook (FHA Manual, Volume X, Imprint 25). * $1.75.

Nursing-Home Mortgage Insurance. (FHA 696.) Revised June 1963. * 15¢.

Publications of the Federal Housing Administration. (FHA 235.) Free.

Septic Tank Systems for Low Cost Homes. (FHA 556.) 1963. Free.

Summary Statement on Cooperative Housing. (FHA 3239.) Revised September 1961. Free.

Technical Studies by the Federal Housing Administration. (Of interest to industry, Government agencies, educational institutions, and various research organizations in the housing field, this list is designed to help avoid duplication of effort and to stimulate technical studies by others; lists studies under FHA contract or consideration, as well as those of potential interest to the agency, and includes the source and cost -- if any -- of completed studies and reports.) (FHA 470.) Revised August 1963. Free.

Uniform System of Accounts for Multifamily and Group Housing Projects. (FHA 2230.) Revised 1955. Free.

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* For sale by G. P. O. (See ordering instructions inside front cover.)

PUBLIC HOUSING ADMINISTRATION

Accelerated Career Growth in Public Housing -- Through the Housing Trainee Program of the Public Housing Administration. 1962. Free.

(Sixteenth) Annual Report of the Public Housing Administration. (A separately bound reprint of excerpts from the Sixteenth Annual Report of the Housing and Home Finance Agency, covering PHA activities during calendar year 1962.) 1963. Free.

Bibliography on Greenbelt Towns. Revised 1956. Free.

Fuel Consumption Data for 235 Low-Rent Housing Projects Heated by Central or Group Heating Plants. (Analysis for 19 years, 1938 - 1957.) Free.

Housing for the Elderly -- Architect's Check List. February 1962. Free.

How to Paint a Room Step by Step. 1962. * 5¢.

Income Limits. (Prepared by a joint committee of the PHA and the National Association of Housing and Redevelopment Officials, this publication is intended for the use of local housing authorities in establishing maximum family income limitations for admission to or continued occupancy of low-rent public housing.) Revised September 1961. Free.

Low-Rent Public Housing -- What and Why. Revised 1961. * 5¢.

Management of Housing for Senior Citizens. September 1961. * 20¢.

115,000 Senior Citizens -- The Story of What Public Housing Has Done and Is Doing for Them. Revised 1961. * 15¢.

1,000,000 Children -- Their Lives in and the Services Furnished Them in Cooperation with the Low-Rent Public Housing Program. October 1962. * 20¢.

Public Housing. (Fact sheet of general information.) Revised February 1962. Free.

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GPO 864-750

THE CITY OF NEW YORK
CITY PLANNING COMMISSION

ST. NICHOLAS PARK AREA

URBAN RENEWAL DESIGNATION

DECEMBER 10, 1963

Calendar No. 6

CITY PLANNING COMMISSION

Designation pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), of the area bounded by West 145th Street, 7th Avenue, West 131st Street, 8th Avenue, West 130th Street and its prolongation, St. Nicholas Terrace, West 140th Street and Amsterdam Avenue (St. Nicholas Park Area).

(CP-18075) December 10, 1963.

In June 1962, the City Planning Commission announced the City's 1962-1963 Urban Renewal Study Program. A primary consideration guiding this program was an emphasis on conservation and rehabilitation as part of the City's overall urban renewal activities. In line with this policy, five areas having rehabilitation potential were studied. Each of the areas selected had distinct problems, but each also typified conditions found on a widespread basis in the City.

The studies which followed constituted the largest and most systematic rehabilitation study ever undertaken in the City. It was carried out as a fundamental part of the community renewal program, which is supported by a special Federal grant. The study resulted in the publication of a rehabilitation report by the City Planning Commission on August 14, 1963. This report outlined recommendations for a broad rehabilitation program and also included predesignation statements on each of the five areas, including the St. Nicholas Park Area.

Pursuant to this report, public hearings were held on September 23 and 24, 1963 on recommendations involving the five areas—St. Nicholas Park being heard on September 23—to determine the desirability of making an urban renewal designation and related Master Plan modification in each case.

Before application can be made for Federal funds to assist in the preparation of more detailed plans and subsequent renewal action, it is necessary to designate the area as an area appropriate for urban renewal pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York. Such designation is the subject of this report.

The Commission also proposed to adopt pursuant to section 197 of the New York City Charter, a modification of the Master Plan containing areas suitable for development and redevelopment, relating to the same area. This matter is the subject of a separate report (CP-18076, dated December 10, 1963).

II. General Considerations

During the course of the public hearings on September 23-24, 1963, some 160 speakers appeared before the Commission. A large majority spoke in favor of the rehabilitation program. However, many of those who supported the program raised the same questions and asked for the same assurances as did those who opposed it. It is evident that the policies stated or implicit in the Commission's rehabilitation report need to be restated clearly and explicitly so that there can be no possibility of misunderstanding.

Rehabilitation, as proposed, means the substantial improvement of existing structures in deteriorating areas for the benefit of people who are now living in these areas. It is not a panacea nor is it a substitute for clearance and redevelopment programs. If anything, the City must expand its efforts to replace its worst housing and slums through enlarged low- and middle-income housing programs.

But even with expanded programs, it is physically and financially impossible to replace all of the slum and deteriorating housing in this City humanely in a reasonably short period of time. Moreover, many of the older areas of the City will face an accelerating downward spiral of housing deterioration unless present trends can be halted and reversed. The rehabilitation program is a key element of a program to accomplish this.

In some cases, as in Cooper Square, rehabilitation is linked with substantial clearance and redevelopment actions, and in almost all rehabilitation areas there will be the need for minimum spot clearance. However, even the older areas selected primarily for rehabilitation are in better condition than comparable sections of the City. For this reason, the Planning Commission believes they do not warrant clearance and redevelopment. These are areas in which the housing stock is basically sound, even though it may be run-down. These are areas suitable for a major effort to upgrade housing for the benefit of the people now living there, who could not otherwise be provided with decent low- and middle-income housing accommodations.

At the public hearings, while massive support was voiced for a rehabilitation program, there was a broad undercurrent of apprehension that it might be used as a wedge for the bulldozers. We wish to make clear that we will meet the problems of clearance and redevelopment head-on where necessary, not by subterfuge. Except for such minimum spot clearance as may be necessary to achieve the goals of the rehabilitation program, we will not approve the conversion of areas designated for rehabilitation into mass clearance and redevelopment projects. The areas selected for rehabilitation are areas which are basically sound and which it is our policy to preserve and strengthen. If for any reason full-scale rehabilitation proves impractical in any of these areas, we would sooner drop the project than see it converted to a clearance project.

Similarly, the underlying purpose of the rehabilitation program would be defeated if it resulted in excessive rents which would cause the mass dislocation of families from their homes. This will not be permitted to happen.

These basic policies have been thoroughly discussed and fully accepted by the Housing Executive Committee which represents all of the City's planning and housing agencies which have the responsibility for helping to plan and carry out this program.

The Planning Commission, through its rehabilitation study, found that a large-scale rehabilitation program could be made feasible within the framework of the City's policy. It did not conclude that it would be easy or simply to do so, but it found that the cost of making real and substantial improvements to the vast majority of buildings in the areas selected would not be so great as to make rehabilitation economically out of the question.

The method used in the study to test the feasibility of rehabilitation was to estimate the cost of rehabilitation, determine how these costs would be reflected in rent increases, and compare these estimated new rentals to the incomes of the present residents.

All of the cost estimates and their effect upon rentals as reported in the study were based on existing mortgaging, financing, and technological conditions and current governmental assistance programs. Since a basic aspect of the projected rehabilitation program is the development of new tools and techniques to minimize the impact of rehabilitation costs and their consequent impact on rentals—the hypothetical rentals should be accepted only for statistical comparisons and not be confused with program objectives. These rental "increases" do not represent either Commission proposals or expectations of rents resulting from an improved rehabilitation program.

The question of rent-income ratios can only be resolved upon investigation of individual family needs and resources. The Commission has made it clear that each building and each family presents special problems in rehabilitation and that no one formula or standard should be substituted in advance of the more detailed study phase.

The Rent and Rehabilitation Administrator in discussing the question of rents at the public hearing also stressed that tenants would not be expected to pay for deferred maintenance in establishing a rental scale. The institution of an immediate action program prior to full-scale rehabilitation, would provide added assurance that most conditions threatening the health and safety of tenants could be handled through code enforcement. However, the Commission also recognizes that certain maintenance problems stem from more fundamental defects which can only be remedied through a rehabilitation program. Accordingly, code enforcement must be carefully related to the long-term rehabilitation goals to insure against "patchwork" improvements that hide more serious defects.

The Commission reiterates its belief that to be successful a large-scale rehabilitation program must be rooted in private or cooperative ownership. The management of a rehabilitation program will require decentralized decision making best achieved by private owners or non-profit companies with such public supervision and assistance as is necessary to achieve the program objectives. We believe that private owners can provide decent housing, make a reasonable profit, and not exploit tenants. This is evidenced in many thousands of housing units throughout the City—and there is every reason to believe it can take place in the many other thousands of units now in a state of deterioration or neglect.

It should also be clear that a rehabilitation program is not designed to solve — nor could it — all the problems of poverty that exist in many sections of the City and that are found to a degree in all of the areas proposed for this program. There are many families now living in these areas whose incomes are so low that they cannot afford the rents they are presently paying for deteriorating housing. Certainly that is no reason for maintaining their housing conditions as they are.

These families obviously require special assistance if their need for decent shelter is to be met. In general, to help meet the needs of the vast majority of families, construction costs must be reduced through mass production techniques and realistic standards for essential rehabilitation so that rents may be minimal. Financing costs should be reduced not only through existing mortgage insurance programs, but through new FHA, State and City programs as well. Special programs should be explored, including rent subsidies where needed, new rehabilitation programs by the New York City Housing Authority as well as cooperative rehabilitation activities.

Almost all proponents of the rehabilitation program have emphasized the need for rapid action to start upgrading areas prior to the development of the detailed plans for Federally-aided rehabilitation.

The Commission agrees that speed and continuity are essential to achieve the long-term improvements that are sought. This policy has been discussed and agreed to among the members of the Housing Executive Committee, and the Planning Commission is prepared to accept a recommendation to amend the existing Capital Budget to provide the Housing and Redevelopment Board with funds to cover immediate action needs in areas designated for rehabilitation.

The interim rehabilitation program will be carefully geared to the longer-range rehabilitation activity. The City will set up offices in each of the rehabilitation areas, with competent experts and consultants on hand to help tenants and property owners in all aspects of neighborhood improvement short of Federal aid. The area offices will serve as information and referral centers, will help coordinate code enforcement, health, safety, sanitation, and welfare activities, and perform other services in conjunction with local citizen groups with an eye toward the full rehabilitation of the neighborhood.

The City's housing and planning officials are actively preparing the necessary administrative and legislative changes to implement the rehabilitation program as smoothly and expeditiously as possible. The administration of this program requires coordination of the operations and services of various governmental and private agencies. While this report seeks to define the goals and principles of the rehabilitation program, the details of program administration and implementation will be worked out by the operating agencies guided by broad City policy on these matters.

Suggestions have also been made that pilot programs be carried out in advance of area-wide rehabilitation. We believe selected pilot actions can be useful provided that they are undertaken as a coordinated part of the program as a whole. This was one of the recommendations included in the Commission's rehabilitation report.

The most vigorous opposition to the rehabilitation program came from opposite poles —real estate groups who declared that rent control prevents owners from properly maintaining their properties, and militant tenant groups who contended that the full cost of improvements should be sustained by the landlord or wholly by public funds with no increased costs passed on to the tenants.

While the pros and cons of rent control were very much in focus during the public hearings, the Commission does not believe that this is a matter which should be—or could be—resolved in an urban renewal designation report. However, in regard to the contention that rent control is primarily responsible for poor building maintenance and deterioration, we believe it is relevant to note that even in cities without rent control, deterioration and blight still persist as a major problem—and it is to this problem that we must address ourselves.

There is little question that a rehabilitation program, as advanced by the Commission, would require some form of controls over rentals. "If," as the Rent Administrator declared, "rent control did not already exist, its invention would be inevitable if the refurbished dwellings are to continue to be available to their present low and moderate income tenants."

The Commission has also made clear its belief that proper incentives must be provided in this program to attract private investment of capital and private risk in property improvement. Landlord and tenant both have a very real stake in rehabilitation. And, it cannot be implemented as a workable program if rehabilitation is to be conceived and administered with either landlords or tenants viewed as heroes or villains.

Obviously there is no simple course to follow to insure maximum equity to landlord and tenant within the framework of the rehabilitation program. Those charged with the responsibility for meeting the renewal and housing problems of this City fully recognize the difficulties inherent in this program. The large-scale rehabilitation program was not proposed lightly. The Planning Commission and the Mayor's Housing Executive Committee carefully considered its implications, its advantages and its difficulties.

In our judgment, the needs of the people of our City for improved housing are so great, and the potential of a rehabilitation program to help meet these needs so high, that we would be remiss in our responsibilities if we failed to meet this challenge squarely, and with all the resources we can muster.

III. *Description of the Area*

The St. Nicholas Park Area, a section of Central Harlem which derives its name from the large park in the southwest part of the area, is bounded generally by West 145th Street, 7th Avenue, West 131st Street, 8th Avenue, West 130th Street and its prolongation, St. Nicholas Terrace, West 140th Street, and Amsterdam Avenue.

The area encompasses 42 blocks with a population of some 32,000 persons. It is a part of the larger Harlem community and all but a few hundred residents are Negroes. Density is extremely high, varying from 400 to 900 persons or 190 to 340 housing units per acre. Deteriorating old-law tenements built in the 1880's and 1890's make up the bulk of the area's housing. These are located mainly along 7th, 8th, and Amsterdam Avenues, and along some blocks between 7th and 8th Avenues. The area also contains a number of new-law tenements in fair to good condition situated generally in the northern section of the neighborhood and along 7th Avenue.

The conditions of all buildings were evaluated by an exterior survey supplemented by Census analysis. Interior surveys were made for a sample of buildings selected to represent a cross section of condition in the area. These surveys clearly indicated the need for a program to improve housing conditions. The exterior survey of approximately 1,200 structures shows that only about 300 or 25 per cent were without obvious deficiencies. A large proportion, approximately 45 per cent of all structures, were classified "Fair." These buildings while structurally sound showed some building deficiences resulting from neglect of maintenance. Over 350 buildings, or 30 per cent, of the buildings in this area were classified as "Poor" or "Bad" reflecting building deficiencies from long standing maintenance neglect or serious structural defects.

In general the sample survey of interior condition showed that deficiencies were more extensive than the exterior surveys indicated. The Census, which generally understates building deficiencies, shows that over 30 per cent of the housing units in the area are deteriorating or dilapidated.

Throughout the neighborhood are numbers of substantial and once luxurious masonry dwellings. Among these are the houses designed by Stanford White, built on four block frontages along West 138th and West 139th Streets between 7th and 8th Avenues. Built in the 1890's they remain New York's only example of town house design at a block scale and have been recommended for preservation by the Landmarks Commission.

Ground floor retail establishments which vary greatly in condition are present throughout the community. A number of heavy commercial and industrial uses incompatible with a residential neighborhood are also evident, as well as a large cluster of automotive servicing establishments located on St. Nicholas Avenue north of West 141st Street.

A new elementary school is under construction in the Area (Public School 92 at 7th Avenue and West 133d Street) and several other school projects have been proposed. Sites have been selected for a new elementary school (Public School 200) and a new Junior High School (Junior High School 10) just to the north of the area to be built on a platform over the IRT tracks at West 147th Street and 7th Avenue.

IV. *Citizen Participation*

As part of its study of the City's residential areas, the community renewal staff met with many of the leaders of Central Harlem's organizations and institutions beginning early in 1961. While there were different points of view expressed concerning local needs, and a diversity of opinions about possible actions, one common theme was vigorously and consistently expressed, that whatever proposals might be developed for any part of Central Harlem, local leadership wanted to have an important part in shaping them.

The City Planning Commission in announcing the inclusion of the St. Nicholas Park Area as part of its 1962-1963 Urban Renewal Study Program noted that the proposal could serve as a significant starting point in coming to grips with some of the fundamental problems of Harlem. "Needless to say," the Commission noted, "we will rely heavily upon the cooperation of local agencies and the residents of this area to help identify and deal with these problems."

Many of the leaders and institutional representatives who had taken an active part in Central Harlem's community affairs were members of the Borough President's District No. 10 Local Planning Board. With the assistance of Borough President Edward R. Dudley, arrangements were made in July, 1962, to discuss with the Local Planning Board the nature of the urban renewal study program and the part they might have in developing recommendations. After a number of preliminary discussions, the Local Planning Board formed the St. Nicholas Park Renewal Study Committee composed of members representing 18 local organizations and institutions. In order to broaden the base of participation, some members of this committee encouraged the organization of an additional group, with some membership outside the Local Planning Board, known as the St. Nicholas Park Housing and Planning Council.

While continuing discussion took place with the St. Nicholas Park Renewal Study Committee, members of the Commission and its staff also took part in a number of the full Local Planning Board meetings as well as a number of special meetings in the community. One such meeting included almost 100 small home owners concerned with the problems of the repair and renovation of their properties and of obtaining mortgage money.

To become better informed about the needs and preferences of local residents, the St. Nicholas Park Housing and Planning Council raised local funds to conduct a neighborhood study. The study involved a large number of local residents who were provided with special training as interviewers. In all, about 100 interviewers called on 575 households dispersed through the area. Detailed findings were published in July 1963 in a report, "Basic Facts and Premises for Planning in The St. Nicholas Park Area."

The findings of this study are consistent with the Planning Commission's rehabilitation studies and will be important to the development of detailed plans for the area. Its findings highlighted the low income status of the population, its relatively low turnover rate, and its excessive proportion of unattached single women. The report also found that though the population evidenced a strong drive for self-improvement many of the residents do not feel such achievement is possible here unless immediate and substantial improvements are undertaken.

With the publication of the Commission's rehabilitation study in August 1963, a number of meetings were arranged through the Local Planning Board at which the tentative recommendations were considered. Two meetings were also held with block associations of home owners in the Convent Avenue section of the proposed area. Throughout the period of study there was a strong expression of feeling that the local leadership of community organizations and institutions should continue to share responsibility with government in facing the community's problems and in seeking solutions to them.

V. Predesignation Proposals

On August 14, 1963, the City Planning Commission published, as part of its overall report on rehabilitation, predesignation proposals upon which the public hearings were based.

The August 14 report dealt with general considerations of a broad rehabilitation program as well as specifics involving the five study areas.

General Program Recommendations

The rehabilitation report found that a large-scale rehabilitation program in deteriorating areas—with improvements priced to meet the needs of the families living in the areas—is both necessary and achievable as part of the City's total urban renewal program.

Since, in general, rehabilitation would result in increases in rentals, the Commission urged that realistic rehabilitation standards be instituted and new programs developed to insure that residents would not be priced out of their homes. It was further recognized that rehabilitation standards would have to take into account individual needs in specific areas, and that a single set of absolute building standards was impractical.

The Commission warned that rehabilitation must not be considered a substitute for redevelopment and should not be used in relatively sound areas where less costly programs of City action would suffice.

A key recommendation of the report was that an immediate action program be instituted in the five areas as a follow-up to designation. In this way, the start of neighborhood improvement need not be delayed until detailed plans are developed and approved. The action program would provide as many aids as possible short of the use of Federally-aided tools. It would set up local information centers to give professional staff assistance to tenants and property owners, and to coordinate various City services and code enforcement activities geared to upgrading the neighborhood and the overall rehabilitation goals for the areas.

To carry out an effective large-scale neighborhood rehabilitation program in the City of New York, the Commission recommended that existing tools must be improved and sharpened; new approaches and legislation must be sought at all levels of government; the active participation and cooperation of private citizens and institutions must be fostered; and that these efforts must get underway immediately.

In summary the Commission recommendations included:

1. The broadening of Federal mortgage insurance programs to accommodate the rehabilitation of large multi-family buildings, and the speed-up in the processing of applications for Federal renewal assistance.
2. The development of a comprehensive rehabilitation program on the State level to complement ongoing State programs for the development of new housing.
3. Intensification and coordination of the City's tax abatement and loan programs with the expanded rehabilitation activities. Eligibility for these programs would also have to be broadened to permit them to be applicable for more varied types of building improvements.
4. The use of public and quasi-public financial investment resources—such as the City pension fund and union pension funds—for needed rehabilitation capital.

5. The fullest participation of banks and lending institutions to insure that mortgage capital for rehabilitation will be available. Mortgage pools to meet the needs of specific areas and cooperative methods of processing and expediting mortgage applications should be explored.

6. The development of a large-scale, specialized rehabilitation industry in New York devoted to the expanding rehabilitation needs of the City. Improvements in building rehabilitation technology—with consequent reductions in total rehabilitation costs—would also serve as an important factor in the creation of additional educational and employment opportunities within the building and construction trades.

7. Combined and concentrated efforts at all levels of government and by all private citizens and groups to lower the costs of rehabilitation, and to develop creative programs and new approaches to satisfy the housing needs of lower-income families and those with special housing difficulties—the aged, ethnic and racial minority groups, and other families who have difficulty securing decent housing in a wholesome environment.

St. Nicholas Park Area Predesignation Proposals

The predesignation report contained guidelines for rehabilitation in the five areas, and also included specific neighborhood proposals, common to all areas, which were considered of particular importance in a rehabilitation effort.

Among these, the report stressed that school planning and development should be considered an integral part of any effort to rehabilitate a neighborhood. Similarly, the Commission recommended that every opportunity to be taken to provide more recreation space as part of the neighborhood's rehabilitation. Special attention was called to the possibility of developing small sitting areas and "tot lots." The Commission also affirmed the importance that cultural facilities can play in a community's life and stated it would support the effort that the community is making in the St. Nicholas Park Area to provide such facilities.

Calling attention to the declining commercial establishments and vacant or poorly-maintained stores interspersed in the five areas, the Commission recommended that special action be taken to insure that these activities and structures are improved or replaced, if necessary, as part of the renewal of the entire neighborhood.

The use of limited clearance actions must accompany a rehabilitation program, the report stated, to remove those structures which cannot, because of construction or condition, remain in the area without adversely affecting the neighborhood. Land so cleared could be used for community facilities or new housing. The Commission pointed out that demolition may play a greater part in the rehabilitation program for the St. Nicholas Park Area than in some of the other areas studied, particularly where non-residential structures intrude into the neighborhood.

VI. *Public Hearing*

On August 14, 1963, Cal. No. 48, the City Planning Commission fixed September 23, 1963, as the date for a public hearing on the designation of the St. Nicholas Park Area as appropriate for Urban Renewal and Cal. No. 47, on the related modification of the Master Plan of Sections Suitable for Development and Redevelopment.

Hearings on both these matters were duly held on September 23, 1963, Cal. Nos. 1 and 2, as part of a series of hearings on September 23 and 24, 1963, devoted to five areas throughout the City which were proposed for rehabilitation.

Some 21 persons spoke in favor of the rehabilitation of the St. Nicholas Park Area. Several speakers addressed themselves to the matter of the City's proposed rehabilitation plan in general. These included representatives of the Housing and Redevelopment Board, the Rent and Rehabilitation Administration, the City Commission on Human Rights, the Citizens' Housing and Planning Council, United Neighborhood Houses and the Federation of Jewish Philanthropies.

Among the proponents of renewal for the neighborhood were speakers for the Borough President's District Planning Board No. 10, the St. Nicholas Park Housing and Planning Council and a number of home owner, tenant, and real estate groups, as well as representatives of civic, religious and welfare organizations.

Five speakers opposed the proposal, including one non-resident and four representatives of tenants, real estate groups and property owners. These speakers expressed doubt as to the practicability of the proposed rehabilitation program and questioned the City's ability to carry it out successfully.

Certain general concerns were strongly expressed by both opponents and proponents of the proposal. Many felt that implementation of the proposed rehabilitation techniques might result in higher rentals that would drive families out of the neighborhood and asked that special consideration be given to the generally low-income level of the area's residents.

Landlord and home owner groups, on the other hand, requested that the Rent and Rehabilitation Agency permit increases in rent to enable owners to cover the costs of rehabilitation. Owners asked for assurance that mortgage funds to finance rehabilitation would be forthcoming and that enforcement of codes requiring costly improvements such as additional baths in converted buildings be deferred until such funds become available and renewal standards are defined. Speakers also pointed out the continuing need in the area for single-room occupancy facilities.

Some of those favoring rehabilitation asked that certain aspects of the proposal be more clearly defined. They felt that the areas slated for clearance should be pinpointed and that the nature of the interim action program be detailed. They particularly asked that an interim program be designed to encourage the participation of residents in the activities of the responsible City agencies. It was also suggested that the area's boundaries be expanded to include a larger section of Harlem.

Other speakers urged that provisions for the cultural and educational needs of the community be made an integral part of rehabilitation along with improved commercial facilities, and that new facilities be provided in St. Nicholas Park to permit greater utilization of the park as a recreation area.

The representative of a block association in the northwestern section of the area expressed the fears of home owners that through the rehabilitation program good properties might be condemned in order to enable the possible expansion of City College northward.

Subsequent to the public hearing the president of the City College of New York requested that the section bounded by the westerly boundary of St. Nicholas Park, West 141st Street, Convent Avenue and St. Nicholas Terrace be eliminated from the proposal as it contains a recently built engineering building. It was accordingly decided to eliminate this area from the proposal.

VII. *Consideration of Public Hearing Statements*

1. *That the boundaries of St. Nicholas Park Area be extended so as to take in a greater portion of Harlem*

The area under consideration already covers a densely occupied expanse of 42 blocks with a population of 32,000. Expansion of the area to include greater territory and population would greately lengthen the time necessary for preparing detailed plans for the area and delay implementation permitting the further advance of the blighting influences already evident in the community. A change in boundaries would also require an additional public hearing thus further adding to the delay in carrying out the proposed rehabilitation program.

The Commission recognizes that Harlem has many areas requiring study and assistance through City programs. By working in the St. Nicholas Park Area which contains a great many problems typical of Harlem in general, as well as many unique characteristics, the City will be able to develop tools and techniques to be applied elsewhere in the broader Harlem Community.

2. *That there is need for single-room occupancy facilities for single persons which should be recognized in any plan for the area*

At present, there are no public programs which make the provision of housing for single persons, other than the elderly, feasible at this time. However, we believe these programs are desirable and the problem of providing such housing accommodations is currently under study by the Department of City Planning's Community Renewal Program. The Commission will keep the Housing and Redevelopment Board informed of the progress of its study in the interests of developing a workable program which will permit the construction of such housing in the St. Nicholas Park Area and elsewhere.

3. *That attention should also be paid to cultural, educational, and business needs of the community*

The Commission is aware that these three aspects of community life must receive attention in any rehabilitation program. As pointed out in the summary of the predesignation statement earlier in this report, the Commission recognizes the need to improve both commercial and educational facilities and to emphasize the role of school improvements in community development.

The Commission also recognizes the strong desire of the St. Nicholas Park Community for cultural expression. Reflecting this feeling, a very active committee supported by the Local Planning Board has taken steps to develop facilities for cultural activities. The renewal program should encourage this interest wherever possible. Studies can be undertaken during the project planning stage to assist the community in site selection, as well as in exploring the possibilities of financial aid for such endeavors.

4. *That good residential structures in the northern section would be acquired to enable the possible extension of City College*

The portion of the St. Nicholas Park Area that is north of City College was not included with any thought of acquisition and redevelopment for college expansion. No such plan has ever been discussed with the Commission. The area in question contains some of the better housing found in the general area. It was included specifically so that it could benefit from residential rehabilitation programs.

VIII. *Renewal Recommendations for the St. Nicholas Park Area*

The Commission favors a comprehensive program of rehabilitation for the St. Nicholas Park Area and the initiation of an immediate action program upon designation. A renewal program will give the City the means to develop techniques and procedures to improve existing residential structures and upgrade general neighborhood conditions here as well as in a larger portion of Central Harlem and other areas of the City which have similar problems.

The leadership provided by the Borough President's Local Planning Board, the St. Nicholas Park Study Committee and the St. Nicholas Park Housing and Planning Council will continue to be a valuable ingredient in the renewal program. The study sponsored by the St. Nicholas Park Planning and Housing Council reflects the extent and quality of the interest and involvement in renewal which the Commission believes will grow as the progress gets underway.

With a program of rehabilitation made possible and feasible by the proposals as outlined earlier in this report and set forth in greater detail in the Commission's report of August 14, 1963, the Commission makes the following recommendations in regard to the renewal of the St. Nicholas Park Area:

1. *Rehabilitation*

The Commission recommends that a Federally-aided Titled I Urban Renewal Program of rehabilitation be undertaken in the St. Nicholas Park Area.

The program should included all available Federal, State and City tools, architectural and financial counseling, coordination of municipal services, as well as new aids and methods which must be developed to meet the special problems and hardships that may be encountered during implementation of the program.

Rehabilitation standards and the exact nature of renewal action to be undertaken will depended on detailed project planning which will define the specific neighborhood objectives.

In addition to rehabilitation, renewal action would include the spot clearence of buildings so structurally unsound that they do not themselves warrant rehabilitation, and the removal of uses inappropriate and harmful to the neighborhood.

A broader use of clearence may also be required in sections which have sizeable concentrations of structures that cannot be feasibly rehabilitated. Although the precise scope of clearance activities in the St. Nicholas Park Area cannot be determined until the project planning stage, when each building will be examined in detail, it is probable that some clearance may be necessary along frontages of 8th Avenue, particularly between 141st and 145th Streets and the area to the west of 8th Avenue in this vicinity, including the heavy nonresidential uses between 142d and 143d Streets.

The Commission has noted that a number of deteriorating commercial structures in the area exercise a blighting influence on the neighborhood. It is recommended that special action be taken to insure that these structures are improved or replaced if they cannot be rehabilitated and function suitably in a residential neighborhood, as part of the overall renewal effort. This action should include:

- The conversion of excess retail space to other uses, such as housing or community facilities where appropriate;
- The development and enforcement of local standards for the rehabilitation and maintenance of commercial structures;
- The provision of technical and professional rehabilitation advice;
- The allocation of space for off-street parking; and
- Cooperation with businessmen's organizations to encourage commercial improvements.

2. *Recommendations for Immediate Action*

An interim action program should be initiated for the St. Nicholas Park Area immediately following its designation. As stressed elsewhere in this report and detailed in the predesignation report of August 14, such a program is a key to a successful rehabilitation effort and will play a vital role in bringing improvement to the area quickly. Through this program the City can respond to the momentum already developed by local residents for improving the area and work with them toward the upgrading of the neighborhood even while the detailed plans for broad renewal are being developed.

It is recommended that all steps short of the use of Federally-aided tools be included.

The interim program would provide a local renewal office to give general information, provide professional staff assistance to tenants and property owners, coordinate various City services and code-enforcement activities geared to the overall rehabilitation goals for the area, promote citizen participation and take such other steps that are found desirable for neighborhood improvement.

3. *Community Facilities*

The Planning Commission recognizes that improved schools are a key element in a rehabilitation program. For many of the residents of St. Nicholas Park Area the quality of education available—in regard to curriculum and physical plant—is as important as the condition of their homes.

The Commission recommends that special attention be given, during the detailed planning stage, to the educational requirements of the community and to the possible need for new school facilities, particularly if new housing is planned for the area.

Another essential to an area's rehabilitation is the provision of playgrounds and parks. Recreation facilities for residents of all ages are considered inadequate in the St. Nicholas Park Area. The Commission recommends that the provision of increased recreational space be made an integral part of the rehabilitation program and that the devolopment of specific sites for new recreational facilities be incorporated into the detailed planning for the area.

The Commission also favors increased utilization of St. Nicholas Park through the development of new facilities. Funds for such improvments have been included in the Planning Commission's proposed 1964-1965 Capital Budget.

Cultural facilities can also play an important role in a community's life. In the St. Nicholas Park Area a very active committee, in conjunction with the Local Planning Board, is making an effort to obtain backing for such development. The Commission recommends that consideration be given during detailed planning to the possibility of aiding in site selection for facilities of this nature. The Commission further recommends that every attempt be made to explore sources of financial aid to these activities including the possibilities of tax exemption, as well as direct budgetary assistance.

4. *Procedural Considerations*

While the specific program for the St. Nicholas Park Area can only be developed during a period of detailed planning, the Commission recommends that the following procedures be recognized as integral parts of the renewal operation in both the interim program and the longer-range renewal action:

a. Continued encouragement of local community participation to insure the fullest possible understanding by residents and private and public agencies, of the renewal problems involved; and to marshal the total energies of the community toward achieving sound and lasting results;

b. Careful and close coordination of strengthened code enforcement and rehabilitation assistance to provide a rational framework in which substantial improvements can be made. This would facilitate the elimination of violations through sound and long-lasting rehabilitation, rather than by temporary "patching over";

c. Provision of qualified staff assistance to property owners who are desirous of undertaking rehabilitation, and to tenants who will require help in setting up and maintaining their newly rehabilitated homes; and

d. Coordination of all public improvements made within the renewal area to assure its proper and logical development.

IX. *Findings and Adoption*

The City Planning Commission hereby finds, pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), that the area bounded by West 145th Street, 7th Avenue, West 131st Street, 8th Avenue, West 130th Street and its prolongation, St. Nicholas Terrace, the westerly boundary of St. Nicholas Park, West 141st Street, Convent Avenue, West 140th Street, and Amsterdam Avenue, Borough of Manhattan, is a substandard and insanitary area as defined in Subdivision Four of Section 502 of the Urban Renewal Law, for reasons hereinabove listed in this report and that this area is appropriate for urban renewal.

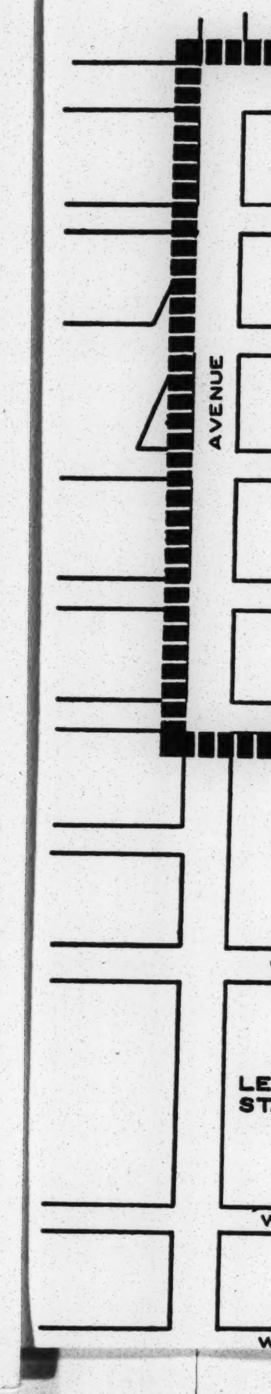
The Commission recommends that the use and reuse of the designated area be predominantly residential, generally conforming to current zoning regulations, with provisions for appurtenant educational, recreational, institutional and commercial facilities as noted in this report.

The Commission finds that appropriate treatment for the area is predominantly rehabilitation and conservation, with such minimum clearance and redevelopment actions as recommended in this report. These recommendations apply to the general area as shown on the attached map dated December 10, 1963. These recommendations and this map are hereby declared to be a part of the Commission's findings and adoptions.

It is noted that the present action does not constitute approval of an Urban Renewal Plan. Such a plan is to be subsequently prepared by the Housing and Redevelopment

Board and submitted to the Commission for review and certification after a public hearing in accordance with the provisions of the law. Final determination is subsequently made by the Board of Estimate, after another hearing, as provided in the Urban Renewal Law.

WILLIAM F. R. BALLARD, Chairman, FRANCIS BLOUSTEIN, Vice Chairman, JAMES FELT, HARMON GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, JAMES G. SWEENEY, Commissioners.



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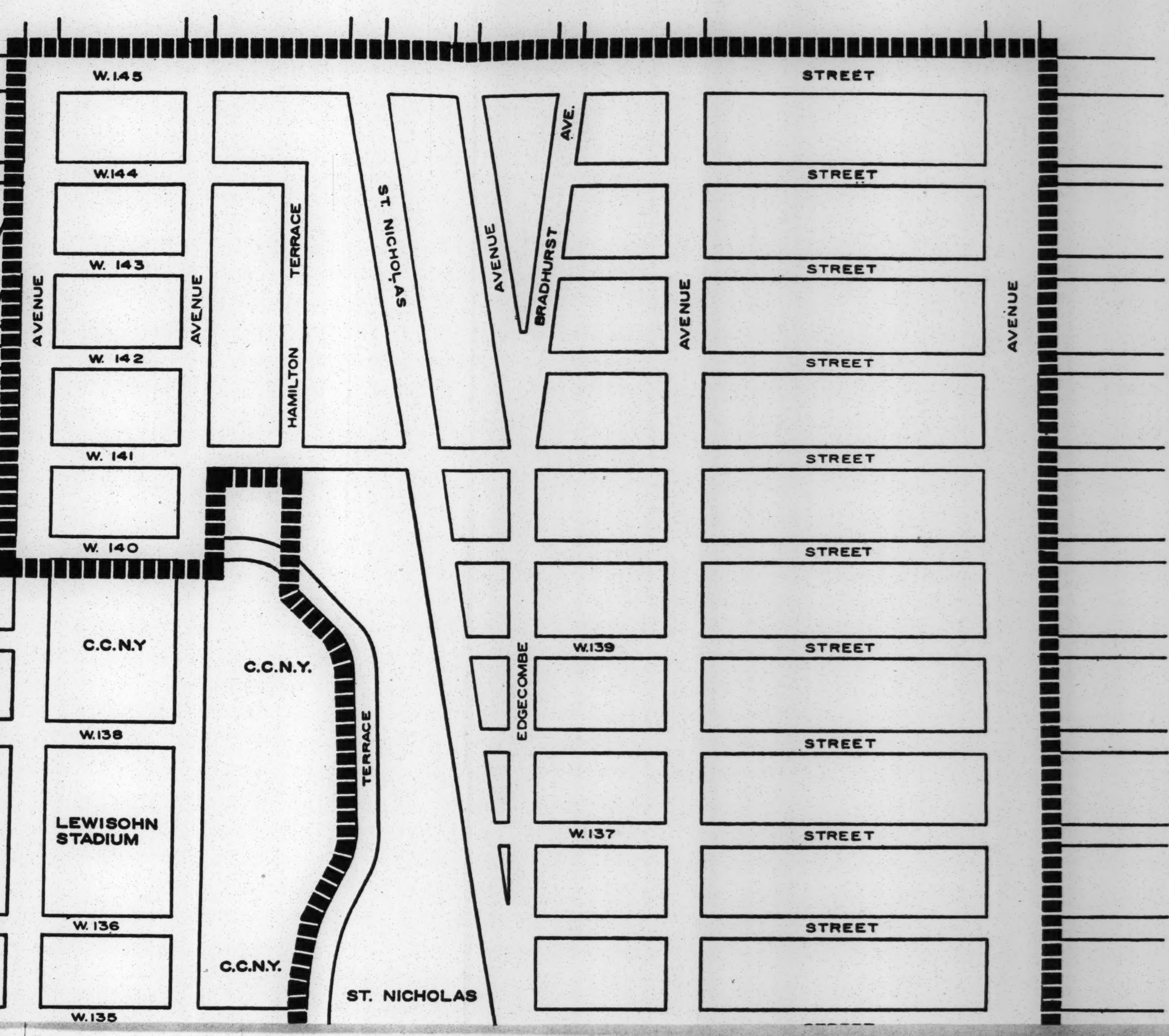
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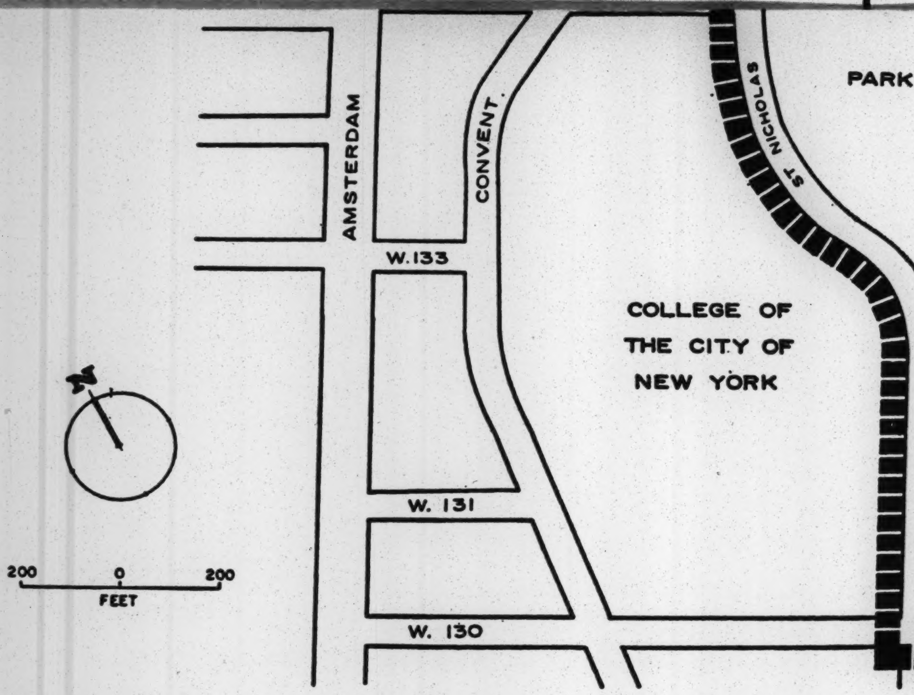
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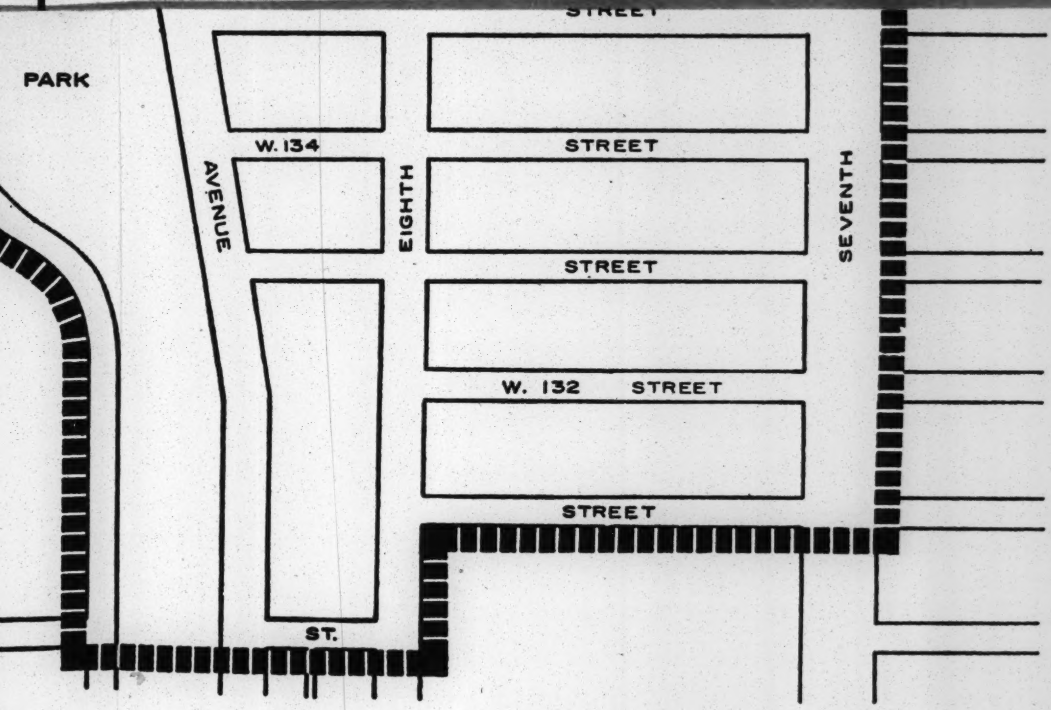
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PRIATE FOR URBAN RENEWAL

DECEMBER 10, 1963

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THE CITY OF NEW YORK
CITY PLANNING COMMISSION

1664

BRONX PARK WEST AREA

URBAN RENEWAL DESIGNATION

DECEMBER 10, 1963

Calendar No. 10

CITY PLANNING COMMISSION

Designation, pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), of the area bounded by East 183d Street, Prospect Avenue, East 185th Street, Southern Boulevard, East 179th Street, and Belmont Avenue, Borough of The Bronx, as an Area appropriate for Urban Renewal (Bronx Park West Area).

(CP-18077) December 10, 1963.

In June 1962, the City Planning Commission announced the City's 1962-1963 Urban Renewal Study Program. A primary consideration guiding this program was an emphasis on conservation and rehabilitation as part of the City's overall urban renewal activities. In line with this policy, five areas having rehabilitation potential were studied. Each of the areas selected had distinct problems, but each also typified conditions found on a widespread basis in the City.

The studies which followed constituted the largest and most systematic rehabilitation study ever undertaken in the City. It was carried out as a fundamental part of the community renewal program, which is supported by a special Federal grant. The study resulted in the publication of a rehabilitation report by the City Planning Commission on August 14, 1963. This report outlined recommendations for a broad rehabilitation program and also included predesignation statements on each of the five areas, including the Bronx Park West Area.

Pursuant to this report, public hearings were held on September 23 and 24, 1963 on recommendations involving the five areas—Bronx Park West being heard on September 24—to determine the desirability of making an urban renewal designation and related Master Plan modification in each case.

Before application can be made for Federal funds to assist in the preparation of more detailed plans and subsequent renewal action, it is necessary to designate the area as an area appropriate for urban renewal pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York. Such designation is the subject of this report.

The Commission also proposed to adopt pursuant to section 197 of the New York City Charter, a modification of the Master Plan containing areas suitable for development and redevelopment, relating to the same area. This matter is the subject of a separate report (CP-18078, dated December 10, 1963).

II. *General Considerations*

During the course of the public hearings on September 23-24, 1963, some 160 speakers appeared before the Commission. A large majority spoke in favor of the rehabilitation program. However, many of those who supported the program raised the same questions and asked for the same assurances as did those who opposed it. It is evident that the policies stated or implicit in the Commission's rehabilitation report need to be restated clearly and explicitly so that there can be no possibility of misunderstanding.

Rehabilitation, as proposed, means the substantial improvement of existing structures in deteriorating areas for the benefit of people who are now living in these areas. It is not a panacea nor is it a substitute for clearance and redevelopment programs. If anything, the City must expand its efforts to replace its worst housing and slums through enlarged low-and middle-income housing programs.

But even with expanded programs, it is physically and financially impossible to replace all of the slum and deteriorating housing in this City humanely in a reasonably short period of time. Moreover, many of the older areas of the City will face an accelerating downward spiral of housing deterioration unless present trends can be halted and reversed. The rehabilitation program is a key element of a program to accomplish this.

In some cases, as in Cooper Square, rehabilitation is linked with substantial clearance and redevelopment actions, and in almost all rehabilitation areas there will be the need for minimum spot clearance. However, even the older areas selected primarily for rehabilitation are in better condition than comparable sections of the City. For this reason the Planning Commission believes they do not warrant clearance and redevelopment. These are areas in which the housing stock is basically sound, even though it may be run-down. These are areas suitable for a major effort to upgrade housing for the benefit of the people now living there, who could not otherwise be provided with decent low-and-middle-income housing accommodations.

At the public hearings, while massive support was voiced for a rehabilitation program, there was a broad undercurrent of apprehension that it might be used as a wedge for the bulldozers. We wish to make clear that we will meet the problems of clearance and redevelopment head-on where necessary, not by subterfuge. Except for such minimum spot clearance as may be necessary to achieve the goals of the rehabilitation program, we will not approve the conversion of areas designated for rehabilitation into mass clearance and redevelopment projects. The areas selected for rehabilitation are areas which are basically sound and which it is our policy to preserve and strengthen. If for any reason full-scale rehabilitation proves impractical in any of these areas, we would sooner drop the project than see it converted to a clearance project.

Similarly, the underlying purpose of the rehabilitation program would be defeated if it resulted in excessive rents which would cause the mass dislocation of families from their homes. This will not be permitted to happen.

These basic policies have been thoroughly discussed and fully accepted by the Housing Executive Committee which represents all of the City's planning and housing agencies which have the responsibility for helping to plan and carry out this program.

The Planning Commission, through its rehabilitation study, found that a large-scale rehabilitation program could be made feasible within the framework of the City's policy. It did not conclude that it would be easy or simple to do so, but it found that the cost of making real and substantial improvements to the vast majority of buildings in the areas selected would not be so great as to make rehabilitation economically out of the question.

The method used in the study to test the feasibility of rehabilitation was to estimate the cost of rehabilitation, determine how these costs would be reflected in rent increases, and compare these estimated new rentals to the incomes of the present residents.

All of the cost estimates and their effect upon rentals as reported in the study were based on existing mortgaging, financing, and technological conditions and current governmental assistance programs. Since a basic aspect of the projected rehabilitation program is the development of new tools and techniques to minimize the impact of rehabilitation costs and their consequent impact on rentals—the hypothetical rentals should be accepted only for statistical comparisons and not be confused with program objectives. These rental "increases" do not represent either Commission proposals or expectations of rents resulting from an improved rehabilitation program.

The question of rent-income ratios can only be resolved upon investigation of individual family needs and resources. The Commission has made it clear that each building and each family presents special problems in rehabilitation and that no one formula or standard should be substituted in advance of the more detailed study phase.

The Rent and Rehabilitation Administrator in discussing the question of rents at the public hearing also stressed that tenants would not be expected to pay for deferred maintenance in establishing a rental scale. The institution of an immediate action program prior to full-scale rehabilitation, would provide added assurance that most conditions threatening the health and safety of tenants could be handled through code enforcement. However, the Commission also recognizes that certain maintenance problems stem from more fundamental defects which can only be remedied through a rehabilitation program. Accordingly, code enforcement must be carefully related to the long-term rehabilitation goals to insure against "patchwork" improvements that hide more serious defects.

The Commission reiterates its belief that to be successful a large-scale rehabilitation program must be rooted in private or cooperative ownership. The management of a rehabilitation program will require decentralized decision making best achieved by private owners or non-profit companies with such public supervision and assistance as is necessary to achieve the program objectives. We believe that private owners can provide decent housing, make a reasonable profit, and not exploit tenants. This is evidenced in many thosuands of housing units throughout the City—and there is every reason to believe it can take place in the many other thousands of units now in a state of deterioration or neglect.

It should also be clear that a rehabilitation program is not designed to solve—nor could it—all the problems of poverty that exist in many sections of the City and that are found to a degree in all of the areas proposed for this program. There are many families now living in these areas whose incomes are so low that they cannot afford the rents they are presently paying for deteriorating housing. Certainly that is no reason for maintaining their housing conditions as they are.

These families obviously require special assistance if their need for decent shelter is to be met. In general, to help meet the needs of the vast majority of families, construction costs must be reduced through mass production techniques and realistic standards for essential rehabilitation so that rents may be minimal. Financing costs should be reduced not only through existing mortgage insurance programs, but through new FHA, State and City programs as well. Special programs should be explored, including rent subsidies where needed, new rehabilitation programs by the New York City Housing Authority as well as cooperative rehabilitation activities.

Almost all proponents of the rehabilitation program have emphasized the need for rapid action to start upgrading areas prior to the development of the detailed plans for Federally-aided rehabilitation.

The Commission agrees that speed and continuity are essential to achieve the long-term improvements that are sought. This policy has been discussed and agreed to among the members of the Housing Executive Committee, and the Planning Commission is prepared to accept a recommendation to amend the existing Capital Budget to provide the Housing and Redevelopment Board with funds to cover immediate action needs in areas designated for rehabilitation.

The interim rehabiliation program will be carefully geared to the longer-range rehabilitation activity. The City will set up offices in each of the rehabilitation areas, with competent experts and consultants on hand to help tenants and property owners in all aspects of neighborhood improvement short of Federal aid. The area offices will serve as information and referral centers, will help coordinate code enforcement, health, safety, sanitation, and welfare activities, and perform other services in conjunction with local citizen groups with an eye toward the full rehabilitation of the neighborhood.

The City's housing and planning officials are actively preparing the necessary administrative and legislative changes to implement the rehabilitation program as smoothly and expeditiously as possible. The administration of this program requires coordination of the operations and services of various governmental and private agencies. While this report seeks to define the goals and principles of the rehabilitation program, the details of program administration and implementation will be worked out by the operating agencies guided by broad City policy on these matters.

Suggestions have also been made that pilot programs be carried out in advance of area wide rehabilitation. We believe selected pilot actions can be useful provided that they are undertaken as a coordinated part of the program as a whole. This was one of the recommendations included in the Commission's rehabilitation report.

The most vigorous opposition to the rehabilitation program came from opposite poles—real estate groups who declared that rent control prevents owners from properly maintaining their properties, and militant tenant groups who contended that the full cost of improvements should be sustained by the landlord or wholly by public funds with no increased costs passed on to the tenants.

While the pros and cons of rent control were very much in focus during the public hearings, the Commission does not believe that this is a matter which should be—or could be—resolved in an urban renewal designation report. However, in regard to the contention that rent control is primarily resoponsible for poor building maintenance and deterioration, we believe it is relevant to note that even in cities without rent control deterioration and blight still persist as a major problem—and it is to this problem that we must address ourselves.

There is little question that a rehabilitation program, as advanced by the Commission, would require some form of controls over rentals. "If," as the Rent Administrator declared, "rent control did not already exist, its invention would be inevitable if the refurbished dwellings are to continue to be available to their present low and moderate income tenants."

The Commission has also made clear its belief that proper incentives must be provided in this program to attract investment of capital and private risk in property improvement. Landlord and tenant both have a very real stake in rehabilitation. And, it cannot be implemented as a workable program if rehabilitation is to be conceived and administered with either landlords or tenants viewed as heroes or villains.

Obviously there is no simple course to follow to insure maximum equity to landlord and tenant within the framework of the rehabilitation program. Those charged with the responsibility for meeting the renewal and housing problems of this City fully recognize the difficulties inherent in this program. The large-scale rehabilitation program was not proposed lightly. The Planning Commission and the Mayor's Housing Executive Committee carefully considered its implications, its advantages and its difficulties.

In our judgment, the needs of the people of our City for improved housing are so great, and the potential of a rehabilitation program to help meet these needs so high, that we would be remiss in our responsibilities if we failed to meet this challenge squarely, and with all the resources we can muster.

III. *Description of the Area*

The Bronx Park West Area covers 30 blocks bounded by East 183d Street, Prospect Avenue, East 185th Street, Southern Boulevard, East 179th Street, and Belmont Avenue and for several blocks on its eastern boundary is contiguous to Bronx Park. The Fordham University campus is several blocks to the north.

At the turn of the century the section was almost rural—a mixture of frame houses and vacant land. After 1900 many multi-family structures were built as well as a large number of five-story and six-story new-law tenement buildings and attached masonry structures. By 1930 the present architectural pattern of the neighborhood—a contrast of small homes and moderate-size apartment houses—was set and almost all available open space had been utilized. Recently two high-rise apartment buildings containing 280 middle-income units were built under limited-profit housing (Mitchell-Lama legislation) at Crotona Avenue and 182d Street. The narrow, winding and interrupted street pattern discourages through traffic and contributes to the residential character of the area.

Most of the housing in the 100-acre Bronx Park West Area is basically sound but deteriorating. Much of it has begun to show its age. Some conversions have taken place and many of the small homes, particularly the frame structures, have begun to evidence serious deterioration. Though these small structures constitute most of the area's buildings, some 80 per cent of the community's 5,000 dwelling units are in new-law walk-ups, many of which are far along the path toward deterioration.

The conditions of all buildings were evaluated by an exterior survey supplemented by Census analysis. Interior surveys were made for a sample of buildings selected to represent a cross section of condition in the area. These surveys clearly indicate the need for a program to improve housing conditions. In the Bronx Park West Area the exterior survey of approximately 550 structures showed that only 56, or 10 per cent, were without obvious deficiencies. A very large proportion—approximately 50 per cent of all structures—were classified "Fair." These buildings while structurally sound showed some building deficiencies resulting from neglect of maintenance. Over 200, or 35 per cent, of the buildings in this area were classified as "Poor" or "Bad," reflecting building deficiencies from long standing maintenance neglect or serious structural defects.

In general the sample survey of interior condition showed that deficiencies were more extensive than the exterior surveys indicated. The Census, which generally understates building deficiencies, classified 35 per cent of the housing units in the area as deteriorating or dilapidated.

The residents of Bronx Park West are largely families of Italian, Irish, and East European Jewish origins. The grown children of these families have shown a tendency to leave the area, and in recent years many Negro and Puerto-Rican families have entered both as tenants and home-owners. These newcomers now constitute 23 per cent of the area's population.

There is a concentration of local shopping facilities along East 180th Street and a scattering of retail facilities throughout other parts of the area. Many are vacant or poorly maintained or contain uses detrimental to the residential quality of the neighborhood.

The area is deficient in recreation space. It contains only one large playground located on the western edge of the community and there is a shortage of small recreational spaces such as sitting parks and "tot lots." Additional large recreation facilities are located outside the area to the north and the south but they are inconvenient to reach for most residents of the neighborhood. The northwest section of the area contains a concentration of educational, recreational, and religious facilities. This includes a parochial school and other institutions based about St. Martin of Tours Roman Catholic Church as well as a public school and the area's single large playground.

Unlike the schools in many areas of the City those in Bronx Park West have not suffered from overcrowding in past years. However, with recent increases in school age population the facilities are now being more heavily utilized. In order to provide for possible future increased enrollment in the area the Board of Education has proposed the building of Junior High School 167 and the conversion of the existing Junior High School 44 to provide elementary capacity.

IV. *Citizen Participation*

From December, 1961, to February, 1962, the staff of the City Planning Commission's Community Renewal Program carried out an overall study of the Tremont Community, an area bounded by East Fordham Road on the north, East 175th Street on the south, Park Avenue on the west, and Southern Boulevard on the east. Staff members were able to meet with groups representing various facets of the community that previously had little or no contact with each other. The study process afforded these groups a common meeting ground and a basis for focusing on the concerns and fears of the total community.

In implementation of the City's 1962-1963 Urban Renewal Study Program, a portion of the Tremont Section, the Bronx Park West Area, was earmarked for more intensive study as a possible area in which urban renewal might be carried out through the use of various rehabilitation techniques. With the assistance of the East Tremont Neighborhood Association and the Belmont Civic Association, the Bronx Park West Urban Renewal Study Committee was created. Some 22 groups representing different aspects of the community's business, cultural, religious and political life participated. Negro and Puerto Rican newcomers as well as long-time residents were encouraged to take part in the Committee's work.

The Community Renewal staff met monthly with the committee over an 18-month period, while meetings with smaller communities were held on an average of every two weeks. Individual conferences with key leaders were held weekly and a series of meetings with other local groups to interpret the studies was also conducted.

Following the publication of the rehabilitation report on August 14, 1963, the committee prepared a tentative statement expressing its views. Sixteen meetings were then held, sponsored by various community organizations, in which committee members and Commission personnel discussed the report and its implications with tenants, landlords, representatives of leading institutions and church and synagogue congregations.

On the basis of the concerns and opinions expressed by various elements of the community at these meetings, a statement was reviewed and submitted for the approval of the entire committee before it was presented at the public hearing on September 24, 1963.

V. *Predesignation Proposals*

On August 14, 1963, the City Planning Commission published, as part of its overall report on rehabilitation, predesignation proposals upon which the public hearings were based.

The August 14 report dealt with general considerations of a broad rehabilitation program as well as specifics involving the five study areas.

General Program Recommendations

The rehabilitation report found that a large-scale rehabilitation program in deteriorating areas—with improvements priced to meet the needs of the families living in the areas—is both necessary and achievable as part of the City's total urban renewal program.

Since, in general, rehabilitation would result in increases in rentals, the Commission urged that realistic rehabilitation standards be instituted and new programs developed to insure that residents would not be priced out of their homes. It was further recognized that rehabilitation standards would have to take into account individual needs in specific areas, and that a single set of absolute building standards was impractical.

The Commission warned that rehabilitation must not be considered a substitute for redevelopment and should not be used in relatively sound areas where less costly programs of City action would suffice.

A key recommendation of the report was that an immediate action program be instituted in the five areas as a follow-up to designation. In this way, the start of neighborhood improvement need not be delayed until detailed plans are developed and approved. The action program would provide as many aids as possible short of the use of Federally-aided tools. It would set up local information centers to give professional staff assistance to tenants and property owners, and to coordinate various City services and code enforcement activities geared to upgrading the neighborhood and the overall rehabilitation goals for the areas.

To carry out an effective large-scale neighborhood rehabilitation program in the City of New York, the Commission recommended that existing tools must be improved and sharpened; new approaches and legislation must be sought at all levels of government; the active participation and cooperation of private citizens and institutions must be fostered; and that these efforts must get underway immediately.

In summary, the Commission's recommendations included:

1. The broadening of Federal mortgage insurance programs to accommodate the rehabilitation of large multi-family buildings, and the speed-up in the processing of applications for Federal renewal assistance.
2. The development of a comprehensive rehabilitation program on the State level to complement ongoing State programs for the development of new housing.
3. Intensification and coordination of the City's tax abatement and loan programs with the expanded rehabilitation activities. Eligibility for these programs would also have to be broadened to permit them to be applicable for more varied types of building improvements.
4. The use of public and quasi-public financial investment resources—such as the City pension fund and union pension funds—for needed rehabilitation capital.
5. The fullest participation of banks and lending institutions to insure that mortgage capital for rehabilitation will be available. Mortgage pools to meet the needs of specific areas and cooperative methods of processing and expediting mortgage applications should be explored.

6. The development of a large-scale, specialized rehabilitation industry in New York devoted to the expanding rehabilitation needs of the City. Improvements in building rehabilitation technology—with consequent reductions in total rehabilitation costs—would also serve as an important factor in the creation of additional educational and employment opportunities within the building and construction trades.

7. Combined and concentrated efforts at all levels of government and by all private citizens and groups to lower the costs of rehabilitation, and to develop creative programs and new approaches to satisfy the housing needs of lower-income families and those with special housing difficulties—the aged, ethnic and racial minority groups, and other families who have difficulty securing decent housing in a wholesome environment.

Bronx Park West Area Predesignation Proposals

The predesignation report contained general guidelines for rehabilitation in the five areas, and also included specific neighborhood proposals, common to all areas, which were considered of particular importance in a rehabilitation effort.

Among these, the report stressed that school planning and development should be considered an integral part of any effort to rehabilitate a neighborhood. Similarly, the Commission recommended that every opportunity be taken to provide more recreation space as part of the neighborhood's rehabilitation. Special attention was called to the possibility of developing small sitting areas and "tot lots." The Commission also affirmed the importance that cultural facilities can play in a community's life and stated it would support endeavors to enrich the cultural life of the areas.

Calling attention to the declining commercial establishments and vacant or poorly-maintained stores interspersed in the five areas, the Commission recommended that special action be taken to insure that these activities and structures are improved or replaced, if necessary, as part of the renewal of the entire neighborhood.

The use of limited clearance actions must accompany a rehabilitation program, the report stated, to remove those structures which cannot, because of construction or condition, remain in the area without adversely affecting the neighborhood. Land so cleared could be used for community facilities or new housing. Preliminary studies indicated that a minimum of residential clearance would be necessary in the Bronx Park West Area.

VI. *Public Hearing*

On August 14, 1963, Cal. No. 55, the City Planning Commission fixed September 24, 1963 as the date for a public hearing on the designation of the Bronx Park West Area as an area appropriate for urban renewal and Cal. No. 54, on the related modification of the Master Plan of sections containing areas suitable for development and redevelopment.

At the hearings 20 speakers appeared, including the local State Senator, Assemblyman, and Councilman. Also heard were representatives of the Belmont Civic Association, East Tremont Neighborhood Association, East Tremont Y.M.H.A., East Tremont Child Care Center, Belmont Park Merchants Association, and the Bronx Park West Urban Renewal Study Committee, as well as a number of clergymen.

Support for the proposal was almost unanimous, although there was concern expressed about various aspects of implementing the rehabilitation program. It was feared that urban renewal might mean large-scale demolition and several speakers asked that the Commission specifically limit clearance to 5 per cent of the area. Others asked that special consideration be given to the aged and other groups already paying an inordinate share of their income for rent in view of possible rent increases resulting from the rehabilitation process.

It was suggested that a study of the commercial area on 180th Street would indicate that some structures might be demolished and replaced with garden apartments for the elderly. A number of speakers asked for assurances that any new construction incorporated in the program would be limited to middle-income housing in a style harmonious with the existing character of the neighborhood.

Other issues raised were: a suggestion that the boundaries of the Bronx Park West Area be extended north to 187th Street and South to Crotona Park North; the need for a study of the community's recreation requirements as an integral part of a rehabilitation program; and the possibility of establishing "pilot area" programs for development of standards and practices in rehabilitation.

VII. Consideration of Public Hearing Statements

In reviewing the issues discussed at the public hearing, the Commission recognized a number of broad, pervading questions involving policy and program which it has sought to clarify earlier in this report. In addition, there were specific questions posed in regard to the proposals for the Bronx Park West Area. The Commission believes the following specific points raised at the hearing warrant clarification or comment at this time.

1. *That a special study be made of the commercial area on 180th Street with a view toward possible replacement of deteriorating structures with apartments for the elderly.*

The Commission recognizes that there are some deteriorated commercial activities in Bronx Park West which have a blighting effect on the neighborhood and is recommending that special consideration be given during the planning process to the problems of declining commercial areas. During the development of detailed plans the feasibility of converting excess retail space to housing or other community facilities should be explored.

The Commission believes that the use of vacant land or land cleared during renewal operations for the provision of appropriate community facilities or housing is a fundamental part of a rehabilitation program. Wherever possible, during the detailed planning stage, consideration should be given to setting aside for the elderly a portion of any housing that may be planned.

2. *That the boundaries of the area be extended.*

In setting the boundaries of the Bronx Park West Area it was the Commission's desire that the area be of a size and character that would facilitate develpoment of a plan and program for its rehabilitation.

Extension of the boundaries would require further study and involve areas with significantly different problems. It would also require additional public hearings, delaying designation, and impeding the development and implementation of a sound renewal program. It is the Commission's opinion that such a delay would be self-defeating and be accompanied by deterioration of the Bronx Park West Area to a point where radical treatment would be required to restore the neighborhood.

3. *That the character of the area be preserved, that no high-rise apartments be built and that any new construction be limited to housing for the aged.*

The Commission believes that the mixture of small and moderate sized buildings is a positive attribute of the Bronx Park West Area which should be preserved and its renewal recommendations recognize the need to maintain and improve the present character of the neighborhood. Preliminary studies indicate that very little clearance of existing structures will be necessary and that consequently this character will be retained.

Should land become available for housing, the decisions as to the nature of the housing to be built will have to be determined during the detailed planning. The requirements of the City's zoning ordinance governing land coverage, open space, parking areas, and height of buildings will insure that any new development is consonant with the character of the neighborhood.

The Commission recognizes the particular need of the area for housing for the aged, and is receptive to the expressed interests of the community in housing for the elderly.

VIII. Renewal Recommendations for the Bronx Park West Area

With a program of rehabilitation made possible and feasible by the proposals as outlined above in this report and as set forth in greater detail in the Rehabilitation Report of August 14, 1963, the Commission makes the following recommendations in regard to the renewal of the Bronx Park West Area:

1. *Rehabilitation Program*

The Commission recommends that a Federally-aided Title I renewal program of rehabilitation be undertaken in the Bronx Park West Area. Such a program carried out with the full utilization of existing tools and techniques, along with the new approaches indicated earlier in this report and detailed in the Commission's Rehabilitation Report of August 14, 1963, could preserve the existing good qualities of the area and push back the encroaching deterioration.

The successful achievement of rehabilitation in the Bronx Park West Area is forecast by the active interest shown by local leaders and community organizations. Aspirations for neighborhood improvement are evidenced by a number of renovations that have already been carried out by homeowners in the area.

Clearance activities must be used as a fundamental part of a rehabilitation program to remove structures which cannot, because of their poor condition or construction, remain without adversely affecting the rest of the neighborhood. The Commission anticipates that it will be necessary to clear very few structures in the Bronx Park West Area. The precise scope of clearance activities cannot be determined until the project planning stage, to be undertaken by the Housing and Redevelopment Board.

The Commission's study has revealed that the Bronx Park West Area is deficient in active recreational play space for children of all age groups. The Commission therefore recommends that every effort be made in the detailed planning stage to locate possible sites for such facilities.

After consideration has been given to the provision of needed community facilities such as park and recreation space, possible new housing within the income range of local residents should be studied for areas which require clearance or which are currently vacant.

2. *Recommendations for Immediate Action*

An interim action program should be initiated for the Bronx Park West Area immediately following its designation. As stressed elsewhere in this report, and detailed in the predesignation report of August 14, such a program is a key to a successful rehabilitation effort and will play a vital role in bringing improvement to the area quickly. Through this program the City can respond to the momentum already developed by local residents for improving the area and work with them toward the upgrading of the neighborhood even while the detailed plans for broad renewal are being developed.

It is recommended that all steps short of the use of Federally-aided tools be included.

The interim program would provide a local renewal office to give general information, provide professional staff assistance to tenants and property owners, coordinate various City services and code-enforcement activities geared to the overall rehabilitation goals for the area, promote citizen participation and take such other steps found desirable for neighborhood improvement.

3. *Commercial Facilities*

Scattered throughout the area are declining commercial establishments which have an adverse affect on the community. Many are vacant or poorly maintained or contain uses detrimental to the residential quality of the neighborhood.

The Commission recommends that a renewal plan for the area include provision for the improvement of the quality of commercial structures so that their condition and maintenance will support, rather than detract from, a renewed neighborhood. Such a program should include:

* The conversion, or, where necessary, clearance of excess retail space to provide added room for housing or other community facilities;
* The development and enforcement of new standards for maintenance and rehabilitation of commercial structures;
* The provision of technical advice to storekeepers to achieve architectural harmony and effective store improvements;
* The allocation of space, where possible, for off-street parking and new commercial development;
* Cooperation with businessmen's associations to encourage such commercial improvement activities.

4. *Procedural Considerations*

While the specific program for Bronx Park West can only be developed during a period of detailed planning, the Commission recommends that the following procedures be recognized as integral parts of the renewal operation in both the interim program and the longer-range renewal action:

a. Continued encouragement of local community participation to insure the fullest possible understanding by residents, and private agencies, of the renewal problems involved; and to marshal the total energies of the community toward achieving sound and lasting results;

b. Careful and close coordination of strengthened code enforcement and rehabilitation assistance to provide a rational framework in which substantial improvements can be made. This would facilitate the elimination of violations through sound and long-lasting rehabilitation, rather than by temporary "patching over";

c. Provision of qualified staff assistance to property owners who are desirous of undertaking rehabilitation, and to tenants who will require help in setting up and maintaining their newly rehabilitated homes; and

d. Coordination of all public improvements made within the renewal area to assure its proper and logical development.

IX. *Findings and Adoption*

The City Planning Commission hereby finds, pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), that the area bounded by East 183d Street, Prospect Avenue, East 185th Street, Southern Boulevard, East 179th Street and Belmont Avenue, Borough of The Bronx is a substandard and insanitary area as defined in Subdivision Four of Section 502 of the Urban Renewal Law, for reasons hereinabove listed in this report and that this area is appropriate for urban renewal.

The Commission recommends that the use and reuse of the designated area be predominately residential, generally conforming to current zoning regulations, with provisions for appurtenant educational, recreational, institutional and commercial facilities as noted in this report.

The Commission finds that appropriate treatment for the area is predominantly rehabilitation and conservation, with such minimum clearance and redevelopment as noted in this report. These recommendations apply to the general area shown on the attached map dated December 10, 1963. These recommendations and this map are hereby declared to be a part of the Commission's findings and adoptions.

It is noted that the present action does not constitute approval of an urban renewal plan. Such a plan is to be subsequently prepared by the Housing and Redevelopment Board and submitted to the Commission for review and certification after a public hearing in accordance with the provisions of the law. Final determination is subsequently made by the Board of Estimate, after another hearing, as provided in the Urban Renewal Law.

WILLIAM F. R. BALLARD, Chairman, FRANCIS BLOUSTEIN, Vice Chairman, JAMES FELT, HARMON GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, JAMES G. SWEENEY, Commissioners.

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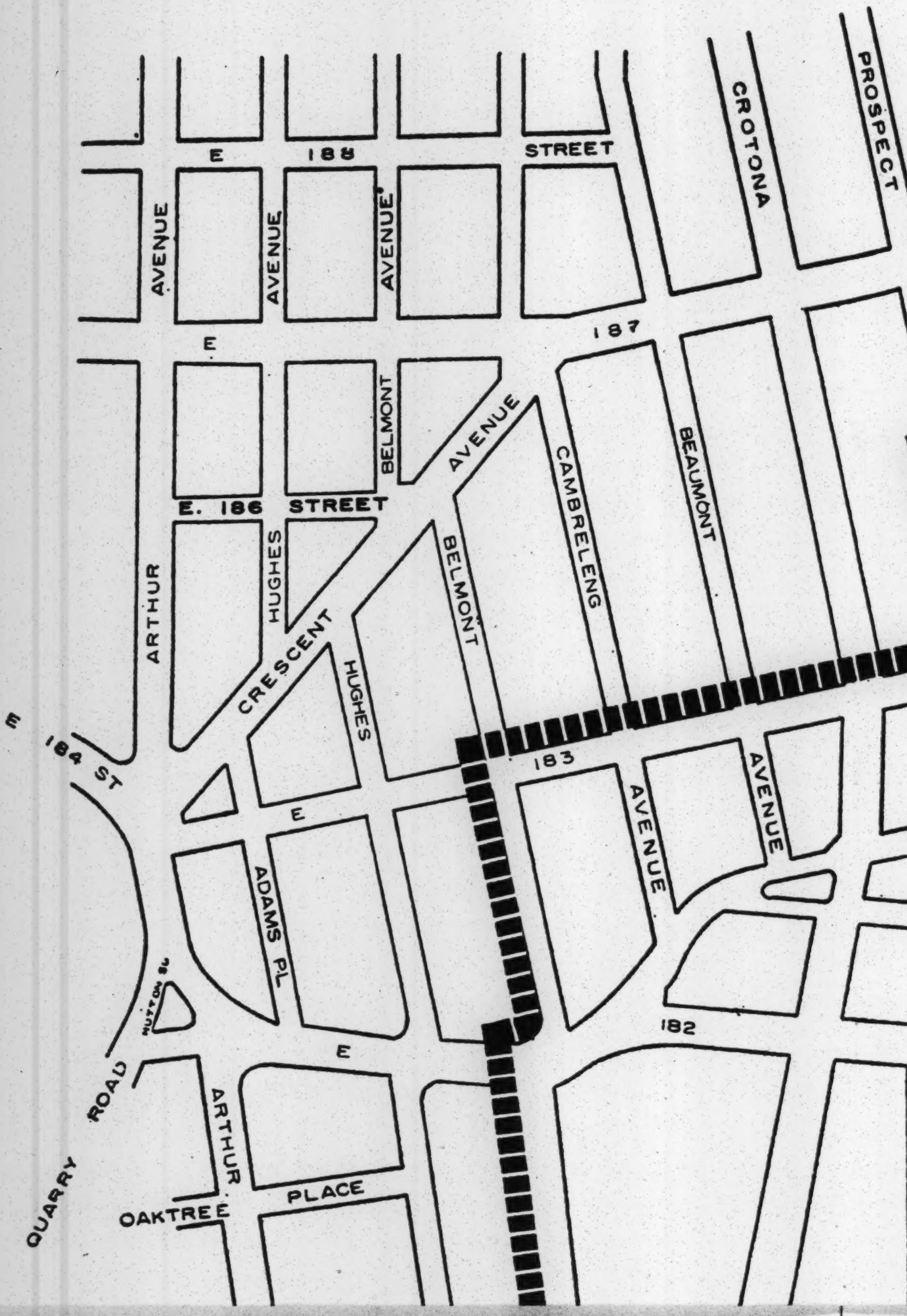
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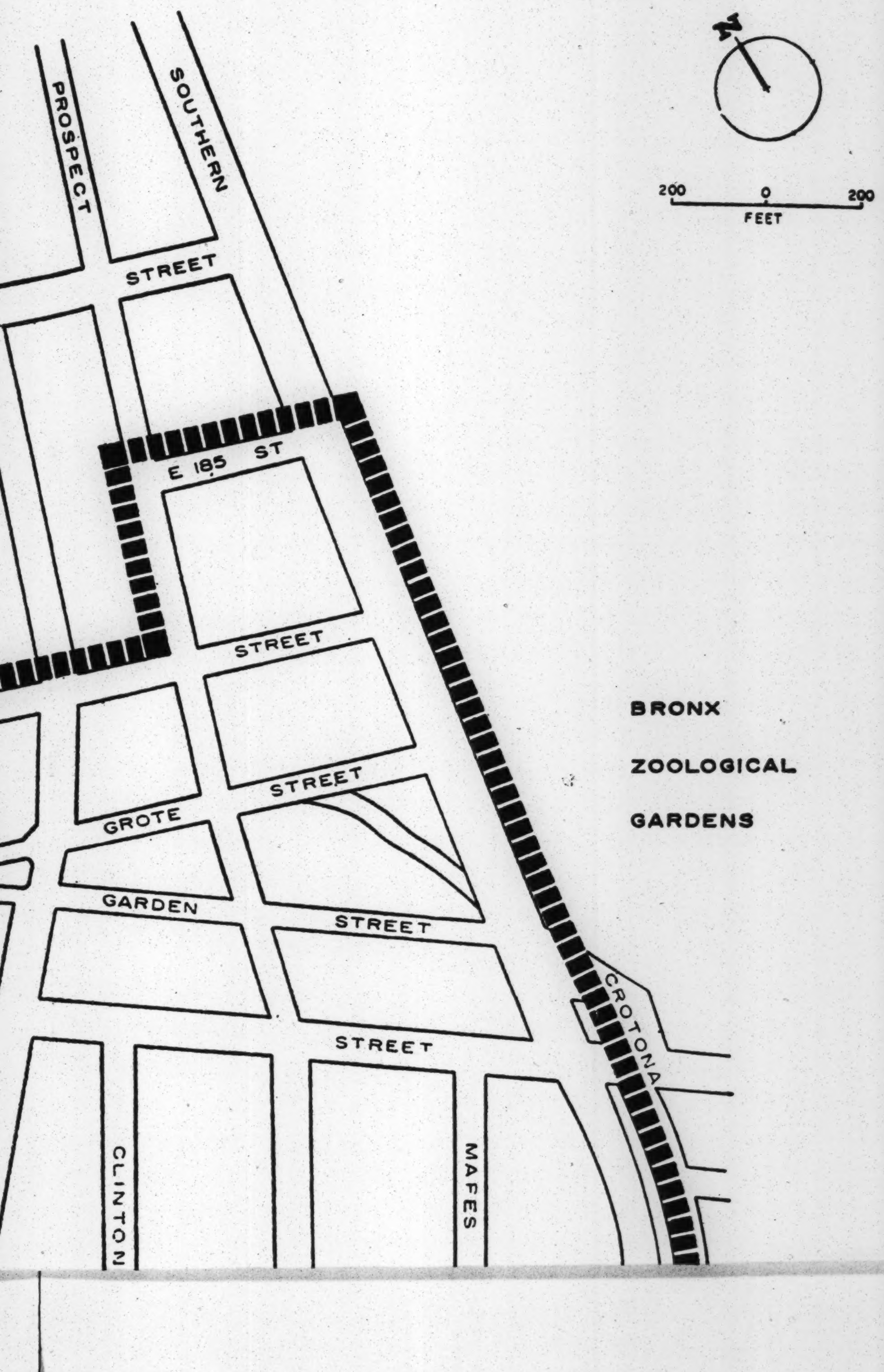
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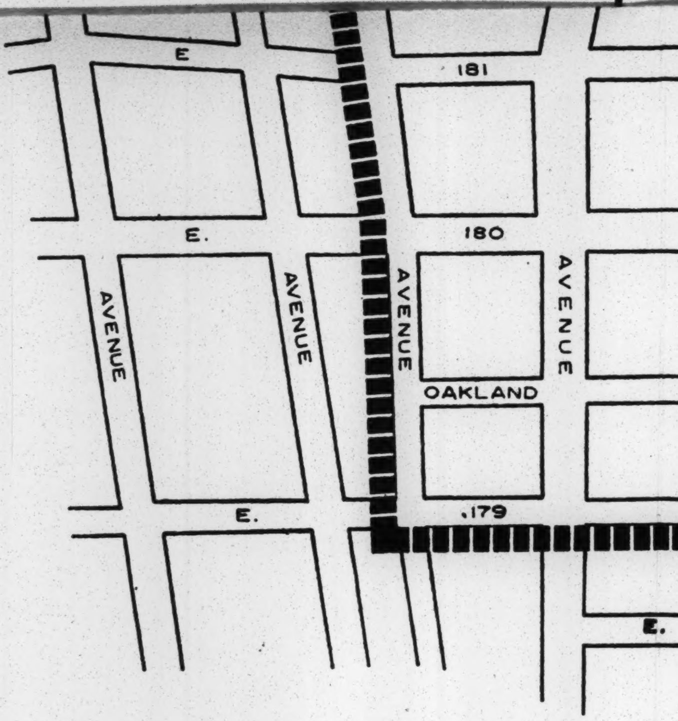
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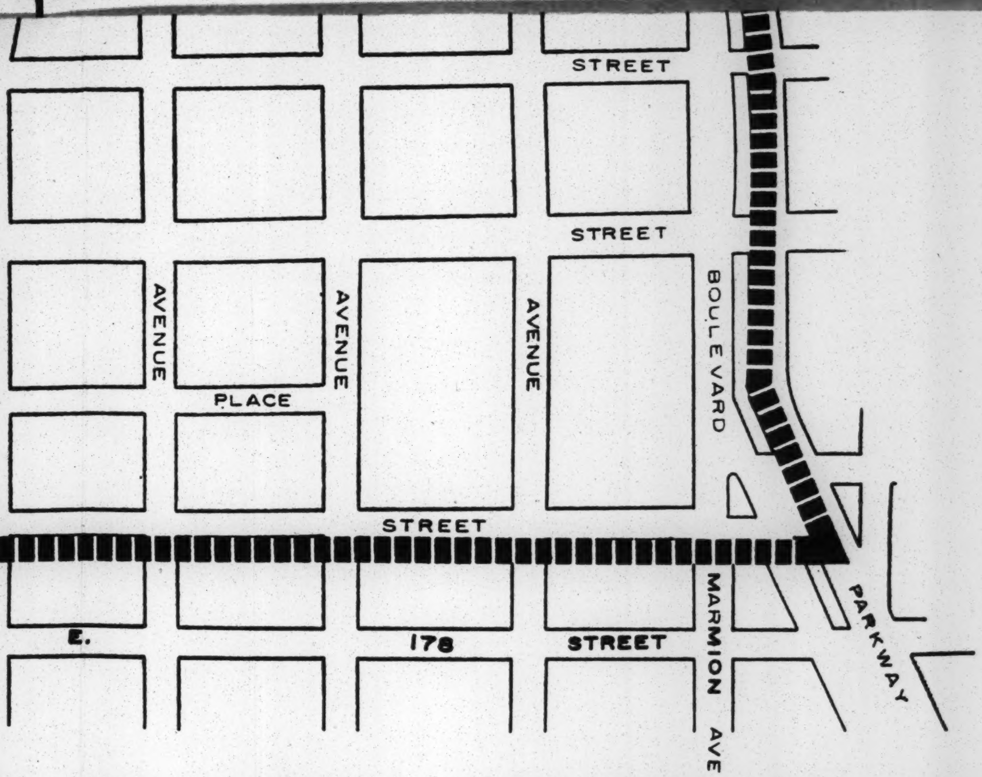
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CITY PLANNING COMMISSION

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CORONA-EAST ELMHURST AREA EXTENSION

URBAN RENEWAL DESIGNATION

DECEMBER 10, 1963

Calendar No. 12

CITY PLANNING COMMISSION

Designation, pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), of the area bounded by Northern Boulevard, 114th Street, 37th Avenue and Junction Boulevard, including the property fronting on the south side of 37th Avenue, Borough of Queens, as an Area Appropriate for Urban Renewal (Corona-East Elmhurst Area Extension).

(CP-18081) December 10, 1963.

In June 1962, the City Planning Commission announced the City's 1962-1963 Urban Renewal Study Program. A primary consideration guiding this program was an emphasis on conservation and rehabilitation as part of the City's overall urban renewal activities. In line with this policy, five areas having rehabilitation potential were studied. Each of the areas selected had distinct problems, but each also typified conditions found on a widespread basis in the City.

The studies which followed constituted the largest and most systematic rehabilitation study ever undertaken in the City. It was carried out as a fundamental part of the community renewal program, which is supported by a special Federal grant. The study resulted in the publication of a rehabilitation report by the City Planning Commission on August 14, 1963. This report outlined recommendation statements on each of the five areas, including the Corona-East Elmhurst Area Extension.

Pursuant to this report, public hearings were held on September 23 and 24, 1963 on recommendations involving the five areas—Corona-East Elmhurst Area Extension being heard on September 24—to determine the desirability of making an urban renewal designation and related Master Plan modification in each case.

Before application can be made for Federal funds to assist in the preparation of more detailed plans and subsequent renewal action, it is necessary to designate the area as an area appropriate for urban renewal pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York. Such designation is the subject of this report.

The Commission also proposed to adopt pursuant to section 197 of the New York City Charter, a modification of the Master Plan containing areas suitable for Development and redevelopment, relating to the same area. This matter is the subject of a separate report (CP-18082, dated December 10, 1963).

II. General Considerations

During the course of the public hearings on September 23-24, 1963, some 160 speakers appeared before the Commission. A large majority spoke in favor of the rehabilitation program. However, many of those who supported the program raised the same questions and asked for the same assurances as did those who opposed it. It is evident that the policies stated or implicit in the Commission's rehabilitation report need to be restated clearly and explicitly so that there can be no possibilty of misunderstanding.

Rehabilitation, as proposed, means the substantial improvement of existing structures in deteriorating areas for the benefit of people who are now living in these areas. It is not a panacea nor is it a substitute for clearance and redevelopment programs. If anything, the City must expand its efforts to replace its worst housing and slums through enlarged low and middle-income housing programs.

But even with the expanded programs, it is physically and financially impossible to replace all of the slum and deteriorating housing in this City humanely in a reasonably short period of time. Moreover, many of the older areas of the City will face an accelerating downward spiral of housing deterioration unless present trends can be halted and reversed. The rehabilitation program is a key element of a program to accomplish this.

In some cases, as in Cooper Square, rehabilitation is linked with substantial clearance and redevelopment actions, and in almost all rehabilitation areas there will be the need for minimum spot clearance. However, even the older areas selected primarily for rehabilitation are in better condition than comparable sections of the City. For this reason, the Planning Commission believes they do not warrant clearance and redevelopment. These are areas in which the housing stock is basically sound, even though it may be run-down. These are areas suitable for a major effort to upgrade housing for the benefit of the people now living there, who could not otherwise be provided with decent low- and middle-income housing accommodations.

At the public hearings, while massive support was voiced for a rehabilitation program, there was a broad undercurrent of apprehension that it might be used as a wedge for the bulldozers. We wish to make clear that we will meet the problems of clearance and redevelopment head-on where necessary, not by subterfuge. Except for such minimum spot clearance as may be necessary to achieve the goals of the rehabilitation program, we will not approve the conversion of areas designated for rehabilitation into mass clearance and redevelopment projects. The areas selected for rehabilitation are areas which are basically sound and which it is our policy to preserve and strengthen. If for any reason full-scale rehabilitation proves impractical in any of these areas, we would sooner drop the project than see it converted to a clearance project.

Similarly, the underlying purpose of the rehabilitation program would be defeated if it resulted in excessive rents which would cause the mass dislocation of families from their homes. This will not be permitted to happen.

These basic policies have been thoroughly discussed and fully accepted by the Housing Executive Committee which represents all of the City's planning and housing agencies which have the responsibility for helping to plan and carry out this program.

The Planning Commission, through its rehabilitation study, found that a large-scale rehabilitation program could be made feasible within the framework of the City's policy. It did not conclude that it would be easy or simple to do so, but it found that the cost of making real and substantial improvements to the vast majority of buildings in the areas selected would not be so great as to make rehabilitation economically out of the question.

The method used in the study to test the feasibility of rehabilitation was to estimate the cost of rehabilitation, determine how these costs would be reflected in rent increases, and compare these estimated new rentals to the incomes of the present residents.

All of the cost estimates and their effect upon rentals as reported in the study were based on existing mortgaging, financing, and technological conditions and current governmental assistance programs. Since a basic aspect of the projected rehabilitation program is the development of new tools and techniques to minimize the impact of rehabilitation costs and their consequent impact on rentals—the hypothetical rentals should be accepted only for statistical comparisons and not be confused with program objectives. These rental "increases" do not represent either Commission proposals or expectations of rents resulting from an improved rehabilitation program.

The question of rent-income ratios can only be resolved upon investigation of individual family needs and resources. The Commission has made it clear that each building and each family presents special problems in rehabilitation and that no one formula or standard should be substituted in advance of the more detailed study phase.

The Rent and Rehabilitation Administrator in discussing the question of rents at the public hearing also stressed that tenants would not be expected to pay for deferred maintenance in establishing a rental scale. The institution of an immediate action program prior to full-scale rehabilitation would provide added assurance that most conditions threatening the health and safety of tenants could be handled through code enforcement. However, the Commission also recognizes that certain maintenance problems stem from more fundamental defects which can only be remedied through a rehabilitation program. Accordingly, code enforcement must be carefully related to the long-term rehabilitation goals to insure against "patchwork" improvements that hide more serious defects.

The Commission reiterates its belief that to be successful a large-scale rehabilitation program must be rooted in private or cooperative ownership. The management of a rehabilitation program will require decentralized decision making best achieved by private owners or non-profit companies with such public supervision and assistance as is necessary to achieve the program objectives. We believe that private owners can provide decent housing, make a reasonable profit, and not exploit tenants. This is evidenced in many thousands of housing units throughout the City—and there is every reason to believe it can take place in the many other thousands of units now in a state of deterioration or neglect.

It should also be clear that a rehabilitation program is not designed to solve—nor could it—all the problems of poverty that exist in many sections of the City and that are found to a degree in all of the areas proposed for this program. There are many families now living in these areas whose incomes are so low that they cannot afford the rents they are presently paying for deteriorating housing. Certainly that is no reason for maintaining their housing conditions as they are.

These families obviously require special assistance if their need for decent shelter is to be met. In general, to help meet the needs of the vast majority of families, construction costs must be reduced through mass production techniques and realistic standards for essential rehabilitation so that rents may be minimal. Financing costs should be reduced not only through existing mortgage insurance programs, but through new FHA, State and City programs as well. Special programs should be explored, including rent subsidies where needed, new rehabilitation programs by the New York City Housing Authority, as well as cooperative rehabilitation activities.

Almost all proponents of the rehabilitation program have emphasized the need for rapid action to start upgrading areas prior to the development of the detailed plans for Federally-aided rehabilitation.

The Commission agrees that speed and continuity are essential to achieve the long-term improvements that are sought. This policy has been discussed and agreed to among the members of the Housing Executive Committee, and the Planning Commission is prepared to accept a recommendation to amend the existing Capital Budget to provide the Housing and Redevelopment Board with funds to cover immediate action needs in areas designated for rehabilitation.

The interim rehabilitation program will be carefully geared to the longer-range rehabilitation activity. The City will set up offices in each of the rehabilitation areas, with competent experts and consultants on hand to help tenants and property owners in all aspects of neighborhood improvement short of Federal aid. The area offices will serve as information and referral centers, will help coordinate code enforcement, health, safety, sanitation, and welfare activities, and perform other services in conjunction with local citizen groups with an eye toward the full rehabilitation of the neighborhood.

The City's housing and planning officials are actively preparing the necessary administrative and legislative changes to implement the rehabilitation program as smoothly and expeditiously as possible. The administration of this Program requires coordination of the operations and services of various governmental and private agencies. While this report seeks to define the goals and principles of the Rehabilitation Program, the details of program administration and implementation will be worked out by the operating agencies guided by broad City policy on these matters.

Suggestions have also been made that pilot programs be carried out in advance of area-wide rehabilitation. We believe selected pilot actions can be useful provided that they are undertaken as a coordinated part of the program as a whole. This was one of the recommendations included in the Commission's rehabilitation report.

The most vigorous opposition to the rehabilitation program came from opposite poles—real estate groups who declared that rent control prevents owners from properly maintaining their properties, and militant tenant groups who contended that the full cost of improvements should be sustained by the landlord or wholly by public funds with no increased costs passed on to the tenants.

While the pros and cons of rent control were very much in focus during the public hearings, the Commission does not believe that this is a matter which should be—or could be—resolved in an urban renewal designation report. However, in regard to the contention that rent control is primarily responsible for poor building maintenance and deterioration, we believe it is relevant to note that even in cities without rent control deterioration and blight still persist as a major problem—and it is to this problem that we must address ourselves.

There is little question that a rehabilitation program, as advanced by the Commission, would require some form of controls over rentals. "If," as the Rent Administrator declared, "rent control did not already exist, its invention would be inevitable if the refurbished dwellings are to continue to be available to their present low and moderate income tenants."

The Commission has also made clear its belief that proper incentives must be provided in this program to attract private investment of capital and private risk in property improvement. Landlord and tenant both have a very real stake in rehabilitation. And, it cannot be implemented as a workable program if rehabilitation is to be conceived and administered with either landlords or tenants viewed as heroes or villians.

Obviously there is no simple course to follow to insure maximum equity to landlord and tenant within the framework of the rehabilitation program. Those charged with the responsibility for meeting the renewal and housing problems of this City fully recognize the difficulties inherent in this program. The large-scale rehabilitation program was not proposed lightly. The Planning Commission and the Mayor's Housing Executive Committee carefully considered its implications, its advantages and its difficulties.

In our judgment, the needs of the people of our City for improved housing are so great, and the potential of a rehabilitation program to help meet these needs so high, that we would be remiss in our responsibilities if we failed to meet this challenge squarely, and with all resources we can muster.

III. *Description of the Area*

The Corona-East Elmhurst Area Extension is bounded on the north by Northern Boulevard, by 114th Street on the east, the southern frontage of 37th Avenue on the south, and Junction Boulevard on the west. A southerly extension of an area designated for renewal last year, it lies directly west of the Grand Central Parkway and across from the site of the 1964 World's Fair.

The Corona-East Elmhurst Area Extension is predominantly an area of small frame houses, with a number of small masonry structures and some new-law tenements. Many of the small homes have front, side, and rear yards, and front porches overlooking lawn areas. Most of these houses were originally designed for single-family occupancy, and a large number of them have since been converted to two-family use. About half the buildings in the area are occupied by their owners.

The conditions of all buildings were evaluated by an exterior survey supplemented by Census analysis. Interior surveys were made for a sample of buildings selected to represent a cross section of condition in the area. These surveys clearly indicate the need for a program to improve housing conditions. In the Corona-East Elmhurst Area Extension the exterior survey of approximately 1,400 structures showed that about 200 were without obvious deficiencies. A very large proportion—approximately 70 per cent of all structures—were classified as "Fair." These buildings while structurally sound showed some building deficiencies resulting from neglect of maintenance. About 200, or 15 per cent, of the buildings in this area were classified as "Poor" or "Bad," reflecting building deficiencies from long standing maintenance neglect or serious structural defects.

In general, the sample survey of interior condition showed that deficiencies were more extensive than the exterior surveys indicated. The Census, which classified housing units on the basis of obvious building defects, found that 12 per cent of the units in the area were deteriorating or dilapidated. This, however, does not take into account serious structural defects involving roofing, foundations, wiring, plumbing and heating systems, and other deficiencies not subject to scrutiny by Census enumerators, but which were noted in the Commission's surveys.

Many of the frame buildings needed repairs to roofs, outside walls, porches, and stoops. The masonry structures usually required steam-cleaning and pointing of brickwork. However, the greatest needs were found in the interior of the building, with kitchen and bathroom renovations heading the list.

Most of the new-law tenements in the 61-block renewal area showed defects similar to those found in the smaller structures. More than 90 per cent of these buildings evidenced moderate to major deterioration.

Commercial development is generally located along Northern Boulevard, the area's northern boundary and a major east-west artery, and in small clusters of shops and isolated stores on 37th Avenue. Many of these commercial structures are poorly maintained or vacant, and often exercise a harmful effect on the residential neighborhood.

There are two elementary schools in the area, and an addition to one of them—Public School 143—is currently under construction. Aside from the recreation space provided by the two school playgrounds, there is a small park and playground along the extreme western boundary. A large block in the eastern portion of the area is scheduled for park development.

The section has experienced a recent transition in population. It was basically developed and settled in the first quarter of the century, primarily by families of Italian extraction who had close ties to the Corona Area to the south. Census figures show that in the decade from 1950-1960, 70 per cent of the white families in the area moved away while Negro families moved in to take their place. The area's 12,000 residents constitute a younger population group having many more pre-school age and fewer high school age children than the former residents.

To many of the Negro families, living in this neighborhood presented the opportunity to own a home, as well as to leave older, densely populated tenement sections of the City. To a large degree, the new residents brought with them a pioneering spirit, determined to live and bring up their children in a better environment. However, many of the efforts by families to improve their structures have been frustrated because of difficulties in obtaining financing at other than exorbitant rates. Signs of blight are visible and the area is generally deteriorating. Existing community facilities are overtaxed. Many of the new residents fear that the blight they left behind may overtake them unless substantial improvement is undertaken soon.

IV. *Citizen Participation*

Early in 1961 the Planning Commission undertook a broad study of renewal needs in the north central section of Queens as part of the City's Community Renewal Program. During the course of this initial study, the community renewal staff met with local civic organizations, including the Corona Community Council (now the Federation of Corona Civic Organizations) and the Community Action Council. Information gathered in the course of this study provided insights about problems confronting the Corona-East Elmhurst Area Extension and the aspirations of its residents.

Following this study, the City Planning Commission designated the extreme northern portion of Corona for urban renewal in June, 1961. At that time, members of the Community Action Council urged that the Commission extend the renewal area south of Northern Boulevard. In response, the Commission included the area recommended by the community in its 1962-1963 Urban Renewal Study Program.

With the announcement of the Commission's 1962-1963 Program in June, 1962, a concentrated study was launched in the Corona-East Elmhurst Area Extension. The Community Action Council was already active in the Corona-East Elmhurst Area, having been formed when the Commission designated the northerly area for renewal in 1961. The Council became a focal point for citizen contact in the Extension area and continued to play an important role throughout the study. The Federation of Civic Organizations also actively cooperated with Commission staff and provided a valuable means of communication with the community.

A local study committee was formed under the leadership of the president of the Community Action Council. This committee met regularly and frequently with members of the Commission Community Renewal Program staff. The Council, composed of many local organizations and churches, offered a variety of ready-made lines of communication which were tapped in making broad community contact with tenants and owners. Paving the way for easy and direct contact, the Commission staff maintained an office in a storefront used by the local NAACP Chapter, the space being donated by a local landlord.

As part of the renewal process, the Commission staff surveyed the area, investigating building condition and type, gathering information about the residents, their homes, and pertinent financial and mortgage data.

The churches in the area were particularly helpful in the survey work, eliciting the cooperation of local reidents for building surveys and interviews by the Commission's staff. Residents were questioned as to rent paid, size and composition of the household, family income, degree of satisfaction with the neighborhood and other data. Four meetings were held in the community upon completion of the surveys to discuss the results and their implications for renewal action.

In preparation for the Commission's public hearing on September 24, the Community Action Council had copies of the August 14 predesignation statement widely distributed to the community. The Council also informed local residents of their right to speak before the Commission in regard to the rehabilitation proposal for their area.

Culminating many months of meetings and conferences with the staff, a large open meeting was held in the Corona Congregational Church on September 18th. Staff members and officials of the Community Action Council publicly reviewed the rehabilitation proposal and explained the public hearing procedures.

V. *Predesignation Proposals*

On August 14, 1963, the City Planning Commission published, as part of its overall report on rehabilitation, predesignation proposals upon which the public hearings were based.

The August 14 report dealt with general consideration of a broad rehabilitation program as well as specifics involving the five study areas.

General Program Recommendations

The rehabilitation report found that a large-scale rehabilitation program in deteriorating areas—with improvements priced to meet the needs of the families living in the areas—is both necessary and achievable as part of the City's total urban renewal program.

Since, in general, rehabilitation would result in increases in rentals, the Commission urged that realistic rehabilitation standards be instituted and new programs developed to insure that residents would not be priced out of their homes. It was further recognized that rehabilitation standards would have to take into account individual needs in specific areas, and that a single set of absolute building standards was impractical.

The Commission warned that rehabilitation must not be considered a substitute for redevelopment and should not be used in relatively sound areas where less costly programs of City action would suffice.

A key recommendation of the report was that an immediate action program be instituted in the five areas as a follow-up to designation. In this way, the start of neighborhood improvement need not be delayed until detailed plans are developed and approved. The action program would provide as many aids as possible short of the use of Federally-aided tools. It would set up local information centers to give professional staff assistance to tenants and property owners, and to coordinate various City services and code enforcement activities geared to upgrading the neighborhood and the overall rehabilitation goals for the areas.

To carry out an effective large-scale neighborhood rehabilitation program in the City of New York, the Commission recommended that existing tools must be improved and sharpened; **new approaches and legislation must be sought at all levels of government; the active participation and cooperation of private citizens and institutions must be fostered; and that these efforts must get underway immediately.**

In summary the Commission recommendations included:

1. The broadening of Federal mortgage insurance programs to accommodate the rehabilitation of large multi-family buildings, and the speed-up in the processing of applications for Federal renewal assistance.
2. The development of a comprehensive rehabilitation program on the State level to complement ongoing State programs for the development of new housing.
3. Intensification and coordination of the City's tax abatement and loan programs with the expanded rehabilitation activities. Eligibility for these programs would also have to be broadened to permit them to be applicable for more varied types of building improvements.
4. The use of public and quasi-public financial investment resources—such as the City pension fund and union pension funds—for needed rehabilitation capital.
5. The fullest participation of banks and lending institutions to insure that mortgage capital for rehabilitation will be available. Mortgage pools to meet the needs of specific areas and cooperative methods of processing and expediting mortgage applications should be explored.
6. **The development of a large-scale, specialized rehabilitation industry in New** York devoted to the expanding rehabilitation needs of the City. Improvements in building rehabilitation technology—with consequent reductions in total rehabilitation costs—would also serve as an important factor in the creation of additional educational and employment opportunities within the building and construction trades.
7. Combined and concentrated efforts at all levels of government and by all private citizens and groups to lower the costs of rehabilitation, and to develop creative programs and new approaches to satisy the housing needs of lower-income families and those with special housing difficulties—the aged, ethnic and racial minority groups, and other families who have difficulty securing decent housing in a wholesome environment.

Corona-East Elmhurst Extension Area Predesignation Proposals

The predesignation report contained general guidelines for rehabilitation in the five areas, and also included specific neighborhood proposals, common to all areas, which were considered of particular importance in a rehabilitation effort.

Among these, the report stressed that school planning and development should be considered an integral part of any effort to rehabilitate a neighborhood. Similarly, the Commission recommended that every opportunity be taken to provide more recreation space as part of the neighborhood's rehabilitation. Special attention was called to the possibility of developing small sitting areas and "tot lots." The Commission also affirmed the importance that cultural facilities can play in a community's life and stated it would support endeavors to enrich the cultural life of the areas.

Calling attention to the declining commercial establishments and vacant or poorly-maintained stores interspersed in the five areas, the Commission recommended that special action be taken to insure that these activities and structures are improved or replaced, if necessary, as part of the renewal of the entire neighborhood.

The use of limited clearance actions must accompany a rehabilitation program, the report stated, to remove those structures which cannot, because of construction or condition, remain in the area without adversely affecting the neighborhood. Land so cleared could be used for community facilities or new housing. Preliminary studies indicated that an absolute minimum of residential clearance would be necessary in the Corona-East Elmhurst Area Extension.

VI. Public Hearing

On August 14, 1963, Cal. No. 57, the City Planning Commission fixed September 24, 1963 as the date for a public hearing on the designation of the Corona-East Elmhurst Area Extension as appropriate for urban renewal and Cal. No. 56, on the related modification of the Master Plan of sections containing areas suitable for developing and redevelopment.

Hearings on both these matters were duly held on September 24, 1963, Cal. Nos. 6 and 5, as part of a series of hearings on September 23 and 24, 1963, devoted to five areas throughout the City which were proposed for rehabilitation.

Fourteen speakers appeared at the Corona-East Elmhurst Area Extension public hearing and voiced unanimous support for the rehabilitation proposal for their neighborhood. Those who appeared included a representative of the Borough President, the local State Senator and Councilman, representatives of three churches in the area, members of local civic organizations, home owners, residents, and a representative of the housing committee of the local branch of the NAACP.

While all speakers were in favor of the rehabilitation program, most speakers also reflected concern about a number of matters relating to the rehabilitation of the community.

Most of the speakers urged that the immediate action program be launched and a field office opened at the earliest opportunity. They also stressed the need for an educational and information program to counteract blighting influences. Several speakers also urged that the renewal process be speeded, with specific reference made to the adjoining renewal area to the north.

A number of speakers expressed concern about the deteriorating commercial establishments and the many vacant stores on Northern Boulevard and asked that steps be taken to improve the area. One speaker also expressed concern about the possibility of motel development on vacant land.

A theme common to many speakers was the difficulty faced by home owners in securing loans to improve their properties. Five speakers asked that special financial assistance be provided to home owners for making improvements and urged that the Commission not replace a house because the owner could not afford to repair it. One speaker suggested that difficulties in obtaining improvement funds had played a significant role in the conversion of larger homes by property owners in the area into small apartments.

Another major concern of those appearing was the need to provide additional recreational space for local children. It was suggested that the area's recreational needs be given priority in the development of cleared or vacant land. It was also urged that additional library facilities be provided to serve the neighborhood. Two speakers requested that the City institute an Area Services Program in the community, and another urged that the renewal boundaries be extended south of 37th Avenue.

VII. *Consideration of Public Hearing Statements*

In reviewing the issues discussed at the public hearing, the Commission recognized a number of broad, pervading questions involving renewal policy and the rehabilitation program which it has sought to clarify earlier in this report. In addition, there were a number of specific points in regard to the Corona-East Elmhurst Area Extension raised at the public hearing which the Commission believes warrant further clarification or comment at this time.

1. *That the deteriorating and underutilized commercial strip along Northern Boulevard bordering the area should be rehabilitated.*

The Commission is concerned with the rehabilitation of the total neighborhood and recognizes that this must include the improvement of commercial as well as residential structures. Both the heavily commercial strip along Northern Boulevard and commercial patches along 37th Avenue are adversely affecting the neighborhood. These areas are characterized by vacant stores, poorly maintained buildings, unattractive signs, and second-floor flats in poor condition.

As noted in another section of this report, the Commission is recommending that special action be taken to insure that commercial facilities are upgraded as part of the overall renewal of the neighborhood.

2. *That the boundary of the area should be extended south of 37th Avenue.*

The Housing and Redevelopment Board has indicated its intention to process the renewal area north of Northern boulevard and the southerly extension area together. The two renewal projects total more than 300 acres, an area of imposing size considering the fine level of detailed planning required in a rehabilitation program. Any expansion of the boundaries would delay the benefits of renewal to both areas, because new public hearings would be required, and because of the lengthened period that would be required to prepare and implement detailed planning proposals. As noted in the previous section of this report, many speakers urged that the rehabilitation program be launched as soon as possible and proceed thereafter with all deliberate speed. Any delay at this early stage could apply a brake to the gathering momentum for improvement in the neighborhood, forestall necessary immediate steps to curtail the spread of blight, and, in effect, operate to the detriment of the overall community.

3. *That more recreation and play space is needed and that priority should be given to the development of vacant land and the re-use of cleared land for these purposes.*

The need for the provision of adequate recreational facilities in each of the rehabilitation areas has been considered in a previous section of the report. The need is particularly urgent in the Corona-East Elmhurst Area Extension with its high proportion of pre-school age children. A number of scattered vacant parcels are available in the area and these can be considered for development to supplement existing park and playground space. A request from the Department of Parks for construction funds for a park and playground to be developed along 114th Street on the block east of Public School 143 is included in the proposed 1964-1965 Capital Budget. Plans for this facility, which are to include baseball fields, lawns, sitting areas, and bocci and horseshoe pitching courts, are nearly completed.

5. *Provision for library facilities should be made part of any urban renewal action in the area.*

The need for improved library facilities to serve the Corona-East Elmhurst Area Extension is clearly recognized by both the Planning Commission and the Queensborough Public Library System. The Queensborough Public Library System is currently investigating several ways to improve library facilities to serve the area.

VIII. *Renewal Recommendations for Corona-East Elmhurst Area Extension*

A large-scale rehabilitation program presents a unique opportunity to improve and upgrade the presently deteriorating Corona-East Elmhurst Area Extension for the present residents of the community. Such a program, employing a broad spectrum of aids, with rehabilitation costs kept at an absolute minimum through the development of new techniques and legislation, can effectively meet the challenge of improving and protecting this potentially good residential neighborhood.

The area has the potential to provide an attractive setting for family life for many years to come. The City, with its critical need for good housing for people of moderate means, cannot afford to abandon such basically sound neighborhoods to the corrosive inroads of blight. The price exacted by indifference or the failure to act would be appallingly high both in terms of the loss to the residents, and to the City as a whole.

That a rehabilitation program can be successful here is evidenced both by the many private efforts already undertaken to check the spread of blight despite current unfavorable financial conditions, and the previously noted unanimous support for rehabilitation in the area as expressed at the public hearing before the Planning Commission.

In consideration of these reasons and those stated elsewhere in this report and based upon the program set forth earlier in this report and in greater detail in the rehabilitation report of August 14, 1963, the Commission makes the following recommendations in regard to the renewal of the Corona-East Elmhurst Area Extension.

1. *Rehabilitation*

The Commission recommends that a Federally-aided Title I Urban Renewal Program of rehabilitation be undertaken in the Corona-East Elmhurst Area Extension bounded by Junction Boulevard, Northern Boulevard, 114th Street and the south side of 37th Avenue, Borough of Queens.

The rehabilitation program should include all existing Federal, State and City tools, special architectural and financial counseling, coordination of municipal services, as well as aids necessary to meet the special problems and hardships that may be encountered in the program's implementation.

Specific rehabilitation standards and courses of renewal action will depend upon detailed project planning.

In addition to rehabilitation, renewal action might also include the spot clearance of buildings so structurally unsound that they do not warrant rehabilitation, removal of uses which clearly prevent the development of a sound residential environment, and the provision of needed community facilities or new housing on vacant land or land cleared by such demolition.

The Commission has noted that deteriorating commercial structures along Northern Boulevard and certain patches on 37th Avenue exercise a blighting influence on the neighborhood. It is recommended that special action be taken to insure that these structures are improved, or replaced if they cannot be rehabilitated and function suitably in a residential neighborhood, as part of the overall renewal effort. This action should include:

* The conversion of excess retail space to other uses, such as housing or community facilities where appropriate;
* The development and enforcement of local standards for the rehabilitation and maintenance of commercial structures;
* The provision of technical and professional rehabilitation advice;
* The allocation of space for off-street parking; and cooperation with businessmen's organizations to encourage commercial improvements.

To the extent that clearance is necessary, and after consideration of the need for community facilities, new housing may be constructed next to the old. The precise scope of clearance activities cannot be determined until the project planning stage, carried out by the Housing and Redevelopment Board. However, preliminary studies have indicated that an absolute minimum of clearance will be necessary in the Corona-East Elmhurst Area Extension.

2. *Recommendations for Immediate Action*

An interim action program should be initiated for the Corona-East Elmhurst Area Extension immediately following its designation. As stressed elsewhere in this report and detailed in the predesignation report of August 14, such a program is a key to a successful rehabilitation effort and will play a vital role in bringing improvement to the area quickly. Through this program the City can respond to the momentum already developed by local residents for improving the area and work with them toward the upgrading of the neighborhood even while the detailed plans for broad renewal are being developed.

It is recommended that all steps short of the use of Federally-aided tools be included.

The interim program would provide a local renewal office to give general information, provide professional staff assistance to tenants and property owners, coordinate various City services and code-enforcement activities geared to the overall rehabilitation goals for the area, promote citizen participation and take such other steps as are found desirable for neighborhood improvement.

3. *Community Facilities*

The Commission recognizes the urgent need for additional park and play space in the community and recommends that top priority be given to the use of cleared or vacant land for this purpose. In addition, the Commission will recommend that construction funds requested by the Department of Parks for the development of a park and playground along 114th Street be included in the 1964-1965 Capital Budget.

At the public hearing, attention was called to the need of the area for improved library facilities to serve the community. It was pointed out in an earlier section of this report that the Queensborough Public Library System is currently seeking ways to effect such improvements. The Commission recommends that appropriate steps be undertaken as part of the immediate action program to cooperate directly in this effort.

Since the Corona-East Elmhurst Area Extension is likely to attract a family population for many years to come, careful attention should be paid in the course of the rehabilitation program to the quality, condition, and adequacy of schools in the area. Every opportunity should be taken, beginning with the immediate action program, to find ways to enrich the educational and cultural life of the community.

4. *Procedural Considerations*

While the specific program for the Corona-East Elmhurst Area Extension can only be developed during a period of detailed planning, the Commission recommends that the following procedures be recognized as integral parts of the renewal operation in both the interim program and the longer-range renewal action:

a. Continued encouragement of local community participation to insure the fullest possible understanding by residents and private and public agencies of the renewal problems involved; and to marshal the total energies of the community toward achieving sound and lasting results;

b. Careful and close coordination of strengthened code enforcement and rehabilitation assistance to provide a rational framework in which substantial improvements can be made. This would facilitate the elimination of violations through sound and long-lasting rehabilitation, rather than by temporary "patching over";

c. Provision of qualified staff assistance to property owners who are desirous of undertaking rehabilitation, and to tenants who will require help in setting up and maintaining their newly rehabilitated homes; and

d. Coordination of all public improvements made within the renewal area to assure its proper and logical development.

IX. *Findings and Adoption*

The City Planning Commission hereby finds, pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), that the area bounded by Northern Boulevard, 114th Street, 37th Avenue and Junction Boulevard, including the property fronting on the south side of 37th Avenue, Borough of Queens, is a substandard and insanitary area as defined in Subdivision Four of Section 502 of the Urban Renewal Law, for reasons hereinabove listed in this report and that this area is appropriate for urban renewal.

The Commission recommends that the use and reuse of the designated area be predominantly residential, generally conforming to current zoning regulations, with provisions for appurtenant educational, recreational, institutional and commercial facilities as noted in this report.

The Commission finds that appropriate treatment for the area is predominantly rehabilitation and conservation, with such minimum clearance and redevelopment as noted in this report. These recommendations apply to the general area shown on the attached map, dated December 10, 1963. These recommendations and this map are hereby declared to be a part of the Commission's findings and adoptions.

It is noted that the present action does not constitute approval of an urban renewal plan. Such a plan is to be subsequently prepared by the Housing and Redevelopment Board and submitted to the Commission for review and certification after a public hearing in accordance with the provisions of the law. Final determination is subsequently made by the Board of Estimate, after another hearing, as provided in the Urban Renewal Law.

WILLIAM F. R. BALLARD, Chairman, FRANCIS J. BLOUSTEIN, Vice-Chairman, JAMES FELT, HARMON H. GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, JAMES G. SWEENEY, Commissioners.

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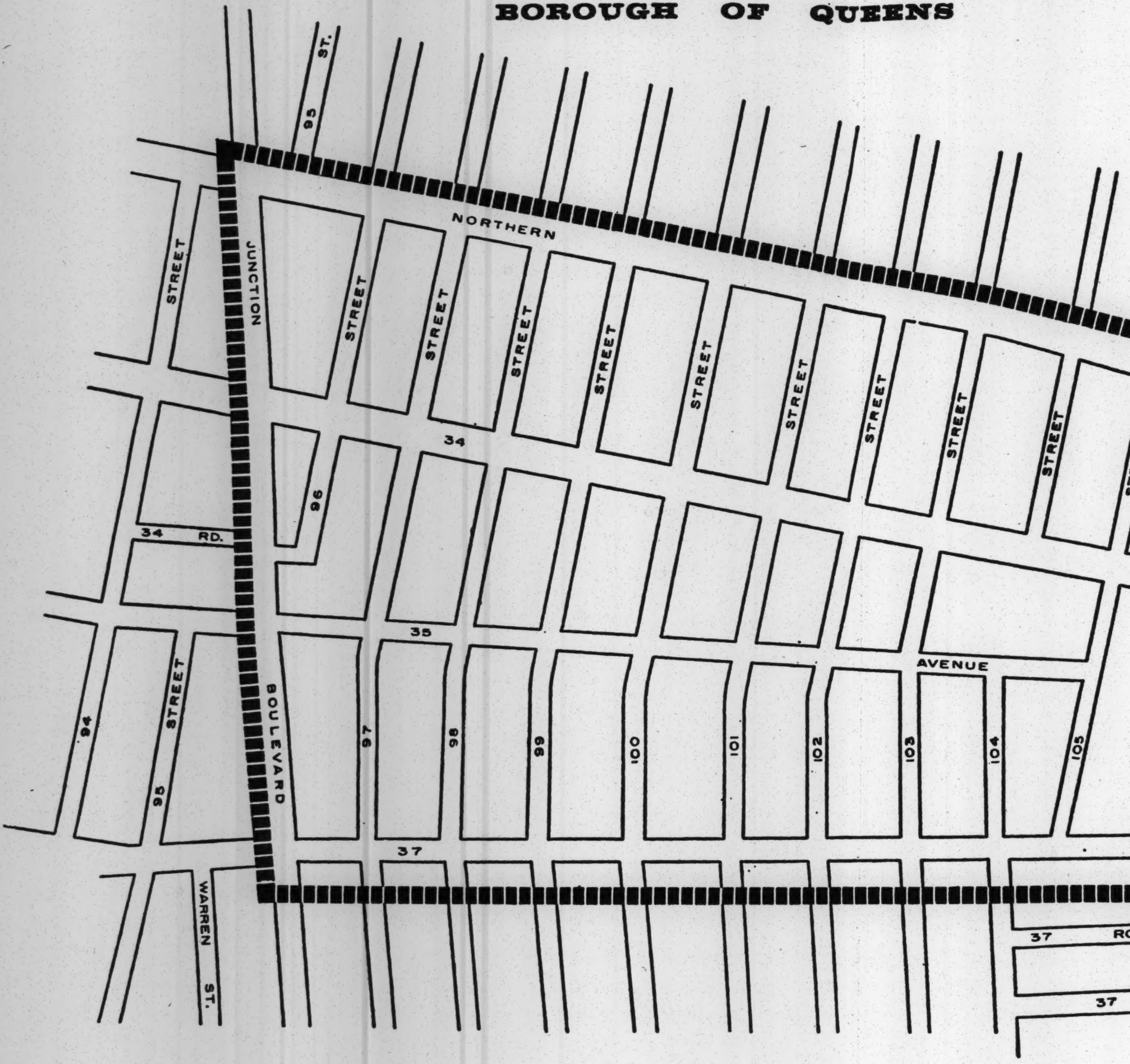
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BOUNDARY OF AREA DESIGNATED

CITY PLANNING COMMISSION

ELMHURST EXTENSION AREA

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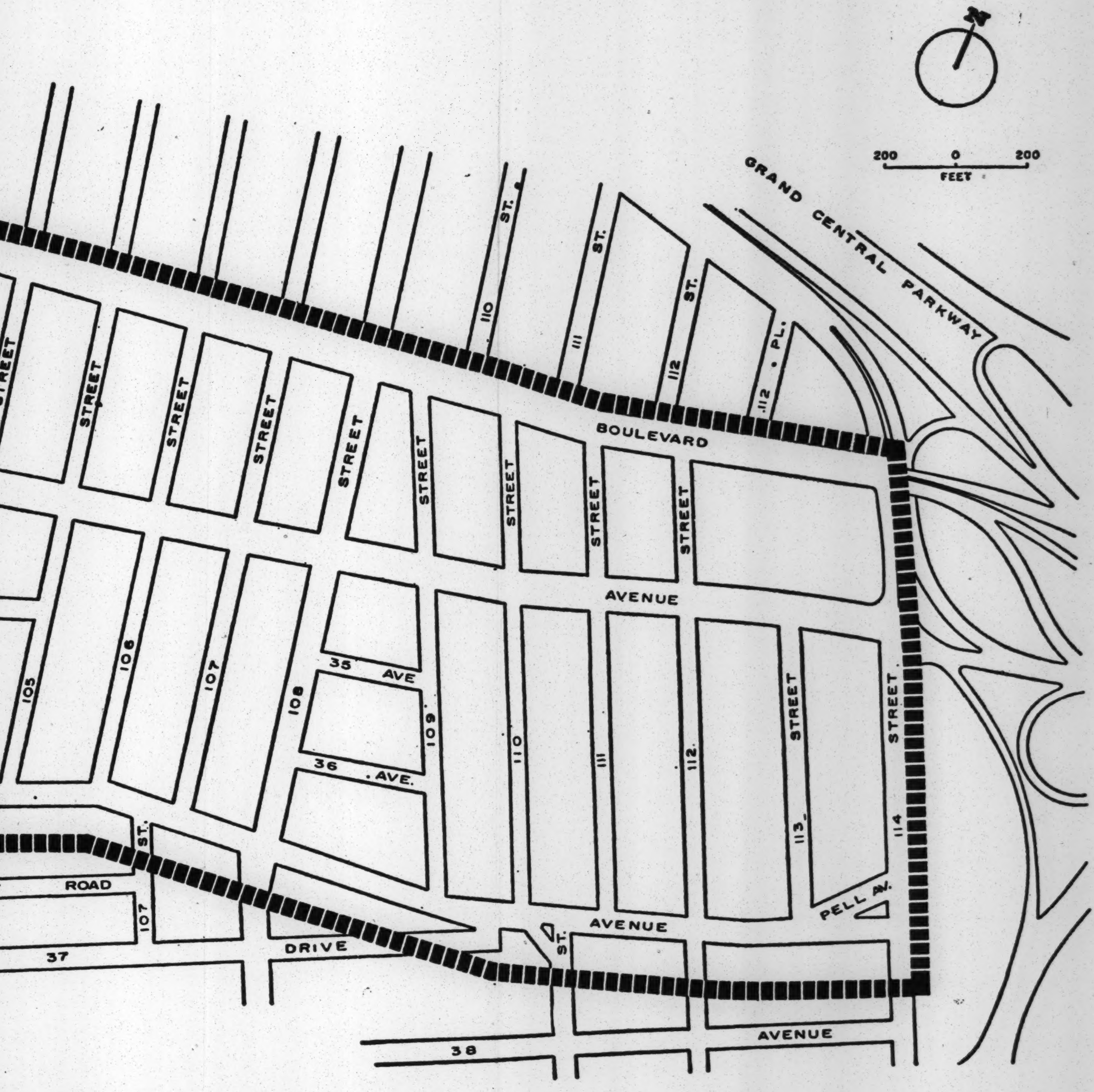

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ATED AS APPROPRIATE FOR URBAN RENEWAL

DECEMBER 10, 1963

CITY OF NEW YORK

THE CITY OF NEW YORK
CITY PLANNING COMMISSION

1664

CHILDREN'S MUSEUM AREA

URBAN RENEWAL DESIGNATION

DECEMBER 10, 1963

Calendar No. 8

CITY PLANNING COMMISSION

Designation, pursuant to Section 504 Article 15 of the General Municipal Law of the State of New York (Urban Renewal Law), of the area bounded by Atlantic Avenue, Albany Avenue, Eastern Parkway and Bedford Avenue, Borough of Brooklyn, as an Area Appropriate for Urban Renewal (Children's Museum Area).

(CP-18079) December 10, 1963.

In June 1962, the City Planning Commission announced the City's 1962-1963 Urban Renewal Study Program. A primary consideration guiding this program was an emphasis on conservation and rehabilitation as part of the City's overall urban renewal activities. In line with this policy, five areas having rehabilitation potential were studied. Each of the areas selected had distinct problems, but each also typified conditions found on a widespread basis in the City.

The studies which followed constituted the largest and most systematic rehabilitation study ever undertaken in the City. It was carried out as a fundamental part of the community renewal program, which is supported by a special Federal grant. The study resulted in the publication of a rehabilitation report by the City Planning Commission on August 14, 1963. This report outlined recommendations for a broad rehabilitation program and also included predesignation statements on each of the five areas, including the Children's Museum Area.

Pursuant to this report, public hearings were held on September 23 and 24, 1963 on recommendations involving the five areas—Children's Museum being heard on September 24—to determine the desirability of making an urban renewal designation and related Master Plan modification in each case.

Before application can be made for Federal funds to assist in the preparation of more detailed plans and subsequent renewal action, it is necessary to designate the area as an area appropriate for urban renewal pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York. Such designation is the subject of this report.

The Commission also proposed to adopt pursuant to section 197 of the New York City Charter, a modification of the Master Plan containing areas suitable for development and redevelopment, relating to the same area. This matter is the subject of a separate report (CP-18080, dated December 10, 1963).

II. General Considerations

During the course of the public hearings on September 23-24, 1963, some 160 speakers appeared before the Commission. A large majority spoke in favor of the rehabilitation program. However, many of those who supported the program raised the same questions and asked for the same assurances as did those who opposed it. It is evident that the policies stated or implicit in the Commission's rehabilitation report need to be restated clearly and explicitly so that there can be no possibility of misunderstanding.

Rehabilitation, as proposed, means the substantial improvement of existing structures in deteriorating areas for the benefit of people who are now living in these areas. It is not a panacea nor is it a substitute for clearance and redevelopment programs. If anything, the City must expand its efforts to replace its worst housing and slums through enlarged low- and middle-income housing programs.

But even with expanded programs, it is physically and financially impossible to replace all of the slum and deteriorating housing in this City humanely in a reasonably short period of time. Moreover, many of the older areas of the City will face an accelerating downward spiral of housing deterioration unless present trends can be halted and reversed. The rehabilitation program is a key element of a program to accomplish this.

In some cases, as in Cooper Square, rehabilitation is linked with substantial clearance and redevelopment actions, and in almost all rehabilitation areas there will be the need for minimum spot clearance. However, even the older areas selected primarily for rehabilitation are in better condition than comparable sections of the City. For this reason, the Planning Commission believes they do not warrant clearance and redevelopment. These are areas in which the housing stock is basically sound, even though it may be run-down. These are areas suitable for a major effort to upgrade housing for the benefit of the people now living there, who could not otherwise be provided with decent low- and middle-income housing accommodations.

At the public hearings, while massive support was voiced for a rehabilitation program, there was a broad undercurrent of apprehension that it might be used as a wedge for the bulldozers. We wish to make clear that we will meet the problems of clearance and redevelopment head-on where necessary, not by subterfuge. Except for such minimum spot clearance as may be necessary to achieve the goals of the rehabilitation program, we will not approve the conversion of areas designated for rehabilitation into mass clearance and redevelopment projects. The areas selected for rehabilitation are areas which are basically sound and which it is our policy to preserve and strengthen. If for any reason full-scale rehabilitation proves impractical in any of these areas, we would sooner drop the project than see it converted to a clearance project.

Similarly, the underlying purpose of the rehabilitation program would be defeated if it resulted in excessive rents which would cause the mass dislocation of families from their homes. This will not be permitted to happen.

These basic policies have been thoroughly discussed and fully accepted by the Housing Executive Committee which represents all of the City's planning and housing agencies which have the responsibility for helping to plan and carry out this program.

The Planning Commission, through its rehabilitation study, found that a large-scale rehabilitation program could be made feasible within the framework of the City's policy. It did not conclude that it would be easy or simple to do so, but it found that the cost of making real and substantial improvements to the vast majority of buildings in the areas selected would not be so great as to make rehabilitation economically out of the question.

The method used in the study to test the feasibility of rehabilitation was to estimate the cost of rehabilitation, determine how these costs would be reflected in rent increases, and compare these estimated new rentals to the incomes of the present residents.

All of the cost estimates and their effect upon rentals as reported in the study were based on existing mortgaging, financing, and technological conditions and current governmental assistance programs. Since a basic aspect of the projected rehabilitation program is the development of new tools and techniques to minimize the impact of rehabilitation costs and their consequent impact on rentals—the hypothetical rentals should be accepted only for statistical comparisons and not be confused with program objectives. These rental "increases" do not represent either Commission proposals or expectations of rents resulting from an improved rehabilitation program.

The question of rent-income ratios can only be resolved upon investigation of individual family needs and resources. The Commission has made it clear that each building and each family presents special problems in rehabilitation and that no one formula or standard should be substituted in advance of the more detailed study phase.

The Rent and Rehabilitation Administrator in discussing the question of rents at the public hearing also stressed that tenants would not be expected to pay for deferred maintenance in establishing a rental scale. The institution of an immediate action program prior to full-scale rehabilitation would provide added assurance that most conditions threatening the health and safety of tenants could be handled through code enforcement. However, the Commission also recognizes that certain maintenance problems stem from more fundamental defects which can only be remedied through a rehabilitation program. Accordingly, code enforcement must be carefully related to the long-term rehabilitation goals to insure against "patchwork" improvements that hide more serious defects.

The Commission reiterates its belief that to be successful a large-scale rehabilitation program must be rooted in private or cooperative ownership. The management of a rehabilitation program will require decentralized decision making best achieved by private owners or non-profit companies with such public supervision and assistance as is necessary to achieve the program objectives. We believe that private owners can provide decent housing, make a reasonable profit, and not exploit tenants. This is evidenced in many thousands of housing units throughout the City—and there is every reason to believe it can take place in the many other thousands of units now in a state of deterioration or neglect.

It should also be clear that a rehabilitation program is not designed to solve—nor could it—all the problems of poverty that exist in many sections of the City and that are found to a degree in all of the areas proposed for this program. There are many families now living in these areas whose incomes are so low that they cannot afford the rents they are presently paying for deteriorating housing. Certainly that is no reason for maintaining their housing condiitons as they are.

These families obviously require special assistance if their need for decent shelter is to be met. In general, to help meet the needs of the vast majority of families, construction costs must be reduced through mass production techniques and realistic standards for essential rehabilitation so that rents may be minimal. Financing costs should be reduced not only through existing mortgage insurance programs, but through new FHA, State and City programs as well. Special programs should be explored, including rent subsidies where needed, new rehabilitation programs by the New York City Housing Authority, as well as cooperative rehabilitation activities.

Almost all proponents of the rehabilitation program have emphasized the need for rapid action to start upgrading areas prior to the development of the detailed plans for Federally-aided rehabilitation.

The Commission agrees that speed and continuity are essential to achieve the long-term improvements that are sought. This policy has been discusssed and agreed to among the members of the Housing Executive Committee, and the Planning Commission is prepared to accept a recommendation to amend the existing Capital Budget to provide the Housing and Redevelopment Board with funds to cover immediate action needs in areas designated for rehabilitation.

The interim rehabiliation program will be carefully geared to the longer-range rehabiliation activity. The City will set up offices in each of the rehabilitation areas, with competent experts and consultants on hand to help tenants and property owners in all aspects of neighborhood improvement short of Federal aid. The area offices will serve as information and referral centers, will help coordinate code enforcement, health, safety, sanitation, and welfare activities, and perform other services in conjunction with local citizen groups with an eye toward the full rehabilitation of the neighborhood.

The City's housing and planning officials are actively preparing the necessary administrative and legislative changes to implement the rehabilitation program as smoothly and expeditiously as possible. The administration of this program requires coordination of the operations and services of various governmental and private agencies. While this report seeks to define the goals and principles of the rehabilitation program, the details of program administration and implementation will be worked out by the operating agencies guided by broad City policy on these matters.

Suggestions have also been made that pilot programs be carried out in advance of area-wide rehabilitation. We believe selected pilot actions can be useful provided that they are undertaken as a coordinated part of the program as a whole. This was one of the recommendations includued in the Commission's rehabilitation report.

The most vigorous opposition to the rehabilitation program came from opposite poles—real estate groups who declared that rent control prevents owners from properly maintaining their properties, and militant tenant groups who contended that the full cost of improvements should be sustained by the landlord or wholly by public funds with no increased costs passed on to the tenants.

While the pros and cons of rent control were very much in focus during the public hearings, the Commission does not believe that this is a matter which should be—or could be—resolved in an urban renewal designation report. However, in regard to the contention that rent control is primarily responsible for poor building maintenance and deterioration, we believe it is relevant to note that even in cities without rent control deterioration and blight still persist as a major problem—and it is to this problem that we must address ourselves.

There is little question that a rehabilitation program, as advanced by the Commission, would require some form of controls over rentals. "If," as the Rent Administrator declared, "rent control did not already exist, its invention would be inevitable if the refurbished dwellings are to continue to be available to their present low and moderate income tenants."

The Commission has also made clear its belief that proper incentives must be provided in this program to attract private investment of capital and private risk in property improvement. Landlord and tenant both have a very real stake in rehabilitation. And, it cannot be implemented as a workable program if rehabilitation is to be conceived and administered with either landlords or tenants viewed as heroes or villains.

Obviously there is no simple course to follow to insure maximum equity to landlord and tenant within the framework of the rehabilitation program. Those charged with the responsibility for meeting the renewal and housing problems of this City fully recognize the difficulties inherent in this program. The large-scale rehabilitation program was not proposed lightly. The Planning Commission and the Mayor's Housing Executive Committee carefully considered its implications, its advantages and its difficulties.

In our judgment, the needs of the people of our City for improved housing are so great, and the potential of a rehabilitation program to help meet these needs so high, that we would be remiss in our responsibilities if we failed to meet this challenge squarely, and with all the resources we can muster.

III. *Description of the Area*

Located in the northeast section of Brooklyn, the Children's Museum Area is generally bounded by Atlantic, Albany and Bedford Avenues and Eastern Parkway. The 68-block area with a population of 36,000 is identified with the Children's Museum, a physical and cultural focal point of the neighborhood located in Brower Park.

Despite evidence of deterioration, including a few boarded-up buildings, the Children's Museum Area has the potential to be one of the most attractive residential areas in the entire City. Attached masonry brownstones and town houses predominate, although every other building type is represented from old-law tenements to recently constructed elevator apartments. Old-law and new-law walk-ups are generally in the poorest condition, needing extensive repairs. Although the elevator apartment buildings are in generally better condition, many show signs of neglect.

The conditions of all buildings were evaluated by an exterior survey supplemented by Census analysis. Interior surveys were made for a sample of buildings selected to represent a cross section of conditions in the area. These surveys clearly indicate the need for a program to improve housing conditions. In the Children's Museum Area the exterior survey of approximately 2,600 structures showed that only 200 were without obvious deficiencies. A very large proportion—approximately 75 per cent of all structures—were classified as "Fair." These buildings, while structurally sound, showed some building deficiencies resulting from neglect of maintenance. Over 200 buildings in this area were classified as "Poor" or "Bad," reflecting building deficiencies from long standing maintenance neglect or serious structural defects.

In general, the sample survey of interior condition showed that deficiencies were more extensive than the exterior surveys indicated. The Census, which generally understates building deficiencies, classified 20 per cent of the housing units in the area as "deteriorating" or "dilapidated."

This portion of Brooklyn originally housed families moving from older and poorer neighborhoods in the City's core. More recently, it has begun to serve this function once more. Between 1950 and 1960, its white population dropped by 10,000 persons, and its Negro population increased by an equivalent number. Some white families have also recently moved into the area—including an orthodox Jewish group who have converted some buildings to accommodate their educational and religious programs.

For many of the incoming residents the area represented an opportunity for better housing and an improved neighborhood. The many efforts of Negro families to improve and upgrade the area explode the fiction that neighborhoods which sustain large increases in Negro population must necessarily decline. Economic difficulties, however, often make it necessary for owners to convert the upper floor of their buildings into apartments or rooms for rent in order to carry the costs of renovation and the additional high cost of financing. Many households cannot meet these expenses and families are apprehensive that the racial ghetto and the slum will overtake them.

IV. *Citizen Participation*

A broad study of the general Crown Heights section of Brooklyn was launched early in 1961 as part of the Planning Commission's Community Renewal Program. In addition to the gathering of physical data, interviews were conducted with local citizens to better understand the needs and desires of the residents.

In the course of this study, a Community Renewal Study Committee was formed by the Parkway Stuyvesant Community and Housing Council to meet with Commission staff and open channels of communication with local citizens. These discussions culminated in a large meeting attended by more than 150 persons in June 1961.

In June 1962, the Commission announced its 1962-1963 Urban Renewal Study Program which included the Children's Museum Area, located in the north central portion of Crown Heights. Previous contacts were re-established and new ones made with tenants, property owners, merchants, representatives of religious, civic and educational groups and institutions and local organizations. To facilitate the study process a committee composed of representatives from the Crown Heights Taxpayers' Civic Association, the Brower Park Civic Association, the Parkway Stuyvesant Community and Housing Council, and the United Lubavicher, a large local Chassidic group, was formed to meet with the Community Renewal staff. While the specific concerns of these groups were often in conflict, these meetings were significant in stimulating widspread community interest and served as an important forum in focusing attention on the rehabilitation proposal.

In November and December 1962, and January 1963, the Planning Commission staff conducted a series of building inspections and household interviews. The purpose of the surveys was explained to the community at three meetings which were attended by a total of approximately 400 residents. Each of the buildings to be inspected was visited by local citizens in order to further interpret the scope and aim of the surveys to those tenants and home owners who were likely to be questioned.

Upon completion of the surveys, a group called the Children's Museum Renewal Study Committee, composed of 24 different local organizations, was formed. This Study Committee met with the community renewal staff to review findings of the surveys and consider their implications in light of the proposed rehabilitation program.

With the publication of the Commission's rehabilitation report on August 14, including the predesignation statement for the Children's Museum Area, the Committee reconvened. Copies of the full report were made available and distributed. The Union Methodist Church on New York Avenue offered the staff local office space which was used for an information center. Some 2,000 pamphlets containing a summary of the conclusions of the rehabilitation study and the complete predesignation proposals were also distributed in the area.

Leading up to the hearing date on September 24, two large community meetings and numerous discussions with local organizations were held to review the rehabilitation proposal in detail. All in all, some 600 persons attended these meetings.

Subsequent to the public hearing, representatives of the community requested to meet with the Commission staff to review the range of positions advanced at the hearing. The meeting was held on November 18 at Public School 289. Despite the differences acknowledged between tenants and property owners in the area, all groups expressed a common awareness of their interest in the protection and upgrading of the neighborhood. Those present voiced conviction that such neighborhood improvement is attainable if government aids are properly developed and wisely administered in a rehabilitation effort geared to the needs and capabilities of the residents of the community. They unanimously asked that the Commission designate the area for renewal.

V. *Predesignation Proposals*

On August 14, 1963, the City Planning Commission published, as part of its overall report on rehabilitation, predesignation proposals upon which the public hearings were based.

The August 14 report dealt with general considerations of a broad rehabilitation program as well as specifics involving the five study areas.

General Program Recommendations

The rehabilitation report found that a large-scale rehabilitation program in deteriorating areas—with improvements priced to meet the needs of the families living in the areas—is both necessary and achievable as part of the City's total urban renewal program.

Since, in general, rehabilitation would result in increases in rentals, the Commission urged that realistic rehabilitation standards be instituted and new programs developed to insure that residents would not be priced out of their homes. It was further recognized that rehabilitation standards would have to take into account individual needs in specific areas, and that a single set of absolute building standards was impractical.

The Commission warned that rehabilitation must not be considered a substitute for redevelopment and should not be used in relatively sound areas where less costly programs of City action would suffice.

A key recommendation of the report was that an immediate action program be instituted in the five areas as a follow-up to designation. In this way, the start of neighborhood improvement need not be delayed until detailed plans are developed and approved. The action program would provide as many aids as possible short of the use of Federally-aided tools. It would set up local information centers to give profesional staff assistance to tenants and property owners, and to coordinate various City services and code enforcement activities geared to upgrading the neighborhood and the overall rehabilitation goals for the areas.

To carry out an effective large-scale neighborhood rehabilitation program in the City of New York, the Commission recommended that existing tools must be improved and sharpened; new approaches and legislation must be sought at all levels of government; the active participation and cooperation of private citizens and institutions must be fostered; and that these efforts must get underway immediately.

In summary, the Commission's recommendations included:

1. The broadening of Federal mortgage insurance programs to accommodate the rehabilitation of large multi-family buildings, and the speed-up in the processing of applications for Federal renewal assistance.
2. The development of a comprehensive rehabilitation program on the State level to complement ongoing State programs for the development of new housing.
3. Intensification and coordination of the City's tax abatement and loan programs with the expanded rehabilitation activities. Eligibility for these programs would also have to be broadened to permit them to be applicable for more varied types of building improvements.
4. The use of public and quasi-public financial investment resources—such as the City pension fund and union pension funds—for needed rehabilitation capital.
5. The fullest participation of banks and lending institutions to insure that mortgage capital for rehabilitation will be available. Mortgage pools to meet the

needs of specific areas and cooperative methods of processing and expediting mortgage applications should be explored.

6. The development of a large-scale, specialized rehabilitation industry in New York devoted to the expanding rehabilitation needs of the City. Improvements in building rehabilitation technology—with consequent reductions in total rehabilitation costs—would also serve as an important factor in the creation of additional educational and employment opportunities within the building and construction trades.

7. Combined and concentrated efforts at all levels of government and by all private citizens and groups to lower the costs of rehabilitation, and to develop creative programs and new approaches to satisfy the housing needs of lower-income families and those with special housing difficulties—the aged, ethnic and racial minority groups, and other families who have difficulty securing decent housing in a wholesome environment.

Children's Museum Area Predesignation Proposals

The predesignation report contained general guidelines for rehabilitation in the five areas, and also included specific neighborhood proposals, common to all areas, which were considered of particular importance in a rehabilitation effort.

Among these, the report stressed that school planning and development should be considered an integral part of any effort to rehabilitate a neighborhood. Similarly, the Commission recommended that every opportunity be taken to provide more recreation space as part of the neighborhood's rehabilitation. Special attention was called to the possibility of developing small sitting areas and "tot lots." The Commission also affirmed the importance that cultural facilities can play in a community's life and stated it would support endeavors to enrich the cultural life of the areas. It specifically recommended that the Children's Museum be retained in Brower Park, stating that, "This outstanding facility is a fine example of how a cultural facility can become important both as a symbol and as a useful part of the community, in addition to bringing visitors into a renewal area."

Calling attention to the declining commercial establishments and vacant or poorly-maintained stores interspersed in the five areas, the Commission recommended that special action be taken to insure that these activities and structures are improved or replaced, if necessary, as part of the renewal of the entire neighborhood.

The use of limited clearance actions must accompany a rehabilitation program, the report stated, to remove those structures which cannot, because of construction or condition, remain in the area without adversely affecting the neighborhood. Land so cleared could be used for community facilities or new housing. Preliminary studies indicated that a minimum of clearance would be necessary in the Children's Museum Area.

VI. Public Hearing

On August 14, 1963, Cal. No. 53, the City Planning Commission fixed September 24, 1963 as the date for a public hearing on the designation of the Children's Museum Area as appropriate for urban renewal and Cal. No. 52, on the related modification of the Master Plan of sections containing areas suitable for development and redevelopment.

Hearings on both these matters were duly held on September 24, 1963, Cal. Nos. 2 and 1, as part of a series of hearings on September 23 and 24, 1963, devoted to five areas throughout the City which were proposed for rehabilitation. Twenty-one speakers appeared at the Children's Museum hearing concerning the rehabilitation proposal for the neighborhood. In addition, six speakers addressed themselves to the rehabilitation program in general, including a representative of the Chairman of the Housing and Redevelopment Board, the City Rent and Rehabilitation Administrator, and the Commissioner of the Department of Welfare.

The speakers, mainly representatives of tenant and property owner groups, local civic organizations and local institutions, expressed a range of opinion concerning the rehabilitation proposal. Nearly all speakers indicated that they favored some form of rehabilitation action to improve the neighborhood. However, speakers differed on the way to finance such improvements.

Representatives of tenant groups stated that much of the deterioration in the neighborhood was due to neglect on the part of absentee landlords. They claimed that granting such owners rent increases, in effect, condoned poor maintenance and made the tenant liable for improvements the landlord should have been forced to make years ago. One tenant organization insisted that no increase in rent should accompany a rehabilitation program and suggested possible alternative means of financing home improvements in the area. These included a special real estate tax which would be imposed on landlords who allow their property to deteriorate, and the creation of a special City fund to provide long-term, low-interest improvement loans in rehabilitation areas.

Property owners in the area, on the other hand, argued that existing practices of the Rent and Rehabilitation Administration discouraged them from making improvements. They claimed current practices denied them the possibility of realizing a fair return on their investment. While in favor of the easing of mortgage financing that would accompany a rehabilitation effort, they indicated they could not favor a rehabilitation effort that would also mandate rent control.

General agreement was voiced that rehabilitation, if advanced, should be undertaken for the residents of the neighborhood. Most speakers also expressed gratification that the Planning Commission had recommended that the Children's Museum be retained in the neighborhood and asked that every effort be made to implement this recommendation. The great majority of community representatives also favored the concept and particulars of the immediate action program and urged that a local office to implement the program be set up as soon as possible.

Another recurrent theme was that citizen participation should be continued but that tenant representation on study groups should be increased. Many speakers also urged that only those buildings which cannot be rehabilitated be considered for demolition. Some speakers urged in particular that no structures be demolished to provide recreational facilities, which were said to be adequate. Assurances were also asked that if new housing be constructed, it be built at the prevailing height in the community.

VII. Consideration of Public Hearing Statements

In reviewing the issues discussed at the public hearing, the Commission recognized a number of broad, pervading questions involving renewal policy and the rehabilitation program which it has sought to clarify earlier in this report. Many of these questions are discussed in detail in Section II of this document. In addition, the Commission believes these two points in regard to the Children's Museum Area warrant further clarification or comment at this time.

1. *That the Children's Museum must remain in its present location.*

The Planning Commission recognized the unique and important value of this institution to the community in its predesignation report and recommended that it be retained in Brower Park. Those agencies charged with the operation of the Museum must decided whether the existing structure is safe and appropriate for its present function, whether it should be expanded, or whether it needs to be replaced. Regardless of the decision to renovate or replace the Museum, this Commission remains firmly committed to the retention of this outstanding cultural facility in Brower Park.

2. *That there should be no clearance to provide recreation areas.*

There is likely to be limited clearance in rehabilitation areas as detailed elsewhere in this report. It has also been noted earlier that there is a deficiency in recreation and play space in all the areas proposed for rehabilitation. Where warranted, recreation and community facilities, as well as new housing, may be constructed on vacant or cleared land as called for in the final plan. Preliminary studies indicate that a good possibility exists for increasing play space in the Children's Museum Area by closing off the section of street that bisects Brower Park and converting it to a recreation area—and that this can be done without interfering with traffic circulation.

VIII. *Renewal Recommendations for Children's Museum Area*

A large-scale rehabilitation program presents a unique opportunity to revitalize and improve the deteriorating Children's Museum Area for the present residents of the community. Such a program, employing a broad spectrum of aids, with rehabilitation costs kept at an absolute minimum through the development of new techniques and legislation, can effectively meet the challenge of improving and protecting a potentially fine residential neighborhood.

This attractive area with its many brownstones and substantial one-family homes can provide a wholesome setting for family life for many years to come. However, the neighborhood's recent history of an increasing incidence of building conversion and overcrowding, the growth and spread of pockets of blight, coupled with a rapid population changeover has brought apprehension to both newcomers and older residents. The City, with its critical need for good housing for all people of moderate means, and for minority families in particular, cannot abandon such neighborhoods and accept with resignation the fiction that they are fated to become slums. The price exacted by indifference or failure to act would be appallingly high both in terms of the loss to the residents, and to the City as a whole.

The persistence and determination of the residents to improve their neighborhood is manifest in the active role of community leaders and the degree of citizen participation in the renewal study, the numerous block associations and tenant organizations in the area, and the private improvements already undertaken despite current unfavorable financial conditions.

In consideration of these reasons and those stated elsewhere in this report and based upon the program set forth earlier in this report and in greater detail in the rehabilitation report of August 14, 1963, the Commission makes the following recommendation in regard to the renewal of the Children's Museum Area:

1. *Rehabilitation*

The Commission recommends that a Federally-aided Title I Urban Renewal Program of rehabilitation be undertaken in the Children's Museum Area generally bounded by Atlantic, Albany and Bedford Avenue and Eastern Parkway, Borough of Brooklyn.

The rehabilitation program should include all existing Federal, State and City tools, special architectural and financial counseling, coordination of municipal services, as well as new aids designed to meet the special hardships and problems that may be encountered in the program's implementation.

Specific rehabilitation standards and courses of action will be developed in the detailed planning stage. In addition to rehabilitation, renewal action might also include the spot clearance of buildings so structurally unsound that they do not warrant rehabilitation, removal of uses which clearly prevent the development of a sound residential environment and the provision of needed community facilities or new housing on vacant land or land cleared by demolition.

It is further recommended that the upgrading of commercial facilities be undertaken as part of the rehabilitation program, and that such structures be improved, or replaced if they cannot be rehabilitated and function suitably in a residential neighborhood. Actions to aid in improving commercial areas and buildings should include:

* The conversion of excess retail space to other uses, such as housing or community facilities where appropriate;
* The development and enforcement of local standards for the rehabilitation and maintenance of commercial structures;
* The provision of technical and professional rehabilitation advice;
* The allocation of space for off-street parking; and
* Cooperation with businessmen's organizations to encourage commercial improvements.

To the extent that clearance is necessary, and after consideration of the need for community facilities, new housing may be constructed. The precise scope of clearance activities cannot be determined until the project planning stage carried out by the Housing and Redevelopment Board.

However, preliminary studies have indicated that a minimum of clearance will be necessary in the Children's Museum Area.

2. *Recommendations for Immediate Action*

An interim action program should be initiated for the Children's Museum Area immediately following its designation. As stressed elsewhere in this report and detailed in the predesignation report of August 14, such a program is a key to a successful rehabilitation effort and will play a vital role in bringing improvement to the area quickly. Through this program the City can respond to the momentum already developed by local residents for improving the area and work with them towards the upgrading of the neighborhood even while the detailed plans for broad renewal are being developed.

It is recommended that all steps short of the use of Federally-aided tools be included.

The interim program would provide a local renewal office to give general information, provide professional staff assistance to tenants and property owners, coordinate various City services and code-inforcement activities geared to the overall rehabilitation goals for the area, promote citizen participation and take such other steps that are found desirable for neighborhood improvement.

3. *Community Facilities*

The Commission recommends that during the project planning stage special efforts be made to provide additional park and play areas, particularly in the western section of the community where the deficiency is most evident. In view of the lack of vacant land and limited concentrations of blight, the Commission recommends that closing of the segment of Prospect Place that bisects Brower Park be considered. This would provide additional recreational space as well as improve the safety of the park.

The quality, condition and adequacy of schools must be fully assessed in the course of the rehabilitation effort, and the need for new facilities carefully evaluated, particularly if new housing is constructed. The facilities of Public School 289 are currently being expanded by the addition of portable classrooms, and a new junior high school and new elementary schools are planned for immediately adjacent areas. Every opportunity should be taken, beginning with the immediate action program, to find ways to enrich the educational and cultural life of the community.

With respect to the area's cultural facilities, the Commission strongly recommends that the Children's Museum be retained in Brower Park. In its present location the Museum serves admirably as a cultural and physical focal point and also draws visitors from surrounding communities into the neighborhood. It is a valuable neighborhood asset that is accessible to residents from all parts of the City.

The fight to keep the Museum has become symbolic in the mind of much of the community with the overall battle to reverse the inroads of blight into the area. Many residents, because of the threat to remove the Museum, feel that they are being abandoned at a critical stage in their struggle to improve the neighborhood. To bolster support for the retention of the Museum, the Commission would hope that the leaders of local civic groups and institutions will work closely with Museum officials in developing a community-wide, constructive program of support for the Museum's program.

4. *Procedural Considerations*

While the specific program for the Children's Museum Area can only be developed during a period of detailed planning, the Commission recommends that the following procedures be recognized as integral parts of the renewal operation in both the interim program and the longer-range renewal action:

a. Continued encouragement of local community participation to insure the fullest possible understanding by residents and private and public agencies of the renewal problems involved; and to marshal the total energies of the community toward achieving sound and lasting results;

b. Careful and close coordination of strengthened code enforcement and rehabilitation assistance to provide a rational framework in which substantial improvements can be made. This would facilitate the elimination of violations through sound and long-lasting rehabilitation, rather than by temporary "patching over";

c. Provisions of qualified staff assistance to property owners who are desirous of undertaking rehabilitation, and to tenants who will require help in setting up and maintaining their newly rehabilitated homes; and

d. Coordination of all public improvements made within the renewal area to assure its proper and logical development.

IX. *Findings and Adoption*

The City Planning Commission hereby finds, pursuant to Section 504, Article 15, of the General Municipal Law of the State of New York (Urban Renewal Law), that the area bounded by Atlantic Avenue, Albany Avenue, Eastern Parkway and Bedford Avenue, Borough of Brooklyn, is a substandard and insanitary area as defined in Subdivision Four of Section 502 of the Urban Renewal Law, for reasons hereinabove listed in this report and that this area is appropriate for urban renewal.

The Commission recommends that the use and reuse of the designated area be predominantly residential, generally conforming to current zoning regulations, with provisions for appurtenant educational, recreational, institutional and commercial facilities as noted in this report.

The Commission finds that appropriate treatment for the area is predominantly rehabilitation and conservation, with such minimum clearance and redevelopment as noted in this report. These recommendations apply to the general area shown on the attached map dated December 10, 1963. These recommendations and this map are hereby declared to be a part of the Commission's findings and adoptions.

It is noted that the present action does not constitute approval of an urban renewal plan. Such a plan is to be subsequently prepared by the Housing and Redevelopment Board and submitted to the Commission for review and certification after a public hearing in accordance with the provisions of the law. Final determination is subsequently made by the Board of Estimate, after another hearing, as provided in the Urban Renewal Law.

WILLIAM F. R. BALLARD, Chairman, FRANCIS J. BLOUSTEIN, Vice Chairman, JAMES FELT, HARMON GOLDSTONE, ELINOR C. GUGGENHEIMER, LAWRENCE M. ORTON, JAMES G. SWEENEY, Commissioners.

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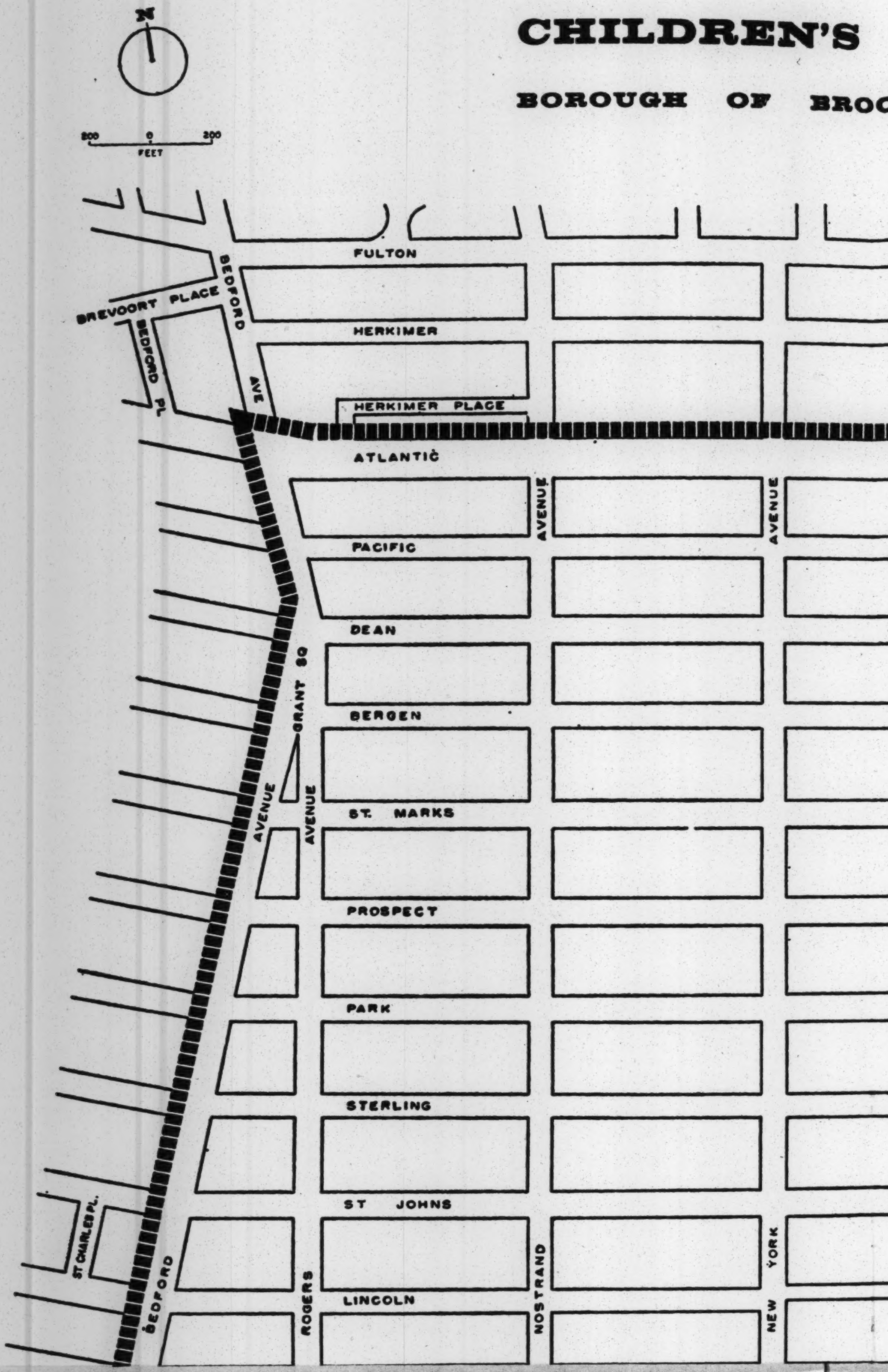
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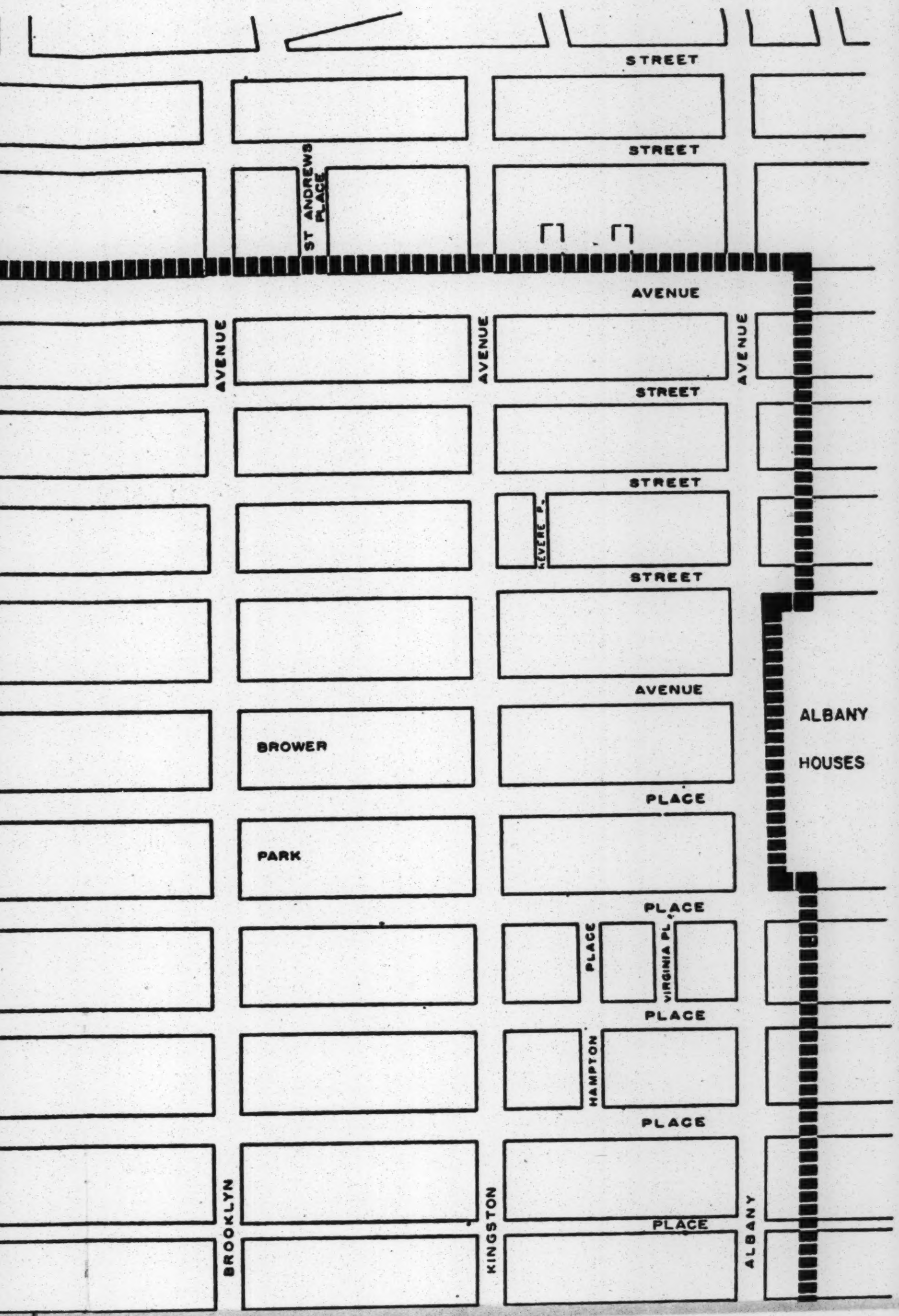
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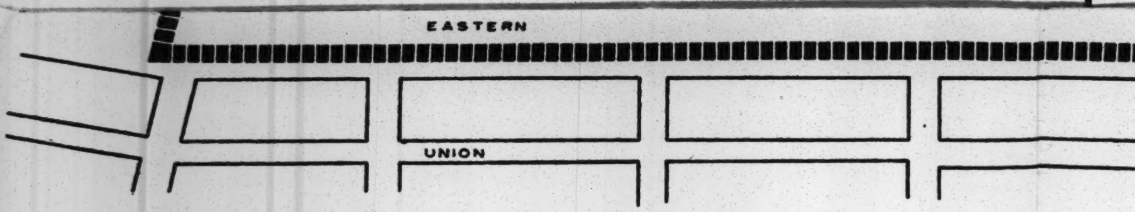
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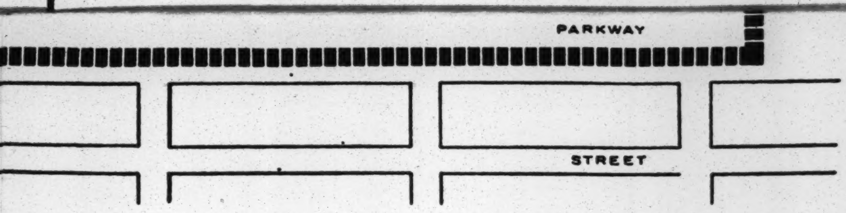
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DECEMBER 10, 1963

CITY OF NEW YORK

THE WALL STREET JOURNAL, THURSDAY, JANUARY 9, 1964

Public Housing Shift

Federal Planners Try New Ways to Help Poor Get Improved Shelter

Families Put Into Existing Homes Instead of Projects; Aid for Detroit Skid Row

Moves Could Mollify Critics

By RICHARD F. JANSSEN
Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—The Government is hopefully laying the groundwork for what could be a major remodeling of the nation's increasingly criticized public housing programs.

There's no intent to turn completely away from the traditional approach of bulldozing down city slums to erect high-rise, low-rent apartments. But Housing and Home Finance Agency (HHFA) officials are keenly aware that even friends of public housing are complaining that this approach tends to keep occupants locked in a ghetto of poverty, costs a lot and destroys neighborhoods that might better be revitalized.

So planners are experimentally scattering low-income families into existing private houses and apartments, often with Uncle Sam refurbishing them and chipping in on the rent. They're trying cooperative apartment ownership and relaxed credit standards to help the most promising poor families to buy homes, and tailoring some projects to the specialized needs of extra-large families, skid-row derelicts and the physically handicapped. In hopes of slashing costs of conventional slum clearance apartments, they're looking into new designs and materials, which could perhaps be applied by private builders, too. Various experiments are spotted across the country in New Haven, Conn., Philadelphia, St. Louis and San Francisco. among other places.

President Johnson's Goal

Plans of this sort will help fulfill a major purpose voiced by President Johnson in his State of the Union message to Congress yesterday. He set a goal of "a decent home for every American family" and declared "We must give more help to those displaced by slum clearance, provide more housing for our poor and our elderly. . . ." Details will come in this month's budget message, in a special housing message later on and in an Administration request for new legislation to extend or replace expiring housing programs.

Political strategists figure the new low-income housing approaches will fit the President's commitments yesterday both to fight poverty and to economize, and will be more appealing to Congress than asking only for more of the same. After meeting with Mr. Johnson in Texas last week, Housing Administrator Robert Weaver made clear that at least some of these concepts would be incorporated in a new Administration housing program aimed at lifting low-income families' living standards.

Some of the most outspoken critics of public housing programs may be mollified by such moves. Supplementing the rent that low-income families pay to private landlords is "certainly getting much closer to our idea of public housing," says a spokesman for the National Association of Real Estate Boards, which strongly opposes Government ownership and operation of housing as "socialistic." The projects for easing low-income families into home ownership through special Federal aid are eagerly backed by the National Association of Home Builders. It sees them as a way to reach "the big untapped income area" with individual homes.

The need for better low-income housing is still massive, Government housing men contend. They rank more than 13 million of the nation's roughly 58 million housing units as inadequate because they're dilapidated, deteriorating or lack proper plumbing. But to the extent the experiments blossom into full-scale policies, "we'll need less of the conventional public housing," says George B. Nesbitt, director of HHFA's low-income demonstration program. The new methods, officials say, should yield more low-income housing for each dollar spent.

Need for New Funds

The present public housing program must be put before Congress soon for a fresh dose of funds or new construction will grind to a halt. The 1949 and 1961 laws allowed new units to be built up to a level where the annual Federal subsidy commitments to local housing authorities would hit a $336 million ceiling. By June 30 that point will be reached, officials say, holding the program pretty close to the

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THE WALL STREET JOURNAL,
Thursday, January 9, 1964

Public Housing Shift: U.S. Planners Trying New Ways to Help the Poor

Continued From Page One

just under 700,000 units now operating or under development. The subsidy covers the difference between rent which occupants pay the local authorities and what it costs to run and finance the projects.

Of $5.5 million okayed by Congress in 1961 for various public housing experiments, some $3.8 million has been committed thus far. And one approach particularly intriguing to Mr. Weaver is putting low-income families into existing private dwellings rather than building special projects for them. Supplementing the rent low-income tenants pay to the private landlords, though, couldn't be done on a full-scale basis without action by Congress, and the idea has been disputed for decades, with opponents arguing it doesn't add to the stock of housing. Mr. Weaver himself worries that it would have to be done carefully to avoid merely handing "inflated profits" to landlords housing the subsidized tenants, and some doubters warn that many landlords would balk at any "rent control" tinge to the plan.

With variations, the HHFA is trying this in several cities. It has granted $178,090 to the New Haven Housing Authority, which is to put 40 large families in privately owned apartments, with officials negotiating the rent and checking on maintenance. Each tenant will pay 21.8% of family income as rent, the same percentage as in regular public housing, with the authority making up the difference. In the three-year program, another group of 40 large families in existing public housing and a third set in non-assisted private housing will all be watched by Yale University personnel to see which approach does the best job for the families.

A $764,000 New York City test with 22 families of at least 10 persons each involves the local housing authority buying old three-story brick houses and carving them up so that the second and third stories form an eight or nine-room duplex apartment; each first floor is converted to a one-bedroom unit to bring in revenue from an ordinary tenant. Tenants pay what they can afford, with the authority making up the difference. The hope is that the cost to the taxpayers of providing the housing will be 35% less than if a new apartment unit were to be built.

The New York experiment is a "promising avenue," Mr. Weaver says, adding that if the revamped buildings can successfully be auctioned to private bidders, it could "hopefully point the way for a more aggressive rehabilitation program among private investors" to serve what he terms a "lower-middle income market."

In other experiments local housing authorities acquire existing vacant structures they'll rehabilitate and use solely for low-income families. In Philadelphia, local officials will employ a $50,000 U.S. grant to step up a program of this sort and try such new tricks as combining two small row houses to accommodate one large family. In Washington, the National Capital Housing Authority is using a $194,000 grant to lease some 50 vacant houses, refurbish them and sub-lease them to low-income families. At least for "the immediate years ahead," it appears there will be enough housing vacancies to make such approaches possible, Mr. Weaver says.

Subsidies in St. Louis

If such projects pan out, Federal officials figure they could go far toward answering most of the criticisms of public housing as it is today. Low-income families would live in regular neighborhoods free of the "institutional environment" of the projects, "and I suspect they'd have more incentive to move up the ladder" within their community, Mr. Nesbitt says. From the Government's standpoint, the approach avoids lengthy legal fights for sites for massive projects and yields the wanted housing much sooner.

Some mixing of subsidized families and those on their own is being tried in new housing, too. In a St. Louis suburb, 20 low-income families will be selected by the local authority to move into a new 50-unit garden apartment project being built by a private corporation. The Federal Housing Administration waives its usual mortgage insurance premium to help the project's sponsor keep down mortgage costs; all tenants will pay $97.50 monthly for a three-bedroom unit, but low-income families will get from the local housing authority "rent assistance" checks, which they have to endorse over to the landlord, for the amount of rent they're held unable to afford.

Upgrading low-income families into home ownership is part of the experimental package, too. Sixty such families likely to advance economically will be mixed in "without distinction" with moderate-income families in San Francisco, some in a cooperative apartment and some in a condominium apartment project. In co-ops, one mortgage covers all the units; in condominiums, each unit has its own mortgage as a single-family home does. For four years, the low-income families are to have their rents subsidized and be counseled by social agencies on home ownership; if all goes well, they'll then buy the units they occupy.

The Tulsa Home Builders Association is taking part in an Oklahoma experiment in which members form a special corporation to build, own and manage 100 three-bedroom houses to sell for $9,000 each. If necessary, rents will be subsidized for promising low-income families; after they've paid back the subsidy, they'll start buying the homes with 3% down-payments and mortgages running up to 40 years. This could be useful for families that become ineligible for public housing when their incomes rise beyond a fixed maximum. In this case, rents will be held to $49.87 a month for the brick veneer homes, since they'll be on land cleared by the Urban Renewal Administration and will be financed through 3⅛% interest rate mortgages owned by the Federal National Mortgage Association.

Florida Experiment

Some housing officials suspect there may be a good many low-income families now going into public projects who could successfully own homes if it weren't for strict FHA credit requirements. University of Florida researchers and FHA officials are working up "special test criteria" to use in screening prospective owners of $10,000 houses being built in a regular subdivision at Gainesville. The prospects will come from those turned down on regular FHA rules.

Sometimes, officials figure, applicants are rejected because a credit report shows repossession of a TV set several years before, but didn't represent a deep enough investigation to show the same merchant more recently has successfully extended credit to the same family again. Just in case the "relaxed" criteria prove to be too lax, though, HHFA is setting aside money to reimburse the FHA insurance fund for any losses.

Other projects aim to tailor public housing more precisely to the needs of less hopeful groups. In Detroit, the local housing authority is dickering to buy an old near-downtown hotel to upgrade accommodations for men along the Motor City's "skid row." It hopes, Congress willing, to house about 400 of the some 3,000 skid row residents who've been displaced by slum clearance. The hotel would be equipped with a sick bay and hopefully with a garden, and local public and private groups would furnish counseling services. In Toledo, Ohio, up to 100 units in a 150-unit high-rise project will be designed with such things as doors and plumbing fixtures to accommodate physically handicapped persons who are in wheelchairs.

URBAN RENEWAL
IN NORTHERN CITIES

Karen Donerly

RED HOOK CENTRAL SCHOOL

April 6, 1964

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INTRODUCTION

During President Kennedy's administration, Urban Renewal was discussed and debated to great lengths. However, urbanism has been an increasingly serious problem since the period ending World War II. Instead of a steady flow of immigrants from European countries, there has been an in-migration from the South. Both of these groups have seemed to settle in the large northern cities; and both of these groups have been of the lower economic income groups.

Big industry and increased technology in agriculture encouraged many laborers to migrate into the cities. Since more people have access to an automobile, it is easier even for the lower income group to commute to their work in the city from the suburbs.

However, the fact remains that the core of most of our northern cities contains numerous slums of individuals and families who are unable to climb the economic ladder because of race, lack of education, or lack of initiative. These people were the primary concern of President Kennedy in his efforts to aid crowded metropolises. He felt that orderly planned housing expansion would alleviate many serious problems of urban areas such as juvenile delinquency, drug addiction, alcoholism, and prostitution.

A concentrated urban population also presents sanitation, communication, police protection, and transportation problems. And the flow of the higher economic income group to the suburbs leaves the cost of supporting these facilities to the less able to pay. Many times these wealthier people commute to their work in the cities where they benefit from those services which they no longer help support but insist on having. Also, the people who are less able to pay taxes require more welfare services than those moving to the suburbs.

The Federal Government has tried to correct or at least help the housing problem by selling cleared land at less than cost to private individual developers in order to encourage the system of free enterprise in slum clearance. However, the cost to private developers is more than to the government; therefore previous slum dwellers who were dislocated can not be relocated to these safe, sanitary, decent homes provided by private concerns because they can't afford this new housing.

Since the problems involved in urban renewal are so complex, President Kennedy reasoned that federal committees and administrations should be combined into one department, a Department of Urban Affairs. The reactions to this proposal were violent. Politics significantly entered the picture and created many arguments for and against the proposal. To date, the proposal has not been passed by Congress; and the previous committees and administrations have continued as they had before except for having greater pressures asserted upon them.

STATEMENT OF THE PROBLEM

There are many phases of urban renewal including its history, its social problems, government action, and proposed solutions to the many problems involved. I'd like to put special emphasis on the social problems faced by the minority groups in urban areas in the northern cities of the United States.

Slums are created by people whose income is so low that they can not financially correct or stop the gradual deterioration of their neighborhood. However, tearing down slums and constructing new apartments with adequate, safe facilities for these people only creates a new breeding place for deterioration because the slum dwellers themselves need to be rehabilitated as well as does their housing. The feeling of desperation must be corrected and handled tactfully. Children must be taught how to use a toothbrush and how to value their and others' property. Simple hygienic principles and social codes such as these are unfamiliar to many and are not observed by many others. Lack of education or some specific skill has placed many men in the situation they find themselves. They either can't find a job or receive such low wages that they can't support themselves and their families. Therefore, they are forced to live in crowded tenements which breed crime, alcoholism, drug addiction, and prostitution.

Many communities in various cities have taken a great interest in the position in which they find themselves and have decided "to pull themselves up by the bootstraps." These projects have succeeded because the people in those communities had the initiative and ambition to correct their situation. Other projects have been started by organizations interested in people in deteriorated areas. These private concerns have constructively helped these slum dwellers by actively involving them in urban renewal.

In this paper, I intend to cite specific social problems in particular areas and to show the work done by CORE, the HHFA, the Urban League of Greater New York, and other organizations in those areas.

HISTORICAL BACKGROUND

Urbanism and slum development are not new. They date back to the middle of the 1800's when there was a tremendous influx from western and southern Europe into the United States. These immigrants for the greater part had little or no skills, so they settled in the cities where they took what menial jobs they could. They lived in tight-knit family groups close to their work in order to lessen any transportation expenses. Many times, two, three, or four generations would live together--family size and marriage were viewed differently then, even by Americans. Since they generally lacked an education, the means to make sufficient money to support such large families, these immigrants were forced by economic conditions to live in crowded tenements where both the birth and the death rate were high. Tuberculosis was especially rampant because of damp, crowded living quarters. However, these immigrant groups including the Italians, the Irish, the Greeks, and the Slavs gradually gained greater economic stability and moved from the tenements to better quarters. Now the Negroes and Puerto Ricans have taken their place in the mass confusion of big cities.[1] At this time, the problem of race and high emotions become involved; and slums and deteriorating neighborhoods are blamed entirely on the Negroes and the Puerto Ricans. The urban problem has been in existence for a long period of time, but with race discrimination and the question of civil rights, it has been highlighted. Since World War II, urban renewal has been needed; and Congress, to correct the situation, passed the Housing Act of 1949. This act aimed at the elimination of urban blight by slum prevention, setting up and enforcing housing codes; by rehabilitating buildings; and by removing and redeveloping buildings and whole neighborhoods. The Federal Government said that it would assist local agencies under state control by granting funds if the agency qualified for them. The agency needed the initiative and contributions either in the form of money, land donations, work in demolition and removal, or project improvements. The Housing Act of 1961 offered to grant to any urban renewal project in need, two-thirds of cost and in special cases, three-fourths of cost. The Federal Government stated that it would help in relocation by giving assistance toward moving expenses and loss of property. A community having undertaken a workable urban renewal project can depend on the Federal Housing Administration to insure mortgages with a low interest rate, lower than the market rate.[2]

The Federal Government realized the need for federal assistance in urban renewal and through many different agencies including the Housing and Home Finance Agency, the Federal Housing Administration, the Public Housing Administration, and the Urban Renewal Administration, communities have been provided with the means to execute renewal projects.

Whether this aid is going to correct the situation is unknown. Wolf von Eckhardt, a noted expert in the field of urban renewal, aptly states his belief on the success of any project:

> This means the local renewal agency must, first of all, make a detailed study of the neighborhood, its physical conditions, its facilities and the nature and mood of its inhabitants to diagnose properly the chances of its recuperation.[3]

DISCUSSION OF THE PROBLEM

Even though the Federal Government builds or rebuilds safe, adequate housing, slum conditions still prevail. Relocated persons who usually have little education become suspicious of urban renewal workers. These people had been uprooted and then relocated in a community where no one knew his neighbors, which often caused friction because everyone was also on his guard.[4]

A large percentage of authors writing on urban renewal agree that the slum dwellers themselves have to participate actively in a renewal project. In order to renew a community, the population must not shift continually--it has to remain rather stable. However, there are forces which encourage shifts in population--race being a primary factor. Slumlords capitalize on Negro scares. In many residential areas where all factors were at an equilibrium, blockbusters actually made phone calls to mothers of teenage daughters telling them that a large number of Negro families were moving into the community. After a few white families moved out in panic, many others followed. Their homes were sold to unsuspecting Puerto Ricans and Negroes at a price above their paying ability; and then these blockbusters encouraged them to accept second mortgages until the Negro or Puerto Rican was "on a debtor's treadmill."[5] This happened in Brooklyn and in Baltimore's Mount Royal.[6] People are frightened by the thought of intermarriage and most of all, by what others will think. In research done by Richard LaPiere, it was found that in very few cases did the people that feared intermarriage have children and that intermarriage very seldom occurs.[7] A recent survey undertaken by University of Minnesota students proved that economics, income level, was the determining factor in housing.[8] A person's income ability determines his choice in housing. Since a large percentage of Negroes are of the low income level, they can only afford cheap housing. Rather than fleeing one slum for another which perhaps is in little better condition, experts feel that slum dwellers should face their conditions and try to ameliorate them. This has been done in Chicago's Hyde Park-Kenwood area and in Baltimore's "Pilot Area" and Mount Royal.[9] In these areas, citizens banded together demanding and requiring strict regulations on landlords. Community organizations such as churches, schools, citizens' groups, and social agencies aided in the fight against blight.

Churches helped in encouraging the people of the area to believe in and support such a project. Just as the landlords were forced to fix their housing, so were private owners who bearly had the money with which to scrape by. Therefore, the churches pointed out that a "Hearing Board", a place where people with financial problems could ask for extensions to fix their faulty housing, has been set up just for that purpose.[10] Local pastors tried to build up and maintain community spirit, a very important element in urban renewal. People had lost all hope and had sunk into a feeling of desperation.

Schools such as Dunbar High School in the "Pilot Area" offered adult education courses to teach simple things such as reading, writing, arithmetic, how to prepare a budget, how to make simple repairs in the house, and the simple hygiene of keeping house. However, these classes were sparsely attended and the schools succeeded more by teaching the children some of these things and having their parents learn from them because many parents, both mother and father, worked and couldn't attend classes. Teachers taught elementary students health care, meal planning, home decorating and gardening techniques. One second grade teacher in the "Pilot Area", told how she took her class through an alley and had the children take a poll on all the bad, unsanitary conditions they could find. One messy yard belonged to a little girl in the class and she was so ashamed that when she went home she cried and carried on until her father cleaned the yard.[11] A whole change in attitude took place in those areas where urban renewal was undertaken. Raw sewage, garbage, and outhouses were common occurences, and nobody regarded them with much disdain. In the same manner, young boys who were arrested or put in detention homes for robbery, assault, or murder were considered as unfortunates or they weren't even considered at all. Now a boy who gets in trouble with the law brings great shame on his parents; and therefore, less vandalism has occured in those areas. Social attitudes and behavior have a great deal to do with community living.

Citizens' groups had much to do with the success of all the before mentioned projects. J. Edward Fisher in the "Pilot Area", formed a group of parents and professional workers who were responsible for revitalizing the area. They conducted weekly dances for the teenagers and organized ball clubs and other sports. Playgrounds were supervised for the younger children and parks were renovated for the aged. Mount Royal residents formed Bolton Hill, Inc. with Tayloe as its president. He was an insurance man who contributed to the company by going into real estate and buying land before speculators could. The company renovated houses and then rented or sold them to "desirable purchasers." Respectable Negro families were allowed to buy or rent if they were affiliated with a church or had the approval of local civics groups. However, they were given encouragement and assurance by Bolton Hill, Inc., through their enthusiasm.[12] In Chicago's Hyde Park-Kenwood, a very forceful lawyer, Julian Levi, helped break the resistance of unrelenting slumlords. In many instances as in the case of Joseph Schwind who owned three buildings that were infested with cockroaches, vermin, bare wiring, and garbage clogged fire escapes, Levi broke him by going to the bank asking them to refuse another mortgage to Schwind, by asking the insurance company to cancel Schwind's fire insurance, and by telling people seeking housing not to rent in Schwind's blighted apartments. He destroyed other damaging establishments like a tavern called "Knob Hill":

> The Knob Hill eventually and naturally became a hangout for petty criminals, drunks, prostitutes, dope addicts and other small insects of the night. It--and five or six other joints scattered along Lake Park Avenue at the eastern edge of Hyde Park--were attracting into this old neighborhood the riff-raff of which slums are made.[13]

With the same forcefulness that he attacked slumlords, Levi broke Al Feinstein, the owner of "Knob Hill." Levi expressed his philosophy concerning such people, "The thing to do with those bastards is hit them over the head. Don't play around with them."[14] Whether his methods were morally right or wrong, Levi succeeded in destroying some of Chicago's worst establishments.

Welfare workers in New York City have gone into homes of slum dwellers and taught them simple rules and techniques of house keeping such as covering garbage to prevent flies. Mrs. Naomi Graham, one such worker, went into the home of a Puerto Rican family where the mother was ill. She did house cleaning and cared for their three children, one of which was mentally retarded and another who was extremely rebellious. She has helped other families in the same type of distress, and she said that she was happy and felt satisfied that the children were clean and well fed.[15]

These projects were executed by private concerns which possessed a certain altruism. The renewal work was done on a person to person basis. I think that this was good. But, how many groups or organizations are willing to undertake such a huge responsibility? The administrations which the Federal Government has established and the housing codes made by cities and states are necessary, but "you can't legislate harmony" nor can you legislate social problems.[16] This was said when landlords and tenants were interviewed by the City Commission on Human Rights of New York. However, I believe as do government officials that the problem of housing is gigantic and nation-wide. Therefore, laws against discrimination and Fair Housing Practices Laws must be passed in order that slum conditions and discrimination can be attacked. Then the policies of non-discrimination and fair housing can be legally enforced. Then, like any other law, it has to be tested to see if it is constitutional or not. In New York City, the Fair Housing Practices Law compels landlords to meet certain, specific housing regulations. If they don't, they are fined at least $50. In the state of Connecticut, it's a crime not to comply with non-discrimination housing codes.[17] And Congress passed the Civil Rights Bill of 1963 making it nationally illegal to practise discrimination in public housing. Without Federal laws, the "Pilot Area", Mount Royal, nor Hyde Park-Kenwood could have instituted their programs of urban renewal because the leaders of the projects first had to receive support from city hall to force landlords to reform unfair practices.

I don't believe that there's any one solution to our housing problems in the United States, but I do think that now there are organizations and CORE, the N.A.A.C.P., and the Urban League of Greater New York which are constantly fighting for better housing and correction of slum conditions. It will take many years to solve these problems because many forces are all pulling in different directions. But in the future, when these conditions are ameliorated separately; when put together again, they will seem less drastic.

President Kennedy's proposal for a Department of Urban Affairs is an entirely new concept in urbanism. The metropolises of New York, New Jersey, and Massachusetts would or could be made into a separate entity. There would be many arguments for and against that type of a setup, and I don't believe that anyone could form a real, authorative opinion about such a situation until after it had been tried.

I agree with the authors of THE HUMAN SIDE OF URBAN RENEWAL that the people involved in slum areas must participate actively in programs of urban renewal. In addition, however, I believe that city, state, and federal governments must concern themselves with the problems of slum dwellers and in particular, minority groups as the Negro and Puerto Ricans. I realize that the problem is complex especially since the Negro and civil rights are so much a part of housing problems; and I feel that since housing has been brought to public attention, the situation has been improved and will continue to be corrected.

CONCLUSIONS

Slumlords will continue to escape regulations whenever possible. And they will continue to pay fines rather than make the necessary adjustments because it's cheaper--that is until inspectors and the law catch them. Landlords who do not want to rent to Negroes will continue not to advertise housing so that they won't be forced to rent to Negroes.

Vice, whether it be prostitution, drug addiction, or gambling, will always be here. A person is only human. And when economic conditions are poor in a neighborhood; people, because of lack of emotional stability or self will, will often resort to drinking or gambling. Slums breed these conditions.

Through urban renewal and the great concern over poor housing, these conditions have been improved. The eagerness and determination of Negroes in civil rights, has affected housing--even highlighted it. This may be good or bad: however, they are being heard. Progress has been made and if interested people maintain their enthusiasm and sensibility, most of the slum conditions will be ameliorated.

A
Paper covers in a complete but
summary way the topic — there.
[illegible] shown the
relations of many diverse
forces that work to [illegible]
hinder to solve [illegible] many [illegible]
single problem.

FOOTNOTES

[1] M. B. Schnapper, PUBLIC HOUSING IN AMERICA, (The H. W. Wilson Company, New York, 1940), p. 30.

[2] Housing and Home Finance Agency, THE URBAN RENEWAL PROGRAM, (Washington D.C., November 1962), pp. 1-5.

[3] Wolf von Eckhardt, "Conserving the Old", THE NEW REPUBLIC, (New York, September 28, 1963) p. 18.

[4] Jane Jacobs, THE LIFE AND DEATH OF GREAT AMERICAN CITIES, (Random House, Inc., New York, 1961), pp. 277-278.

[5] Arnold M. Rose, "Inconsistencies in Attitudes Toward Negro Housing", (Reprinted From SOCIAL PROBLEMS, Spring, 1961, Vol. 8, No. 4), pp. 1-6.

[6] Martin Millspaugh and Gurney Breckenfeld, THE HUMAN SIDE OF URBAN RENEWAL, (Fight-Blight Inc., Baltimore, Maryland, 1958), p. 79.

[7] Arnold M. Rose, pp. 1-6.

[8] Arnold M. Rose, pp. 1-6.

[9] Martin Millspaugh and Gurney Breckenfeld, p. 8-10.

[10] Martin Millspaugh and Gurney Breckenfeld, p. 7.

[11] Martin Millspaugh and Gurney Breckenfeld, p. 30.

[12] Martin Millspaugh and Gurney Breckenfeld, p. 81.

[13] Martin Millspaugh and Gurney Breckenfeld, p. 98.

[14] Martin Millspaugh and Gurney Breckenfeld, p. 100.

[15] "Welfare Workers Fight Squalor With Understanding", New York TIMES, (New York, March 4, 1964) p. 33.

[16] Harold Goldblatt, "Evaluations of the Fair Housing Practices Law by Landlords and Brokers Three Years After Passage of the Law", (City Commission on Human Rights of New York, December, 1961), pp. 4,5.

[17] Arnold Forster and Sol Rabkin, THE CONSTITUTIONALITY OF LAWS AGAINST DISCRIMINATION IN PUBLICLY ASSISTED HOUSING,(New York, January, 1960), p. 42.

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Urban Renewal

by Dec 31, 61 66% of people replaced by Urban Renewal have been non white

1. A resolution to be implemented at all necessary levels of govt. that Urban Renewal sites must house 50% of those who are being relocated. This can be done through the incorporation of middle income projects which will subsidize 20% of low income units (both co-ops + apts) low income projects + subsidizing rents in the UR. privately built units. (Justified by fact of Federal assistance in the buying of the land.) + thru legal implementation of Pres exec order on = oportunity in hsg.

2. The ~~encouragement~~ of Human relations committees, such as the dept of Relocation has, to work with the city Planning Commission and private city planners + architects to be included. Also tennant leaders.

3. a halt to further planning or implementation to the 1964 UR program until this committee is set up. (see Village Voice.)

Public hsg

1. more low rise, mixed income hsg built in Queens, + Staten Island (money granted in this legislature)

2. public meeting rooms, + possibility of store fronts being built into projects.

3. increasing the responsibility of PH tennant councils, giving them more leeway for tennant control, and letting them set up boards to review evictions.

4. change painting rules, allow any color.

5. make rule ~~to~~ for appointments for PH inspections of apts.

Public Hsg

A East & Central Harlem have 20 low income dev with 21,167 units, Queens has 10, with 9,371 units, tho much more land there

B there is ~~at~~ thru 1962 650,000 P.H. units in country (from 1937)

C there are 100,000 units ~~in~~ old-law tenements left in city, hsg 350,000 persons.

D. 80% is segregated (Mr. Robinson assit Dir AJC april 1963)

(over)

Slum housing

1. Pass the rent strike bill, perhaps in the city council (no services, no rent)

2. licensing of superintendants - need to know how to make repairs, will recieve certain minimum salaries, + a complaint review bd set up for ~~their~~ (super's complaints vs landlords for ex) + tennant complaints vs supers.

3. increase the # of housing inspectors, lower their qualifications (5 yrs in the building trades) vastly increase clerical staff, validify certain groups such as CORE, to take hsg complaints into court, to subvert the bribing of hsg. inspecters which does occur.

4. need to continue rent control see 2 studies

5. institution of hsg. court, ~~to be~~ + its own investigation dept, to find landlords, to compare their practices over the years, + to make

reports on condition of hsg.

6. Vast expansion of Paul Screvanes anti - rat campaign.

file

ETHNIC COMPOSITION OF RELOCATEES

from Department of Relocation

January - June 1963

	Number	Percent
White	785	37.4
Negro	743	35.4
Puerto Rican	470	22.4
Other	42	2.0
Unknown	59	2.8
Total	2,099	100.0

III. Income by Ethnic Group of West Side Urban Renewal Area (Stage I) Tenants

	All	White	Negro	Puerto Rican
under $6,000	79.9%	77.5%	88.8%	91.4%
$6,000-or-more	20.1%	22.5%	11.2%	8.6%
Total	100.0%	100.0%	100.0%	100.0%

Table 11. Residential Tenants Relocated by Type of Accommodations Obtained, Department of Real Estate and All Other Agencies, Year 1961

Type of accommodation	Residential tenants[a]					
	Department of Real Estate		All other agencies[b]		Total	
	Number	Percent	Number	Percent	Number	Percent
Self-relocated						
Private housing	3,080	57.2	3,243	55.6	6,323	56.4
Institutions[c]	25	0.5	25	0.4	50	0.4
Unknown[d]	618	11.5	644	11.0	1,262	11.3
Total	3,723	69.2	3,912	67.0	7,635	68.1
Aided in relocating						
Private housing	1,047	19.5	813	14.0	1,860	16.6
Public housing	564	10.5	957	16.4	1,521	13.6
Inter-and intra-site moves	33	0.6	52	0.9	85	0.7
Other City properties[e]	13	0.2	101	1.7	114	1.0
Total	1,657	30.8	1,923	33.0	3,580	31.9
Grand total	5,380	100.0	5,835	100.0	11,215	100.0

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a/ Includes one-person households, except that the Title I Division excludes roomers under 60 years of age in order to conform with Federal definitions.

b/ Includes New York City Housing Authority, Triborough Bridge and Tunnel Authority, and Port of New York Authority.

c/ Includes, for example, homes for the aged and hospitals.

d/ Includes deceased.

e/ Includes buildings rehabilitated by the New York City Housing Authority, and "in rem" buildings, that is, structures taken over by the City of New York for non-payment of taxes, and managed by the New York City Department of Real Estate.

Source: New York City Department of Real Estate
January 15, 1962

Table 7. Residential Tenants Relocated by Type of Accommodations Obtained, Department of Relocation and All Other Agencies, Year 1962

Type of accommodation	Residential tenants[a]					
	Department of Relocation		All other agencies[b]		Total	
	Number	Percent	Number	Percent	Number	Percent
Self-relocated						
Private housing	2,402	59.8	992	43.7	3,394	54.0
Institutions[c]	25	0.6	13	0.6	38	0.6
Unknown[d]	287	7.2	133	5.9	420	6.7
Total	2,714	67.6	1,138	50.2	3,852	61.3
Aided in relocating						
Private housing	930	23.2	586	25.8	1,516	24.1
Public housing	306	7.6	471	20.7	777	12.4
Inter-and intra-site moves	52	1.3	0	0	52	0.8
Other City properties[e]	12	0.3	74	3.3	86	1.4
Total	1,300	32.4	1,131	49.8	2,431	38.7
Grand total	4,014	100.0	2,269	100.0	6,283	100.0

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a/ Includes one-person households, except that the Title I Urban Renewal Division excludes roomers under 60 years of age in order to conform with Federal definitions.

b/ Includes New York City Housing Authority, Triborough Bridge and Tunnel Authority, and Port of New York Authority.

c/ Includes, for example, homes for the aged and hospitals.

d/ Includes deceased.

e/ Includes buildings rehabilitated by the New York City Housing Authority, and "in rem" buildings, that is, structures taken over by the City of New York for non-payment of taxes, and managed by the New York City Department of Real Estate.

Source: New York City Department of Relocation
January 15, 1963

Table 6. Residential Tenants Relocated by Type of Accommodations Obtained, Department of Relocation and All Other Agencies, January through June 1963

Type of accommodation	Residential tenants[a]					
	Department of Relocation		All other agencies[b]		total	
	Number	Percent	Number	Percent	Number	Percent
I. Self relocated Private housing	1,162	71.1	72	98.6	1,234	72.3
Institutions[c]	17	1.1	0	0	17	0.9
Unknown[d]	454	27.8	1	1.4	455	26.8
Total	1,633	100.0	73	100.0	1,706	100.0
II. Aided in relocating Private housing	340	73.0	71	54.0	411	68.7
Public housing	91	19.5	44	33.3	135	22.5
Inter-and intra-site moves	23	5.0	0	0	23	3.8
Other City properties[e]	12	2.5	17	12.7	29	5.0
Total	466	100.0	132	100.0	598	100.0
Grand total	2,099	100.0	205	100.0	2,304	100.0

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a/ Includes one-person households.

b/ Includes New York City Housing Authority and Port of New York Authority.

c/ Includes, for example, homes for the aged and hospitals.

d/ Includes deceased.

e/ Includes buildings rehabilitated by the New York City Housing Authority, and "in rem" buildings, that is, structures taken over by the City of New York for non-payment of taxes, and managed by the New York City Department of Real Estate.

Source: New York City Department of Relocation
August 15, 1963

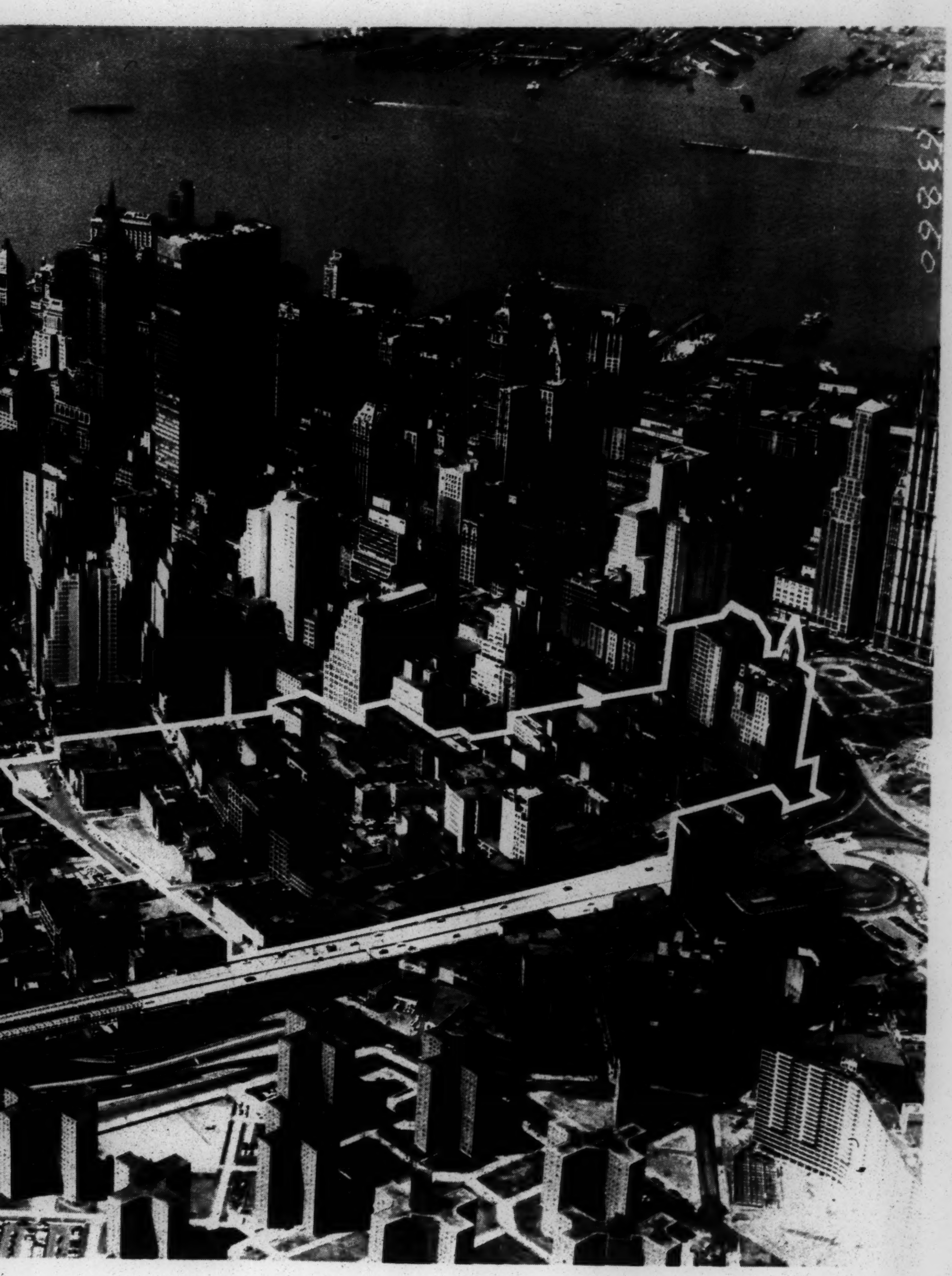
BROOKLYN BRIDGE SOUTHWEST PRESS KIT

AERIAL PHOTO CAPTION No. 1 of 4

Site of $80 million residential and institutional development announced today by Mayor Robert F. Wagner and Milton Mollen, Chairman of the Housing and Redevelopment Board, for Brooklyn Bridge Southwest urban renewal area is defined by solid white line in this view of Lower Manhattan. Development will create a new middle income community for 1,600 families, complete with school, recreation, parking, shopping and commercial facilities, as well as major new additions to Pace College and Beekman-Downtown Hospital. Development calls for estimated private development amounting to $63.6 million public investment of $16.2 million, of which two-thirds, or $10.8 million will be paid by Federal Government, $5.4 million by City and State.

Also shown in photo are Downtown financial district, dominated by new Chase Manhattan Bank Building (center); Battery Park at tip of the island; site of proposed Stock Exchange-Battery Park renewal development (upper left, in foreground of Port Authority ferry terminal); future Brooklyn Bridge Southeast renewal area, with Fulton Fish Market (lower center, between present project site and F.D.R. Drive); Brooklyn Bridge (foreground); Al Smith Houses (center foreground); Chatham Green renewal development (extreme lower right corner) a portion of site of World Trade Center site (far middle right beyond tall buildings facing City Hall Park). Civic Center area is just to right beyond picture border.

HRB/BBSW/ 1/10/64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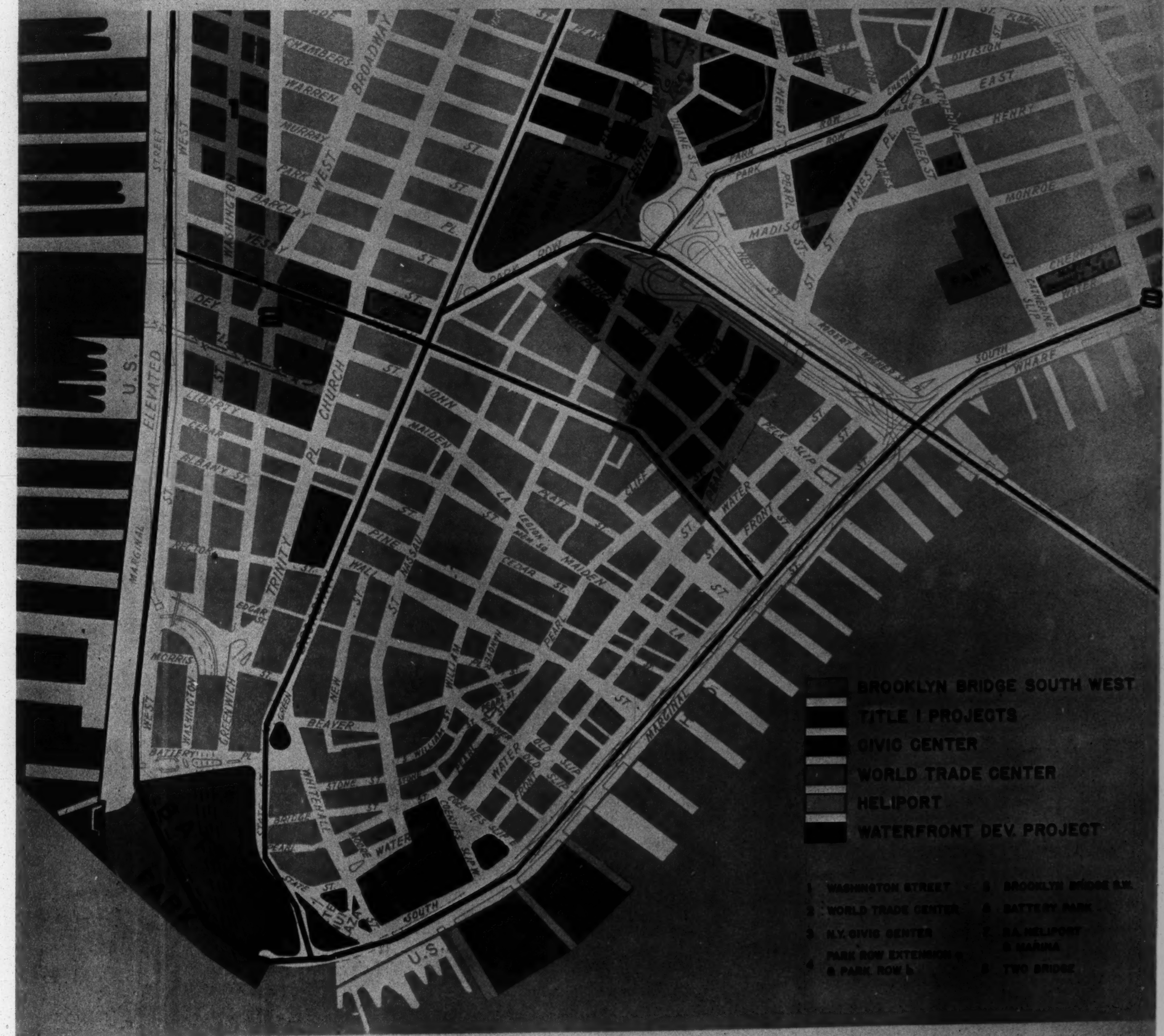
BROOKLYN BRIDGE SOUTHWEST PRESS KIT

DEVELOPMENT AREA CAPTION No. 2 of 4

Comprehensive program of public action to support and accelerate rapid growth of Lower Manhattan area, shown in this map of downtown development areas, demonstrates relationship to other major improvements of $80 million Brooklyn Bridge Southwest urban renewal development (No. 5 on map) announced today by Mayor Robert F. Wagner and Milton Mollen, Chairman of the Housing and Redevelopment Board. Development will create new middle income community for 1,600 families, permit major expansion of Pace College and Beekman-Downtown Hospital, adding new residential and institutional resources for area, to complement other new developments and the growing Downtown business and financial center.

HRB/BBSW/ 1/10/64

DOWNTOWN DEVELOPMENT AREAS


BROOKLYN BRIDGE SOUTH WEST
TITLE I PROJECTS
CIVIC CENTER
WORLD TRADE CENTER
HELIPORT
WATERFRONT DEV. PROJECT
1 WASHINGTON STREET
2 WORLD TRADE CENTER
3 N.Y. CIVIC CENTER
4 PARK ROW EXTENSION a & PARK ROW b
5 BROOKLYN BRIDGE S.W.
6 BATTERY PARK
7 P.A. HELIPORT & MARINA
8 TWO BRIDGE
CHAMBERS
WARREN
MURRAY
PARK PL.
BARCLAY ST.
VESEY
DEY
LIBERTY
CEDAR
ALBANY ST.
RECTOR
EDGAR
MORRIS
BATTERY PL.
WEST ST.
WASHINGTON
GREENWICH
TRINITY PL.
CHURCH ST.
BROADWAY
WEST BROADWAY
JOHN ST.
MAIDEN LA.
PLATT ST.
PINE
WALL ST.
NASSAU ST.
CEDAR ST.
BEAVER
NEW ST.
WILLIAM ST.
BROAD ST.
STONE ST.
WHITEHALL
BRIDGE
PEARL
STATE ST.
WATER ST.
FRONT ST.
SOUTH ST.
CLIFF ST.
PECK SLIP
OLD SLIP
COENTIES SLIP
PARK ROW
CENTRE ST.
DUANE ST.
NEW ST.
PEARL ST.
JAMES ST.
OLIVER ST.
MADISON
DIVISION
EAST BROADWAY
HENRY
MONROE
CHERRY
CATHERINE SLIP
ROBERT F. WAGNER SR. PL.
SOUTH WHARF
U.S. ELEVATED
MARGINAL ST.
BATTERY PARK
U.S.

THE CITY OF NEW YORK
HOUSING AND REDEVELOPMENT BOARD

BROOKLYN BRIDGE SOUTH WEST

BROOKLYN BRIDGE SOUTHWEST PRESS KIT

CONCEPT PLAN CAPTION No. 3 of 4

Proposed layout of $80 million Brooklyn Bridge Southwest urban renewal development announced today by Mayor Robert F. Wagner and Milton Mollen, Chairman of the Housing and Redevelopment Board shows major features of 1,600 family middle income community, related school, recreation, parking, shopping and commercial facilities, plus new additions for Pace College and Beekman-Downtown Hospital. For more detailed description of development features, see accompanying "Summary of Development Proposals." Plan also can be used to identify buildings shown in accompanying "Composite Development View."

HRB/BBSW/ 1/10/64

CONCEPT PLAN

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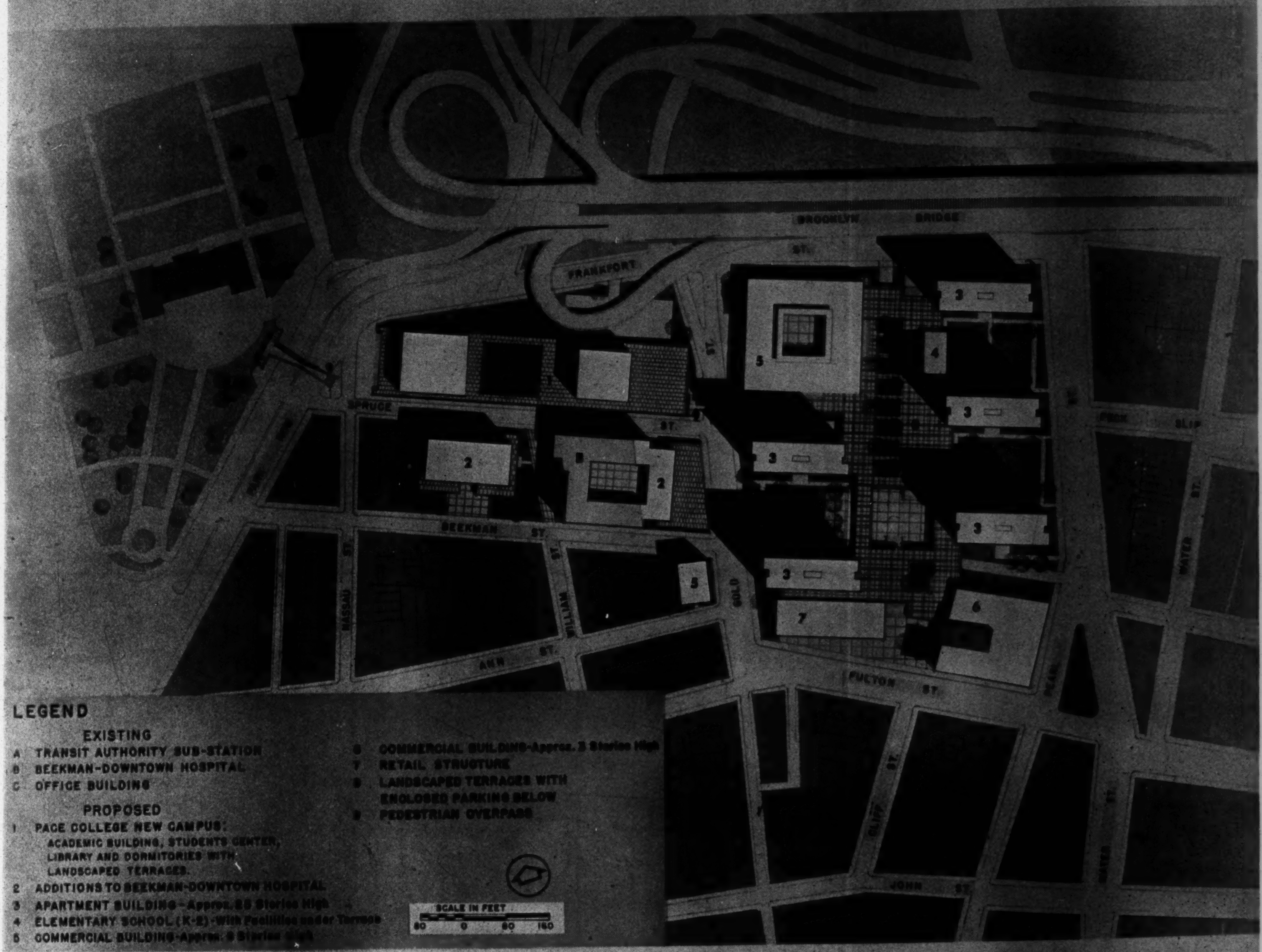

BROOKLYN BRIDGE
FRANKFORT
ST.
SPRUCE
ST.
BEEKMAN ST.
NASSAU ST.
WILLIAM ST.
ANN ST.
GOLD
FULTON ST.
PECK SLIP
WATER ST.
PEARL
CLIFF ST.
JOHN ST.
1
2
3
4
5
6
7
LEGEND
EXISTING
A TRANSIT AUTHORITY SUB-STATION
B BEEKMAN-DOWNTOWN HOSPITAL
C OFFICE BUILDING
PROPOSED
1 PACE COLLEGE NEW CAMPUS: ACADEMIC BUILDING, STUDENTS CENTER, LIBRARY AND DORMITORIES WITH LANDSCAPED TERRACES.
2 ADDITIONS TO BEEKMAN-DOWNTOWN HOSPITAL
3 APARTMENT BUILDING-Approx. 25 Stories High
4 ELEMENTARY SCHOOL (K-2)-With Facilities under Terrace
5 COMMERCIAL BUILDING-Approx. 6 Stories High
6 COMMERCIAL BUILDING-Approx. 3 Stories High
7 RETAIL STRUCTURE
8 LANDSCAPED TERRACES WITH ENCLOSED PARKING BELOW
9 PEDESTRIAN OVERPASS
SCALE IN FEET
80
0
80
160

THE CITY OF NEW YORK
HOUSING AND REDEVELOPMENT BOARD

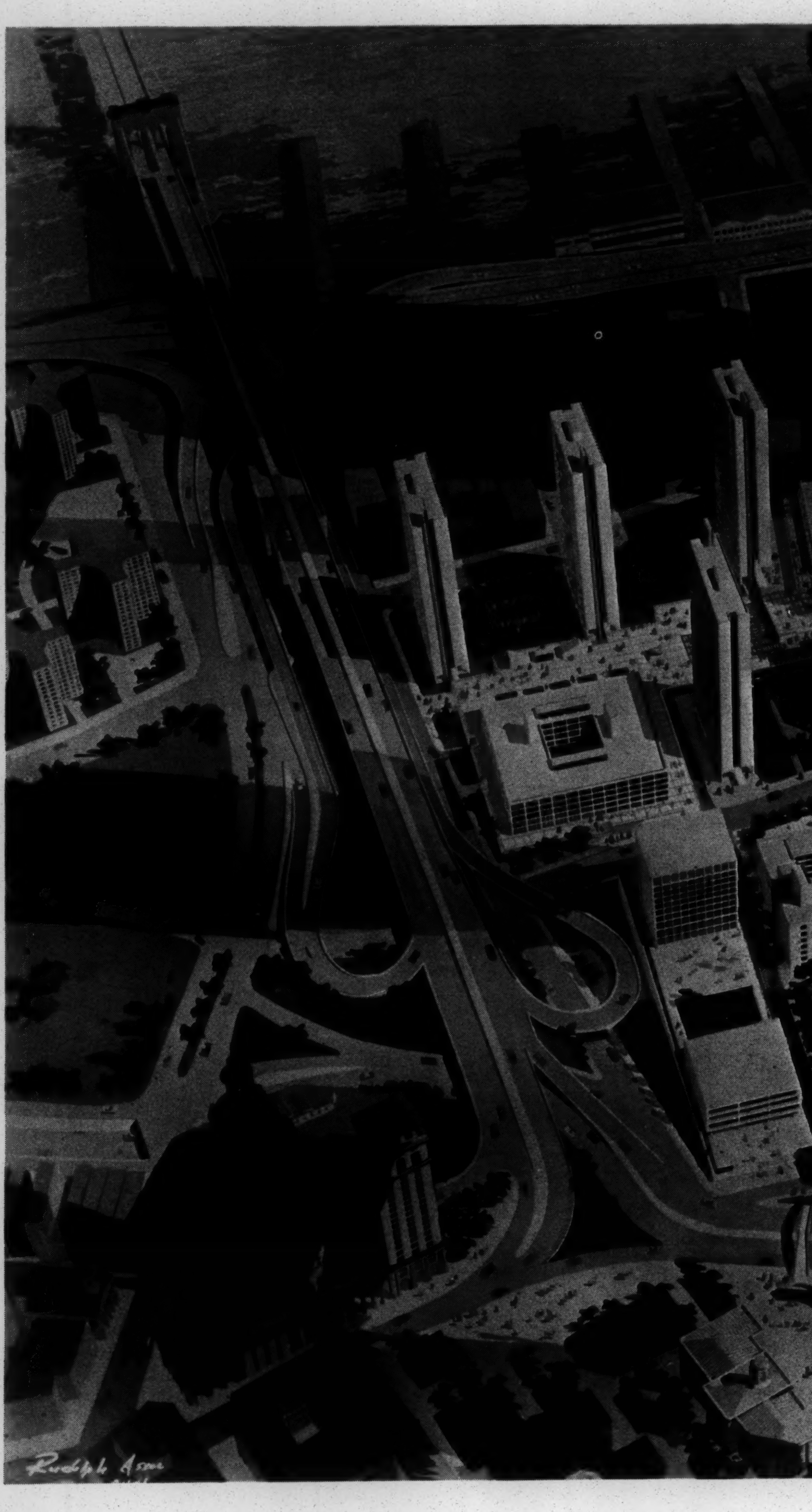
BROOKLYN BRIDGE SOUTH WEST

BROOKLYN BRIDGE SOUTHWEST PRESS KIT

COMPOSITE DEVELOPMENT VIEW No. 4 of 4

Birds-eye view of $80 million Brooklyn Bridge Southwest urban renewal development announced today by Mayor Robert F. Wagner and Milton Mollen, Chairman of the Housing and Redevelopment Board, shows major features of proposed residential community, and institutional additions which are designed to provide a major new link in Lower Manhattan development areas. Light buildings, included in new development, are identified in accompanying site plan (No. 3) and described in detail in accompanying "Summary of Development Proposals." In lower left of picture is present municipal government complex and area of future Civic Center; in upper corner, to left of Brooklyn Bridge, are sites of Smith Houses and, just beyond picture edge, Chatham Green and Chatham Towers middle income developments; to right are towers of Downtown Manhattan business and financial center; beyond proposed new buildings toward river is area to be developed in future after relocation of Fulton Fish Market.

HRB/BBSW/ 1/10/64


Rudolph Assoc

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JAN 28 1964

LATE NEWS

January 23, 1964

JOHNSON GIVES US SOMETHING TO GO ON

The announcement of President Johnson's housing message has been greeted by the Emergency Committee with great enthusiasm. We are pleased to note that the President's message on housing parallels closely in size the program advocated by the Emergency Committee.

Now that details on the size of the proposed program have been announced it is imperative that action be taken on the citizens' level to show President Johnson there is sizable and vocal grass roots support of the measure.

President Johnson proposed legislation to authorize contracts for 200,000 additional public housing units over the next 4 years, in conjunction with amendments to the housing legislation to "improve the flexibility and effectiveness of the present program." Now we can undertake a concerted letter writing campaign to evidence our support of the President.

The four year program outlined by President Johnson proposes an additional 50,000 units of public housing per year. Since New York State legally is entitled to apply for 15% of this total, the State would receive 7,500 units per year in Federally-financed public housing if the Bill is passed.

The following is a list of senators and representatives who will be key figures in pending housing legislation and to whom a letter writing effort would be most effective.

U. S. Senators from New York State: Jacob K. Javits and Kenneth B. Keating. Also Senator John Sparkman, Chairman, Subcommittee on Housing, Senate Committee on Banking & Currency. These letters should be addressed to the United States Senate, Washington 25, D.C.

In the House of Representatives it is important to contact members of Congress from New York City, as well as Rep. Albert Rains, Chairman, Subcommittee on Housing, House Committee on Banking & Currency. Letters to House members should be addressed to the House of Representatives, Washington 25, D.C.

Emergency Committee for More Low-Rent Housing
organized by
CITIZENS' HOUSING AND PLANNING COUNCIL OF NEW YORK, INC.
Willkie Memorial Building • 20 WEST 40th STREET • New York, N. Y. 10018
LOngacre 3-5990

EXECUTIVE DIRECTOR
Eleanor Vaughan

CHAIRMAN
Paul T. O'Keefe

ACTION FLASH NO. 2

January 17, 1964

THE WASHINGTON SITUATION:

In the 88th Congress, the first serious attempt in 15 years will be made to expand and improve public housing. The Housing Act of 1964, as introduced, will be the first housing bill since 1949 to contain new low-rent housing funds. However, even though President Lyndon B. Johnson has spoken out in favor of "more housing for our poor" as part of a "war against poverty", the danger is real and present that the public housing section may be taken out of the housing bill before it is finally enacted into law.

Historically, any public housing measure has skinned through Congress with the thinnest of margins. Although always enjoying certain bi-partisan support, the very idea of subsidized housing for the poor has also always had powerful lobbies operating against it. The 1964 fight is expected to be rougher than ever.

In response to our inquiry, HHFA Administrator Robert C. Weaver has informed the Emergency Committee for More Low-Rent Housing:

> "Additional support for the public housing program is as welcome as it is essential, and the need for both new friends, and new efforts from old friends, is especially critical at this time."

and

Senator Jacob K. Javits (R., N. Y.) has told us:

> "As you know, I have long championed the cause of public housing in the Congress, and I am deeply concerned about the inadequacy of existing funds for the needs of New York City. You may be sure I will press for additional authorization for this purpose during this session of Congress."

BUT

The organized real estate industry has already spoken out, too -- to wit:

> "The federally-subsidized public housing program should receive no further authorizations from the Congress. We favor the liquidation of existing public housing projects through sale to tenants or other private owners."
> Resolution at NAREB convention, Nov. 14, 1963.

WHAT TO DO ABOUT IT: This is the time to start a continuing letter-writing campaign to Washington. Tell President Johnson, Senator Javits and Kenneth Keating, and the Congressman from your own District how greatly New York City needs more low-rent apartments NOW. Tell them in your own language about conditions in Harlem, on the lower East Side, in Bedford-Stuyvesant, in your own and other New York neighborhoods. Ask them not only to vote for, but to PUSH for public housing funds.

As the Housing Act of 1964 proceeds through Congress, the ECMLRH will keep you informed of appropriate and timely citizen action in support of the low-rent housing section.

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FEB 18 1964

STATEMENT OF METROPOLITAN COUNCIL ON HOUSING AND COOPER SQUARE COMMUNITY DEVELOPMENT COMMITTEE, IN OPPOSITION TO URBAN RENEWAL PLAN FOR BROOKLYN BRIDGE SOUTHWEST

City Planning Commission - February 11, 1964
- Esther T. Rand

My name is Esther T. Rand. I appear before the Commission today as an officer of the Metropolitan Council on Housing, the federation of tenants groups throughout the City. I am also appearing as a member of the Steering Committee of the Cooper Square Community Development Committee, the site tenants group seeking the adoption of an urban renewal plan for the Cooper Square area which will serve the site tenants and businessmen on the site.

Both organizations are opposed to the project proposed by the Housing & Redevelopment Board for the development of the area designated as Brooklyn Bridge Southwest, for the following reasons.

This project, described in the press release as a "new middle-income community", violates every principle enunciated by the City in the past year. To read that the City is planning a "new middle-income community" in the light of the recent headlines, comes as a distinct shock. We have read that the Mayor wants integrated communities. That integrated communities mean ethnic and economic integration. We have read that the City wishes real, not de facto, integration of the schools. We have read that the City must begin to fight against poverty; that a vast program of low-rent housing must be voted in Albany and, hopefully, in Washington, so that the low-income wage earner may have a decent place in which to live, at rents he can afford.

What do we find in this project? We find 1,600 units of middle-income housing. Period. We find plans for a K-2 school, presumably for the children of the middle-income families who will occupy this housing. We do not find any implementation of the concern expressed previously for mixed housing, for integrated housing, for integrated schools. It is truly shocking to come before your body on the day before Lincoln's Birthday, during Negro History Week, to tell you that we are greatly disturbed about this project.

The press release states further that this will be a happy solution for all those who wish to walk to work. We think a walk-to-work project is also desirable for those in the lower-income brackets, and we urge you to reject this plan of the Housing & Redevelopment Board because it does not include low-cost low-rent housing in the complex. It is high time that the HRB considered the needs of the very people the Mayor is always talking about, and this project, a brand new community, is a fine place to begin.

In discussing the plan as projected in the press release, one of our Committee members asked, "How many buses do you plan to attach to the K-2 school, in order to achieve integration?" The joke is ironic, but the import is obvious. In a new community, you integrate the housing, so that the school is also integrated--from its inception.

What else is wrong with this plan? Lack of information. How many apartments are planned for families? What will the cost be per room? Will the room-count be based on FHA standards, which treats 2 bathrooms, for example, as a room? Will the housing be cooperative, rental, or both? What will the size of the K-2 school be? Will the schools into which the children will go be large enough to accommodate them all? Our questions are based solely on the press release, which does not have this information, and if you do not have it either, you should vote this plan down.

Further questions: What relocation plan has been developed for the businesses -- 700 of them - in the 137 buildings? Is it the plan of the Commission and the HRB to decimate the entire area, east and west, of all the businessmen who have had stores, offices and light manufacturing in this area? You are also doing the same thing in the area of the proposed World Trade Centre, you will remember. Those businesses which were demolished to make way for the police headquarters have been scattered to the four winds. It is truly shocking to note the commercial diaspora to which these small operators are being subjected.

There have been a number of bills introduced in Albany by the City with respect to plans for urban renewal financing. None of them has any proposal for additional payments for relocation fees or for good will for those businesses. It is our feeling that unless and until there is a feasible relocation plan for the businesses, as well as for the tenants living on the site, you cannot, in all conscience, approve this urban renewal plan.

In conclusion, we wish to reiterate: this plan must be defeated because it does not provide for a housing mix which will make low-rent housing available within the complex of 1600 units. It must be defeated because without a housing mix the K-2 school will not be integrated. It must be defeated because you have not been given sufficient information on the breakdown.

And finally, this plan must be defeated because it is quite obviously a plan for an elite. Your Commission has already approved a joint replacement of PS 1 and PS 23. Construction funds have already been voted for replacement of PS 177. This means that in this very area there will be two elementary schools, in an integrated community. Why should there be a special K-2 school provided for in this project? The K-6 schools can accommodate all those requiring K-2 schooling.

We urge you to vote down this project for all the reasons given you, and that the HRB be instructed to make every urban renewal project which is to come before you for approval an integrated project both as to income and as to ethnic composition.

Thank you.

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METROPOLITAN COUNCIL ON HOUSING
215 West 23 Street, New York 10011
SP 7-8900

March 23, 1964.

Dear Friends:

On March 11, 1964, the City Planning Commission approved the plan of the Housing and Redevelopment Board for the urban renewal of the area called "Brooklyn Bridge Southwest", bounded by the Bridge, and Pearl, Fulton, Gold, Ann, Beekman and Nassau Streets, in Manhattan. The plan calls for the construction, among other facilities, of 1600 units of middle income housing, together with a kindergarten-to-second-grade (K-2) school on the site.

At the hearing before the Commission on January 29, 1964, the Womens City Club, Citizens Housing and Planning Council, Downtown Independent Democrats and the Metropolitan Council on Housing all urged that there be included in the housing built on this site a mix of low and middle-income housing, so that there could be both economic and ethnic integration. The report of the City Planning Commission denies the validity of this demand, stating,

> "The development will be open to persons of all ethnic backgrounds. Furthermore, it is located in a section of the City where many persons in minority groups are employed in middle-income jobs...Thus there appears to be a reasonable expectation that the project will have a population of varied ethnic backgrounds. Economic balance would be achieved by reason of the nearby low-rent public housing, as well as middle-income housing at somewhat different rental levels than those proposed for the Brooklyn Bridge Southwest project."
>
> "In connection with the arguments made at the public hearing concerning integration in the proposed K-2 school facilities, it is reasonable to expect that the children who will attend these school facilities will come from families of various ethnic, cultural and educational backgrounds."

We feel strongly that the City Planning Commission ignored the following facts: (a) much more low-rent housing is needed; (b) it should be included in the middle-income housing planned, to achieve economic integration; (c) the low-rent housing referred to above is not 'nearby", but is located near the river, and there would be no intermingling; (d) rentals for the proposed housing have not been made public; it is likely to be cooperative, and in the same range as Chatham Green and Chatham Towers ($850 and $1200 a room).

We also believe that every project now being planned should include low-rent housing, so that there will be no enclaves of the more economically fortunate, particularly when the City is engaging in a fight against poverty.

There is to be a final hearing on this plan before the Board of Estimate on April 19. We urge your organization to appear and to oppose the plan insofar as the building of but one type of housing is concerned, so that there may be both economic and ethnic integration; and so that the K-2 school and the other schools in the area will be integrated from the beginning. As Mr. Weaver has said, it is in housing that real integration in the schools will be obtained. A copy of the statement made at the hearing by the Metropolitan Council is enclosed herewith for your information. We earnestly hope that you will appear at the scheduled hearing in opposition to the plan, and would appreciate receiving word from you to this effect.

Sincerely yours,

Jane Benedict

Enclosure

Jane Benedict, Chairman

file

APR 7 1964

METROPOLITAN COUNCIL ON HOUSING
215 West 23d Street, New York 10011
For additional information:
JANE BENEDICT, Chairman
SP 7=8900

NEWS

FOR RELEASE THURSDAY,
APRIL 9, 1964 A.M.

Metropolitan Council on Housing, the federation of tenants organizations, has requested more than 60 organizations concerned with civil rights and school integration to appear at the hearing today before the Board of Estimate to register their opposition to the proposed project in Brooklyn Bridge Southwest for 1600 units of middle-income and cooperative housing.

The Council has pointed out that the project, which is to include a K-2 (kindergarten to second grade) school, will create an enclave of segregated housing, since no low-rent housing is included in the plan. No figures have been released to show the buy-in per room, nor the monthly rental charges.

The City Planning Commission in effect has stated that no low-cost housing is needed in this project in order to integrate it, since there is low-rent housing in the vicinity. The Alfred E. Smith Houses, located about 7 blocks away, is the nearest project to that planned for Brooklyn Bridge Southwest.

The Metropolitan Council on Housing urges the Board of Estimate to send the plan back to the Housing & Redevelopment Board for revision, to include at least 50% low-rent housing in the 1600 units, in order to accommodate families urgently in need of low-rent housing.

(Statement of Metropolitan Council on Housing Enclosed)

= 30 =

METROPOLITAN COUNCIL ON HOUSING
215 West 23 Street, New York 11-SP 7-8900

STATEMENT IN OPPOSITION TO URBAN RENEWAL PLAN FOR BROOKLYN BRIDGE SOUTHWEST BEFORE BOARD OF ESTIMATE - HEARING APRIL 9, 1964 - ESTHER T. RAND

Mr. Mayor and Members of the Board of Estimate: The Metropolitan Council on Housing, the federation of tenant organizations of the City of New York, wishes to be recorded in opposition to the construction of 1600 units of middle-income housing in the urban renewal complex known as Brooklyn Bridge Southwest. We noted with dismay the affirmative vote of the City Planning Commission for this plan, despite the objections raised at the hearing before the Commission by the Citizens Housing and Planning Council and the Women's City Club. We, too, objected to the plan at that hearing, and for the same reason: there is no low income housing included in the 1600 units.

Mr. Mayor and members of the Board, in 1961, when proposals were announced for 18 areas, the City Planning Commission, in attempting to refute our objections to the bulldozing approach in areas of low-rent housing, was reported in the New York Times to have stated the following:

> "The Planning Commission, the spokesman said, is consciously striving for a better-balanced city by injecting more middle-income families into areas now dominated by low-income residents. The effort, he said, is 'to avert economic or racial ghettoes.'" (emphasis ours)

The Housing & Redevelopment Board has stated that never again would there be middle income housing constructed without low income housing being included.

For this project, however, which is being built on vacant land, in effect, and will constitute a new community, there is no attempt to avert economic or racial ghettoes, and the promise of never again is forgotten.

These broken promises, this callous indifference to the need for decent housing at low rentals, are pointed out to the Board, Mr. Mayor and members, in the earnest hope that you will redeem the promises, and indicate thereby that you really wish to do something more than talk about the war that must be waged against poverty.

Not only has the City Planning Commission unanimously voted in the affirmative for Brooklyn Bridge Southwest and the 1600 units of middle income housing. They did this without even knowing what the middle-income housing would cost the prospective tenants! With a wave of the hand the Commission dismissed our cogent arguments for a housing mix, wherein we pointed out that there would be an economic enclave of white-skinned well-to-do in this project unless a portion of the housing was set aside for low-income occupants. In the Commission's report, on page 12, it stated:

> "With respect to the question of integration which was raised at the public hearing, it is noted that the development will be open to persons of all ethnic backgrounds..."

This double-talk really doesn't fool tenants anymore. No housing is open, if tenants cannot afford to pay the rent. This axiom has been proven by the evidence of tenants who have been turned down at Village View because they did not earn sufficient money, [illegible]. The Commission continues,

> "Furthermore, it is located in a section of the City where many persons in minority groups are employed in middle-income jobs. For these persons, the project will provide an opportunity to find desirable housing accommodations within convenient distances of their places of employment."

There has recently been brought to our attention instances of potential applicants for Chatham Towers, now under construction north of Brooklyn Bridge, who have withdrawn their applications, because they could not afford to pay $8,000 for a 3-bedroom apartment. These persons are in the middle-income category. They are white. Does the Commission presume to tell us that there are Negro and Puerto Rican employees in any of the civil services who could afford to pay $8,000 for 3-bedroom apartments? Please bear in mind we are not speaking of heads of Departments, nor even deputy commissioners. We are speaking of clerks, stenographers, and porters. We believe that they need housing first, and that it is the duty of the City to supply that housing "within convenient distances of their places of employment".

We use Chatham Towers as an example. We do not yet know whether Brooklyn Bridge Southwest will be even more expensive than Chatham Towers. Our demands, however, are firm. There must be included in the plans for housing in this area at least 50% of the units for low-income families. There must be no more tokenism, either on the subject of racial integration, or on the subject of economic integration.

In the course of our presentation before the public hearing of the City Planning Commission, we also pointed out that the K-2 school planned for this area would, by virtue of the housing costs, be a segregated school. This is the way the Commission sought to answer our argument: (Page 13)

> "In connection with the arguments made at the public hearing concerning integration in the proposed K-2 school facilities, it is reasonable to expect that the children who will attend these school facilities will come from families of various ethnic, cultural and educational backgrounds..."

How reasonable is it to "expect"? The only way in which to achieve integration is to plan for it, not hope for it. The only way to achieve an integrated school in a brand-new community is to supply the housing for all the tenants who would come from "various ethnic, cultural and educational backgrounds." We all know that there is no other way to achieve true integration and quality education. The Commission decides (p. 12) that

> "Economic balance would be achieved by reason of the nearby low-rent public housing, as well as middle-income housing at somewhat different rental levels than those proposed for the Brooklyn Bridge Southwest project. Community facilities in this neighborhood would be shared by families living in the varied housing developments located in proximity to one another."

Has the City Planning Commission told you, Mr. Mayor, and members of the Board, or members of the Housing Policy Board, that the tenants in the Alfred E. Smith houses will enjoy the community facilities proposed for this project? Do they now enjoy the facilities of the Chatham Green community, when they are practically back to back?

I think there has been enough talk of this sort through the years we have been urging real integration, and it has not come into being. I think it is time to begin to tell the truth. The City Planning Commission knows full well that the children of the Smith project will not come to Brooklyn Bridge Southwest to enjoy any facilities, unless there is an anniversary of some sort and the City wants to show how very tolerant it is. The only way that there can be sharing of facilities is to share in the desirable housing accommodations. There can be but one way to share those desirable housing facilities, and that is to plan for the construction of housing, at a variety of rentals, beginning at $10 a room, so that the integration will be real.

Furthermore, the low-income housing in this area is much too far away from the project here under discussion to justify that their nearness could make for an integrated area. And the City Planning Commission is well aware of this, as are you.

Mr. Mayor and members of the Board. You cannot approve this plan while 1600 units of middle-income cooperative and straight rental housing are projected, without a housing mix. You have the opportunity to do what your program calls for: fight the war against poverty on the housing front, by building this community with all the guarantees that the people moving into the desirable housing facilities will have all the essential prerequisites for a healthy, open, integrated community. You can do this by sending the housing portion of this plan back to the Housing & Redevelopment Board, and directing it to provide 50% of the units for low-income tenants who can pay from $10 to $25 a room per month.

Thank you.

NEWS THE CITY OF NEW YORK
HOUSING AND REDEVELOPMENT BOARD
2 LAFAYETTE STREET WOrth 4-5656

MAY 27 1964

FOR RELEASE: P.M.'s OF TUESDAY, MAY 26, 1964

Milton Mollen, Chairman of the Housing and Redevelopment Board, today announced that the Board has placed before the City Planning Commission a sweeping proposal to revitalize seven blighted blocks in Manhattan's East Midtown community, with new housing for some 2,200 low and moderate-income families, plus major new additions to the institutional complex surrounding Bellevue Hospital.

The proposal calls for public and private investment estimated at $60 million in the Bellevue South urban renewal area, bounded by 23d and 30th Streets, First and Second Avenues. In addition to new housing and institutional uses, shopping and parking facilities, the plan would preserve and expand existing neighborhood institutions, conserve sound housing, provide a new park and establish new open, green spaces throughout the area.

A major feature of the proposal is a staging plan to provide maximum new housing and commercial space with minimum initial displacement of present residents, and to afford opportunity for residents and businesses in the community to remain in the area if they wish.

Mr. Mollen said the Planning Commission has been asked to set a public hearing on the plan for June 17th. The plan is also subject to approval of the Board of Estimate after a public hearing.

"This proposal," said Mr. Mollen, "is a bold and comprehensive blueprint for action to lift the burden of neglect and blight from these blocks, to remove the worn-out, outmoded structures and to create in their place a bright new community, scaled and laid out for the human needs of its residents, and priced to serve the income levels typical of the community. It promises a major advance in Mayor Wagner's war on slums and poverty, and our efforts under his vigorous leadership to expand the City's housing supply, creating as we do so healthy, diverse and integrated neighborhoods.

"A major objective of the plan is to insure a healthy admixture of low and moderate-income housing in a sector of the City that has become increasingly high-income in recent years with resulting displacement and

- more -

exclusion of lower-income residents. The plan would preserve the diversity which is vital to a healthy, integrated community and would offer present residents and others like them an opportunity to continue to live in the area. It would also serve the urgent housing needs of low and moderate-income workers in the adjacent institutional complex. Together, the institutions clustered around Bellevue, and the hospital itself, constitute one of the world's greatest centers of research, education and service in medicine and related arts--a vital element in the City's life. To recruit and retain the personnel needed to carry on their immensely important functions, there must be an adequate supply of moderately priced housing in the neighborhood.

"Because their role is so essential to the life of the whole City, the plan also provides for expansion of some of these institutions. But it also provides for local neighborhood institutions, and for other community needs. In its design and organization, the Bellevue South plan once again demonstrates our conviction that renewal can meet the practical needs of the community, while at the same time proving that beauty and variety need not be for the rich alone--that renewal can accomplish major improvements in the quality of City living for all income levels."

Of the 2,260 new apartments provided in the plan some 1,900 will be family size, and almost half, or 1,095 will have 2 to 4 bedrooms. Of the total 210 will be provided in a vest-pocket low rent public housing development proposed for a site on the south side of 28th Street, corner of First Avenue. The balance of 2,050 will be in a variety of building types, ranging from six to 32 stories, on redevelopment parcels throughout the area. These are proposed for tax and mortgage aids under the Limited Profit Housing program. In them 15% of the apartments or approximately 307 will be available at rents comparable to new public housing-- about $18 per room per month. The balance will be available at between $24 and $33 per room per month. Thus moderate-income housing in the development would amount to some 1,743, while housing for low income families would total 517 units. The proposal envisions coordinated relocation of site families with tenanting of Nathan Straus Houses, an adjacent public housing development nearing completion at Second Avenue and 27th Street. The 267 apartments in Nathan Straus Houses bring the total low-income housing to be provided in the project, or immediately adjacent, to 784 units.

The proposal envisions allocation of space in a residential redevelopment parcel yet to be selected, for an elementary school for kindergarten through second grade. Size of school will be established after further study in the course of developing detailed architectural plans for the site.

Commercial facilities under the proposal would include a shopping area and arcade concentrated between 27th and 28th Streets on the east side of Second Avenue, with direct pedestrian access to an adjacent new park. About one third of the 60,000 square feet of space provided for these uses in the plan would be allocated here, sufficient to accommodate a restaurant, supermarket and many shops. The balance of commercial and shopping space would be distributed along the north side of 23rd Street and adjacent avenue frontages. Many of these would be set into the facades of two-story landscaped platforms surmounted by residential towers. The interior space of these platforms would be allocated to parking and service functions, providing enclosed parking for some 900 autos.

Under the staging plan--designed especially to offer opportunity for onsite relocation of commercial as well as residential occupants--initial relocation, demolition and construction would be concentrated on selected nonresidential and badly deteriorated residential buildings. First priority would be given to the public housing between 27th and 28th Street, on a completely nonresidential site. Other buildings included in Stage One would be concentrated midblock on the north side of 29th Street; along Second Avenue between 27th and 28th Streets; midblock on the south side of 26th and north side of 25th Streets; and on the avenue frontages between 23rd and 24th Streets.

Initial action on these areas would permit early start of construction for some 915 dwelling units, and approximately 27,000 square feet of commercial space, and require removal of only 299 existing dwelling units.

The proposal would preserve more than a score of sound residential buildings, containing some 233 dwelling units, and retain seven existing institutions. These are:

Madison Square Boys' Club and Girls' Club
Church of Our Lady of Scapular of Mt. Carmel, its rectory, school; and offices of the Carmelite Order
New York City Health Laboratories and Research Institute (under construction)
New York City Health Teaching Center
New York University Dental Center
St. Sebastian's Roman Catholic Church and rectory
Institute for the Crippled and Disabled

- more -

The proposal makes available additional space for most of these, including room for major expansion of the New York University Dental Center. It provides sites for a new Skidmore College School of Nursing and the Adams-Parkhurst Memorial Presbyterian Church.

Although specific architectural designs for buildings in the area must await development of detailed plans by sponsors at a later date, major design elements of the renewed area are established by controls of the plan. As visualized in a concept plan made public today these would permit some 17 new residential structures ranging from six to 32 stories, some built over landscaped terrace platforms which would accommodate commercial, parking and service space.

A major design element of the proposal is a large amount of open space for sitting, playing and strolling throughout the area, organized to provide one or more continuous pedestrian green belts through the development and focused on a new 1.3 acre public park-plaza extending a block and a half north of 26th Street.

The proposal calls for closing only two streets within the project boundaries: 27th Street and part of 28th Street, between First and Second Avenues. Public easements for pedestrians and for emergency use by fire or police vehicles will be retained, however. A new service street, utilizing the easterly portion of 28th Street, and extending downtown along one side of the public park to 26th Street, would be created.

The project area presently contains some 253 buildings on 17.75 acres of land excluding streets. Of this total, some 15 acres would be acquired for redevelopment, containing 213 residential, commercial and industrial buildings of which 180 are deteriorating or dilapidated according to detailed surveys by the Board. Of the 168 residential buildings, housing some 1,300 families and 821 single person households, 146 are deteriorating or dilapidated, and contain 86 per cent or 1,721 of the dwelling units.

The Bellevue South urban renewal area was first officially slated for renewal action under the former Slum Clearance Committee in 1956; planning of the present project by the Housing and Redevelopment Board was authorized, and Federal funds for the purpose obtained, in August of 1961.

# # #

FACT SHEET

BELLEVUE SOUTH: An urban renewal plan to redevelop a blighted section of the East Midtown Area of Manhattan; to provide housing for low and moderate income families, plus educational, institutional retail commercial parking and recreation facilities.

HOUSING UNITS: Total of 2,260: 2,050 Limited Profit of which 15 percent or 307 are to be at low-income rentals; 210 units public housing.

DEVELOPMENT COST: Estimated: $34 million residential; $1.2 million commercial

PROJECT COSTS:

Gross Project Cost....	$25.1 million	
Disposition Proceeds..	$ 3.9	(from sale of land to sponsors)
Net Project Cost......	$21.2	(total public cost)
Federal Capital Grant.	$14.1	
City Share	$ 7.1	
Federal Relocation Grant	$477,000	

TAX GAIN:

Present Real Estate Tax	$440,000
Estimated Tax After Development	$815,000
Gain (approximate)....	$375,000

BUILDING PROPOSED: Controls would permit in residential portions:

5 Bldgs 6-8 story	1 tower 26-story
7 Bldgs 14-20 story	1 tower 32-story

APARTMENT DISTRIBUTION:

Efficiency	1 bedroom	2 bedroom	3 bedroom	4 bedroom
359	806	751	334	10

Commercial: 60,000 square feet; retail shopping center proposed for 2nd Avenue between 27th and 28th Streets. Other throughout project area.

PARKING: Enclosed space for approximately 900 cars.

CARRYING CHARGES AND DOWN PAYMENT: Precise estimates of rentals or carrying charges and down payments must await development of detailed design by sponsors under the controls of the plan and the concept design. Selective application of tax abatement to accommodate low income families will produce carrying charges at $18 per room per month in 15 percent or 307 apartments. The balance of apartments will be available at an estimated $24 to $33 per room per month.

SITE: Bounded on the South by East 23rd Street, on the East by First Avenue, on the North by East 30th Street and on the West by Second Avenue.

AREA: 35.95 acres gross, including peripheral and interior streets; 17.40 acres net.

RELOCATION: Site contains 2,136 housing units
Total population: 1,315 families and 821 single persons.
183 commercial units on site.

SCHOOLS: Public School 116 and Junior High School 104 serve project area. Washington Irving High School, Stuyvesant High School, Central Commercial High School and Mabel Dean Vocational High School are within short distance of project area.

TRANSPORTATION: Bus routes on 1st and 2nd Avenues serve project area. IRT Lexington Avenue subway is three blocks west of project.

SPONSOR: To be designated.

[illegible]-27 1964

FOR RELEASE
P.M. SATURDAY, JULY 11, 1964
A.M. SUNDAY, JULY 12, 1964

CITY OF NEW YORK
OFFICE OF THE MAYOR

Mayor Robert F. Wagner and Herman Badillo, Commissioner of Relocation, today announced that all tenants living on redevelopment sites in the West Side Urban Renewal Area are being advised by mail to exercise their priority to an apartment in one of the new low or middle-income developments to be built in the area.

The letter is also being mailed to residents of the area who were living on redevelopment sites on January 31, 1963 (when the City took title to the property) but who have since moved away, as well as to those families who were compelled to move because they were living in buildings that were demolished to make way for new vest-pocket public housing in the area.

The letter explains that the priority means that a tenant may apply for a low-rent or middle-income apartment to be built in the area and, if he meets income and other eligibility requirements, he will have a first preference for one of the units.

Each tenant is not only being reminded of his priority, but is being urged to let the Department of Relocation know immediately if he is interested in exercising his priority either for an apartment soon to become available or for one to be built at a later date.

"Of the assurances made to the West Side citizens at the time the Urban Renewal Plan was approved by the Board of Estimate in June, 1962," Mayor Wagner stated, "The one that was of especially deep concern to me was that every resident who wished to continue to live in the West Side Area, and who can meet the eligibility requirements for the new housing, be given every opportunity to have his wishes fulfilled. I am deeply gratified to announce today that the assurances made in 1962 are being met and that West Side Urban Renewal Area priority tenants are being urged to exercise their priorities for the new housing."

Another important aspect of the West Side Urban Renewal Plan is that the Area has been divided into three separate stages. Relocation activities so far have centered in Stage I, lying between W. 93rd and W. 97th Streets, and between Amsterdam and Columbus Avenues. Tenants from Stage I wishing to continue their residence in the neighborhood until the new housing is available for occupancy, were assured that they will be relocated temporarily into Stages II and III.

Commissioner Badillo commented that, "The success of staging relocation as a means of keeping residents in the neighborhood of their choice is well illustrated by the fact that about 460 families have elected to be temporarily relocated within Stages II and III. Many of these families will move into Stephen Wise Towers, the first public housing, vest-pocket development to be completed in the West Side Urban Renewal Area; some will move into public housing to be opened for occupancy in 1965 or later; and some have plans to move into the midddle-income developments shortly to be constructed in Stage I. All the families have been able to take advantage of the staging policy to maintain the continuity of their neighborhood life and associations.

"By the time relocation begins from Stages II and III, residents of those Stages will be able to move directly into new low and middle-income housing currently being built throughout the 20-block area."

Construction will soon start on four community-sponsored cooperative apartment houses containing about 635 apartments. A down payment of about $500 per room and monthly carrying charges ranging between approximately $22 to $30 per room are required for one of these apartments. In addition, about 160 units in these cooperative apartment houses will require a down payment of about $500 per room but carrying charges of only $18 per room.

These lower cost apartments in middle-income developments are known as skewed-rental apartments. Special low-interest loans for down payments in all cooperative apartments are available through the HOPE plan.

Other housing to be built in the future for which the priority will apply, will include straight rental and cooperative middle-income developments of which 20 per cent will be available as skewed-rental apartments. Additional units of new public housing will also become available in two additional vest-pocket developments and in 38 rehabilitated brownstone houses.

The West Side Urban Renewal Area includes 20 blocks bounded by West 87th and West 97th Streets, Central Park West and Amsterdam Avenue. The project itself calls for the combined use of conservation, rehabilitation, and redevelopment to provide standard housing in a good environment for some 14,500 families in the project area, in a wide range of income levels. In addition to new and rehabilitated housing, the plan encompasses a number of social service demonstration programs to help resolve the social problems of families brought to light during the process of renewal and relocation.

# # #

SCHOOLS

P.S. 1; closest. It will be used for Brooklyn Bridge Southwest. It has 10 vacant rooms on the fifth floor and is situated on Henry Street between Oliver and Catherine.

The Board of Education is planning a K-6 school, P.S. 124.

A K-2 school will be built on site.

HRB anticipates ~~that~~ 150-200 grade-school pupils from the 1,600 units.

Apartment range; 192 ...... no bedroom units
800 ...... 1 " "
528 ...... 2 " "
80 ...... 3 " "

(Rent ceiling will be $30.00 a room.)

N.Y.

HOUSING IN THE VICINITY OF BROOKLYN BRIDGE SOUTHWEST

CANAL STREET TO DELANCEY

low-income housing	units
La Guardia Houses; Rutgers, Montgomery, Madison & Cherry Streets	1,094
Rutgers Houses; Cherry, Pike, Madison, Rutgers Streets	625
Vladeck; Henry-Water Sts., Gouverneur-Jackson	1,531
	3,250

middle-income housing	
Seward Park; Grand, E. Broadway, Sewark Park, Essex Sts.	1,704
Hillman Houses; Willet, Grand & Lewis Sts.	807
ILGWU Houses; Delancey, FDR Dr., Cherry, Jackson, etc.	1,672
Gouverneur Gardens; Gouverneur, FDR Dr., Montgomery & Henry Sts.	782
	4,965

FULTON STREET TO CANAL

low-income housing	
Alfred E. Smith Houses; Catherine, South, Madison, St. James Pl.	1,935

middle-income housing	
Chatham Green and extension; Park Row, St. James Pl., Pearl	640
Knickerbocker Village; Monroe, Market, Cherry & Catherine Sts.	1,584
	2,224

1964

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlandt 7-6270

FOR IMMEDIATE RELEASE

ATTN: Marvin Rich and James Peck

CORE INITIATES PROJECT TO STOP JUVENILE GANG WARS

Philadelphia, Pa., March 19--Juvenile gang violence, a problem rarely tackled by CORE groups, is the target of a new project initiated by Philadelphia CORE.

"The problem has become so explosive that the youths themselves have come to us for a solution," explains Philadelphia CORE Chairman Louis Smith. "We have met with many of the youth gang leaders and a tentative agreement has been made, in most cases, for them to lay down their weapons, provided we can do something for them."

Specifically, what CORE plans to do is to get adequate recreational facilities in the North Central Philadelphia area, where, according to statistics, less money is spent for such facilities than in any other area of the city.

Wit this objective, the CORE group secured a meeting with City Managing Director Fred Corleto. The latter agreed to confer soon with the youth gang leaders, 12 of whom had already agreed to such a meeting and with representatives of civic and community groups.

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National Labor Service

Institute of Human Relations • 165 East 56 Street, New York 22, N. Y. • Plaza 1-4000

Harry Fleischman, Director

Pres Exec Order

apprenticeship training

June 6, 1963

Editor
New York Times
229 West 43rd Street
New York, New York

To the Editor of The New York Times:

President Kennedy does not need a new Executive Order to insure nondiscrimination in hiring on Federally-financed construction projects. His own Executive Order No. 10925 issued March 6, 1961 provides that "The contractor will take affirmative action to ensure that applicants are employed, and that employes are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include but shall not be limited to...selection for training, including apprenticeship." All he needs is a new clause in all Federal contracts to make the present order meaningful; calling for the mandatory hiring of at least one apprentice or trainee for every five journeymen, and for these apprentices to be chosen without discrimination.

Apprenticeship training is the toughest nut to crack in dealing with employment discrimination. Negroes throughout the land still fill less than two per cent of apprenticeship spots in any skilled craft.

You may recall the story of the farm lass who walked down a country lane with a lad who had a pail in one hand, a shepherd's crook in the other, a chicken under one arm, and a lamb tied to a rope. As they came to a forest, the girl said, "I'm not going into the forest with you. You might try to kiss me."

"With a pail, a crook, a chicken and a lamb? How in the world could I?"

"Well," replied the lass, "you might push the crook in the ground, tie the lamb to the crook and put the chicken under the pail."

I hope the President will emulate the girl's ingenuity rather than her "reluctance." A conference of the National Association of State Apprenticeship Directors in Washington, D. C. earlier this year insisted that the United States needs one million apprentices. President C. J. Haggerty of the AFL-CIO Building and Construction Trades Department told the conference that the figure was "probably an understatement, rather than an exaggeration, of the need," and urged the Government to require successful bidders on public works projects to employ a specified ratio of apprentices to journeymen, with apprentices chosen on a nondiscriminatory basis.

To hope to open up apprenticeship opportunities on a voluntary basis is futile. Many local craft union leaders are reluctant to open up union rolls. Their arguments run this way:

"The employer does the hiring. It isn't my job, as a union representative, to tell him who to hire."

"Many old members of our union are unemployed. Should we keep them out of work to make room for Negroes when jobs open up?"

"I'm elected to my job as business agent. If I started pushing an equal rights policy, I'd be defeated at the next election."

These arguments may not be valid, but they reflect real fears. Government action is the only way to ensure that such craft unions live up to the equalitarian ideals of the broader labor movement.

Moreover, under present conditions, even where apprenticeship opportunities exist for Negroes and other minority groups, school counsellors frequently advise minority group youngsters not to study for the skilled trades on the grounds that they will not be able to get into the unions. Negro youngsters, therefore, often are denied motivation to attempt to become skilled workers. If government contracts included a mandatory clause for non-discriminatory hiring of apprentices, it would be a strong factor in eliminating fears of exclusion and creating proper motivations.

Unless this is done, we will face a serious shortage of skilled workers which will increase costs and result in delays of construction work on vitally-needed Federal projects. Not only national morality but the nation's safety as well demand prompt action.

Sincerely yours,

Harry Fleischman, Director
National Labor Service
American Jewish Committee

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Folder

NEWS

Harlem Youth Opportunities Unlimited, Inc.
(HARYOU) 180 West 135th Street
New York, New York, 10030

William Robinson
Director of Public Information
Area Code 212, AUdubon 6-4100, Ext. 24

LEADERSHIP TRAINING WORKSHOP "END OF PROGRAM" BANQUET

HARLEM YOUTH OPPORTUNITIES UNLIMITED, INC.

SEPTEMBER 5, 1963

SPEECH GIVEN BY SHERRON JACKSON: Over the past few months, there has been a wave of demonstrations all over the United States and these demonstrations have had some results. The results have been James Meredith's graduation from the University of Mississippi, Harvey Gantt's entrance into the University of South Carolina, Vivian Malone's entrance into the University of Alabama, two black plumbers allowed to enter a previously lily-white Plumber's Local in New York, four jobs earned for black people at a construction site in Philadelphia. It has resulted in the State of New York finally admitting that segregation in schools does exist in fact in New York, but the major result of these demonstrations has been the increase in anger among black people in the south, in this Harlem and all the thousands of Harlems across the United States. For these results, these changes are coming about not because the ideals of democracy are winning out in America and not because America's Christian conscience is waking up, but they're coming because as E. Franklin Frazier put it in 1954, "The white man is scared down to his bowels." That's slightly edited. So it looks like this is "Be kind to Negro Year." This year and these results are coming so slowly and they're coming for so many of the wrong reasons, that the anger of the black man is finally saying that they're coming too slowly and too late. We are not satisfied with James Meredith's graduation from the University of Mississippi because it took four hundred years, four hundred years and all kinds of riots and killings to get him in and out. We're not satisfied with four jobs being earned for black people in Philadelphia and two blacks being allowed into a lily-white union in New York, because when you look at the national scene the rate of employment among black people is going down and four jobs in Philadelphia don't even dent this rate. The President made a statement on television last week, saying 35,000 jobs were needed every week and that for every one white man unemployed, there are three black people unemployed. So, we are realising that not only are jobs being today denied to us because of segregation, but are starting to be eliminated because of automation. So we're pushing against a stone wall, banging our heads to pieces against a stone wall, asking and begging for jobs when jobs don't exist. And then anger rises. When the man comes home from the picket line after demonstrating all day and he sees that two black people are in a union and his leaders scream to him that this is so successful and this is tremendous and we're making such great progress, but he still comes home with no money to pay the rent and he still watches his kids begging for food, begging for clothes, and he gets angry. We look into the schools in Harlem and we find that our young people can't read and they can't write. They don't know who they are or where they came from and they have teachers who don't care, who will never teach them this. They don't have enough teachers. They don't have enough classroom space. And we turn to our leaders who tell us that the only way we can rectify this situation is to bring in white children from the other side of town. And then the black man goes back home again and says, I can't solve my problem unless I attempt to solve it with a white person at my side and then he looks into this more deeply and he says, my leader is telling me that I can't do anything unless I have a white person at my side, that I can't fight and make a change in this system unless I have a white person at my side, I can't be a man and not ask but take what is mine unless I have a white person at my side. So he sees that he is, in fact, less than a man. We look into the housing situation. The black man has the most deplorable housing in New York, in the United States. He has landlords who do nothing but constantly rob him deaf, dumb, and blind. I know I've walked, when we were working on 117th Street, I walked into a building and I watched the landlord break his neck trying to get upstairs because the stairs were falling in. I watched him trying to shelter his head from the ceiling that was falling down and shelter his face from the plaster that was falling in from the walls. I watched him dodge rats and roaches in the hall in order to get to a woman's door and let her know that her rent was three days overdue and that unless she paid by Friday, she'd be in the street on Monday. And I watched black people go to the city officials and the other powers that be and ask for change and ask that the city step in and make a move and all the city does is write stacks and stacks of reports on conditions and they say, we will effect a change. They even, a few weeks ago, sent in a one hundred-man team of inspectors to inspect Harlem and we did a checkup inspection on them and found that the city's idea of a complete inspection of Harlem is a house here and a house three blocks away over there and not this side of the street at all and not those houses because they look too bad and they pick out the best looking houses and they take reports back to the city saying, you know those Negroes always saying things are so bad - they're not so bad up there. So the black man looks at television and he sees those news reporters saying that the city is making a move to inspect housing conditions and that the city is going to change housing conditions, and the man says that he thinks everything is very deplorable and he's going to make a move to do something about it, and he sets up a commission or he appoints another inspector, but then the days roll by and the rat bites still show up on children and parents find that they still have to sleep in shifts to keep the rats away from the baby at night and the children are still catching pneumonia in the winter because of the cold and are still not being able to go to schools, which are inferior anyway, but are still not able to go to the schools because there is no hot water to wash up in in the morning and they find that it is easier to stay bundled up in the bed in blankets. So where are the commissions and where are the inspectors and where are the powers that be that are supposed to effect the change. So all these frustrations build up within the black man day after day. The system that we live in becomes a vicious cycle and there is never a way out. He begs for change and it seems that the conditions get worse and worse and never make a move towards the better. And we find that for every step forward, we are forced by the powers that be to take five steps backward into even more deplorable conditions. So when this anger builds up in black people not knowing how to let it out and how to retaliate against the power structures, the black man finds a way out, but the way out is often in a bottle of wine or in a needle containing heroin or in a reefer or in the power of his fists when he slaps his wife down. The woman finds a way out in the power of her hand when she slaps a child down and so the cycle goes on. But one unique product of this system is the young Harlemite and this Harlem youth is the only one who is in a position to step back and look at this cycle objectively because this youth has not yet, because of age, been so viciously tainted by the cycle in this system. This youth doesn't have to risk losing a job because they attempt to fight the powers that be, so the young person is the only one who can step back and look at what exists here. And the young persons, therefore, must be the ones to channel the frustrations and the anger away from the bottle and away from the wife and away from the other children and channel towards the power structure and towards the makers of the cycle. And therefore HARYOU must not attempt to re-mold the young person in Harlem. HARYOU must not attempt to teach the young person in Harlem or make the young person in Harlem what HARYOU wants. But HARYOU must be taught by the young person in Harlem. HARYOU must be molded by the young person in Harlem. HARYOU in essence must be the young person in Harlem.

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NOTE: Sherron Jackson is fifteen years of age and a senior at Music and Art High School. She would like to go on to college to study Political Science.

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Summary of State Minimum Wage Requirements [1/]
(50 States, District of Columbia, and Puerto Rico)

State	Hourly Minimum	Effective Date	Coverage	Type of Employee
Alabama	None			
Alaska	$1.75	7/63	Most industries	Men, women, & minors
Arizona	47¢ - 56¢	1948	3 industries	Women & minors
Arkansas	16¢	1915	Most "	Women & girls
California	$1.30	8/64	Most "	Women & minors
Colorado	60¢ - 1.00	5/56	4 "	" "
Connecticut	1.25	10/63, 5/64	Most "	Men, women & minors
Delaware	None			
District of Columbia	90¢ - 1.25	8/59-10/65	Most industries	Women & minors
Florida	None			
Georgia	None			
Hawaii	1.25	1/64	Most industries	Men, women & minors
Idaho	1.00	5/63	" "	" " "
Illinois	None			
Indiana	None			
Iowa	None			
Kansas	None			
Kentucky	65¢ - 75¢	10/61-11/63	Most industries	Women & minors
Louisiana	None			
Maine	1.00	12/59	Most industries	Men, women & minors
Maryland	None			
Massachusetts	1.00 - 1.25	9/63	Most industries	Men, women & minors
Michigan	None			
Minnesota	70¢ - 1.15	1/57-5/62	Most industries	Women & minors
Mississippi	None			
Missouri	None			
Montana	None			
Nebraska	None			
Nevada	1.15	7/57	Most industries	Women & girls
New Hampshire	75¢-1.25	6/60, 1/65	" "	Men, women & minors
New Jersey	80¢-1.50	2/56-12/62	4 industries	Women & minors
New Mexico	70¢-80¢	7/63	Most industries	Men, women & minors
New York	1.25	10/64	" "	" " "
North Caroline	85¢	1/64	" "	" " "
North Dakota	50¢-85¢	7/53-9/63	5 industries	Women & minors
Ohio	70¢ - 1.25	9/61-1/63	3 "	" "
Oklahoma	None			
Oregon	75¢-1.00	2/53-7/64	Most industries	Women & minors
Pennsylvania	85¢-1.00	9/59-10/62	" "	Men, women & minors [2/]
Puerto Rico	35¢-1.50	6/56-1/64	" "	Men, women & minors
Rhode Island	1.00-1.25	9/63	" "	" " "
South Carolina	None			
South Dakota	22¢-28¢	1943	Most industries	Women & girls
Tennessee	None			
Texas	None			
Utah	85¢-1.00	9/60, 9/62	4 industries	Women & minors
Vermont	1.00	9/59	Most industries	Men, women, & minors
Virginia	None			
Washington	1.25	1/62-10/63	Most industries	Women & minors
West Virginia	None			
Wisconsin	1.00-1.10	9/64	Most industries	Women & minors
Wyoming	75¢	5/55	" "	Men & women

[1/] Information as of January 1964. Rates shown are currently effective or are scheduled for future dates in 1964 or 1965.

[2/] Women and minors only in hotels and restaurants outside Philadelphia and Pittsburgh.

Source: Women's Bureau, U. S. Department of Labor

Appendix

State Minimum Wage Requirements for Restaurants[1]
(50 States, District of Columbia, and Puerto Rico)

State	Minimum Hourly Rate[2]	Effective Date	Type of Employee
$1.25 or more (8)			
Alaska	$1.75	9/63	Men, women & minors
California	1.30	9/64	Women & minors
Connecticut	1.25	5/64	Men, women & minors
Hawaii	1.25	1/64	Men, women & minors
Massachusetts	1.25	9/63	Men, women & minors
New York	1.25	9/63	Men, women & minors
Rhode Island	1.25	9/63	Men, women & minors
Washington	1.25	3/62	Men, women & minors
$1.00 and under $1.25 (7)			
Idaho	1.00	5/63	Men, women & minors
Maine	1.00	9/59	Men, women & minors
Minnesota	85¢ - 1.00	7/59	Women, & minors
Nevada	1.15	9/64	Women & girls
New Jersey	1.00	2/56	Women & minors
Pennsylvania	95¢ - 1.00	9/59 & 10/62	Women & minors[3]
Vermont	1.00	10/59	Men, women & minors
Under $1.00 (15)			
Arkansas	16¢	1915	Women & girls
Colorado	60¢ - 80¢	5/56	Women & minors
District of Columbia	90¢	9/60	Women & minors
Kentucky	65¢ - 75¢	11/63	Women & minors
New Hampshire	75¢	6/60	Women & minors
New Mexico	70¢	6/63	Men, women & minors
North Carolina	85¢	1/64	Men, women & minors
North Dakota	61¢ - 64¢	8/61	Women & minors
Ohio	70¢	9/61	Women & minors
Oregon	75¢	11/56	Women & minors
Puerto Rico	50¢ - 63¢	5/63	Men, women & minors
South Dakota	22¢ - 28¢	1943	Women & girls
Utah	85¢ - 95¢	10/62	Women & minors
Wisconsin	85¢ - 95¢	11/63	Women & minors
Wyoming	75¢	5/55	Men & women

No Minimum Wage (22)

Alabama, Arizona, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia

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[1] Information as of January 1964. Rates include those already in effect or scheduled for future dates in 1964 and 1965.

[2] Non service rates

[3] Men also covered in Philadelphia and Pittsburgh

State Minimum Wage Requirements for Hotels and Motels[1]
(50 States, District of Columbia, and Puerto Rico)

State	Minimum Hourly Rate[2]	Effective Date	Type of Employee
$1.25 or more (8)			
Alaska	$1.75	9/63	Men, women & minors
California	1.30	9/64	Women & minors
Connecticut	1.25	5/64	Men, women & minors
Hawaii	1.25	1/64	" " "
Massachusetts	1.25	9/63	" " "
New York	1.25	10/64	" " "
Rhode Island	1.25	9/63	" " "
Washington	1.25	3/62	" " "
$1.00 and under $1.25 (7)			
Idaho	1.00	5/63	Men, women & minors
Maine	1.00	9/59	" " "
Minnesota	85¢ - 1.00	7/59	Women & minors
Nevada	1.15	9/64	Women & girls
Pennsylvania	85¢ - 1.00	9/59 & 10/62	Women & minors[3]
Utah	90¢ - 1.00	9/60	Women & minors
Vermont	1.00	10/59	Men, women & minors
Under $1.00 (14)			
Arkansas	16¢	1915	Women & girls
Colorado	60¢ - 80¢	5/56	Women & minors
District of Columbia	90¢	9/60	" "
Kentucky	65¢ - 75¢	11/63	" "
New Hampshire	75¢	6/60	" "
New Mexico	70¢	6/63	Men, women & minors
North Carolina	85¢	1/64	" " "
North Dakota	61¢ - 64¢	8/61	Women & minors
Ohio	70¢	9/61	" "
Oregon	75¢	11/56	" "
Puerto Rico	42¢ - 76½¢	1/61	Men, women & minors
South Dakota	22¢ - 28¢	1943	Women & girls
Wisconsin	85¢ - 95¢	11/63	Women & minors
Wyoming	75¢	5/55	Men & women

No Minimum Wage (23)

Alabama, Arizona, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia

[1] Information as of January 1964. Rates include those already in effect or scheduled for future dates in 1964 and 1965.

[2] Non service rates

[3] Men also covered in Philadelphia and Pittsburgh

Source: Women's Bureau, U. S. Department of Labor

State Minimum Wage Requirements for Laundry and Dry Cleaning 1/
(50 States, District of Columbia, and Puerto Rico)

State	Minimum Hourly Rate	Effective Date	Type of Employee
$1.25 or more (11)			
Alaska	$1.75	9/63	Men, women & minors
California	1.30	9/64	Women & minors
Connecticut	1.25	10/63	Men, women & minors
Hawaii	1.25	1/64	" " "
Massachusetts	1.25	9/63	" " "
New Hampshire	1.25	1/65	" " "
New Jersey	1.25	12/63	Women & minors
New York	1.25	10/64	Men, women & minors
Ohio	90¢ - 1.25	1/63, 1/65	Women & minors
Rhode Island	1.25	9/63	Men, women & minors
Washington	1.25	3/62	" " "
$1.00 and under $1.25 (7)			
District of Columbia	1.15	9/65	Women & minors
Idaho	1.00	5/63	Men, women & minors
Maine	1.00	9/59	" " "
Nevada	1.15	9/64	Women & girls
Pennsylvania	1.00	10/62	Men, women & minors
Utah	95¢ - 1.00	9/60	Women & minors
Vermont	1.00	10/59	Men, women & minors
Under $1.00 (13)			
Arizona	47¢ - 54¢	1948	Women & minors
Arkansas	16¢	1915	Women & girls
Colorado 2/	60¢ - 80¢	5/56	Women & minors
Kentucky	65¢ - 75¢	9/61	" "
Minnesota	70¢ - 85¢	1/57	" "
New Mexico	70¢	6/63	Men, women & minors
North Carolina	85¢	1/64	" " "
North Dakota	75¢ - 85¢	9/63	Women & minors
Oregon	80¢	7/58	" "
Puerto Rico	60¢ - 67¢	6/62	Men, women & minors
South Dakota	22¢ - 28¢	1943	Women & girls
Wisconsin	85¢ - 95¢	11/63	Women & minors
Wyoming	75¢	5/55	Men & women

No Minimum Wage (21)

Alabama, Delaware, Florida, Georgia, Indiana, Illinois, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia

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1/ Information as of January 1964. Rates include those already in effect or scheduled for future dates in 1964 and 1965.

2/ Laundries only

State Minimum Wage Requirements for Hospital Workers [1]
(50 States, District of Columbia, and Puerto Rico)

State	Minimum Hourly Rate	Effective Date	Type of Employee
$1.25 or more (11)			
Alaska	$1.75	9/63	Men, women & minors
California	1.30	9/64	" " "
Connecticut	1.25	10/63	" " "
Hawaii	1.25	1/64	" " "
Massachusetts	1.25	9/63	" " "
New Hampshire [2]	95¢ - 1.25	1/65	" " "
New Jersey [3]	1.00 - 1.25	2/56 & 12/63	Women & Minors
New York [4]	1.25	10/64	Men, women & minors
Ohio	70¢ - 1.25	9/61 & 1/65	Women & minors
Rhode Island	1.00 - 1.25	9/63	Men, women & minors
Washington	1.25	7/63	Women & minors
$1.00 and under $1.25 (9)			
District of Columbia	90¢ - 1.15	Various dates	Women & minors
Idaho	1.00	5/63	Men, women & minors
Minnesota	85¢ - 1.00	7/59	Women & minors
Nevada	1.15	9/64	Women & girls
Oregon	1.00	7/64	Women & minors
Puerto Rico	96¢	2/63	Men, women & minors
Utah	90¢ - 1.00	9/60	Women & minors
Vermont [2]	1.00	9/59	Men, women & minors
Wisconsin	1.10	9/64	Women & minors
Under $1.00 (6)			
Arizona [5]	54¢	1948	Women & minors
Arkansas	16¢	1915	Women & girls
Colorado	60¢ - 80¢	5/56	Women & minors
Kentucky	65¢ - 75¢	11/61	Women & minors
North Dakota [5]	85¢	9/63	" "
Wyoming	75¢	5/55	Men, Women & minors

No Minimum Wage (26)

Alabama, Delaware, Florida, Georgia, Indiana, Illinois, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Carolina, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia.

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[1] Information as of January 1964. Rates include those already in effect or scheduled for future dates in 1964 and 1965.

[2] Nonprofit hospital employees covered only in laundry, nurses aide, and practical nurse occupations.

[3] Restaurant and laundry occupations only.

[4] Nonprofit hospitals covered on optional basis.

[5] Laundry occupations only.

Source: Women's Bureau, U. S. Department of Labor.

Hourly Wages in Hospitals
Nongovernmental
(June 1963)

The following jobs in selected cities are similar to jobs in hotels, laundries, and restaurants which would be covered in H.R. 9824.

Kitchen Helpers

City and Number of Kitchen Helpers Employed					Percent Paid			
			Less than 70¢		Less than $1		Less than $1.20	
	Men	Women	Men	Women	Men	Women	Men	Women
Atlanta	48	96	27	42	88	100	92	100
Boston	173	562	-	-	-	-	8	4
Chicago	470	1,677	-	-	3	8	35	26
Dallas	41	160	-	8	54	74	100	99
Philadelphia	462	1,217	3	2	42	47	86	86
Portland, Ore.	20	170	-	-	-	-	0	5

Women Maids

City and Number of Women Maids Employed				
Atlanta	269	79	98	100
Boston	744	-	-	0
Chicago	2,014	-	3	29
Dallas	125	-	11	100
Philadelphia	1,281	4	24	82
Portland	241	-	-	2

Men Porters

City and Number of Men Porters Employed				
Atlanta	179	7	84	100
Boston	579	-	-	1
Chicago	956	-	16	46
Dallas	174	-	8	79
Philadelphia	927	-	52	65
Portland	113	-	-	0

Women Laundry Finishers

City and Number of Women Laundry Finishers Employed				
Atlanta	77	68	99	100
Boston	203	-	-	25
Chicago	602	-	5	45
Memphis	58	12	100	100
Philadelphia	267	-	43	82
Portland	56	-	-	4

Source: Bureau of Labor Statistics, U.S. Department of Labor

Weekly Wages in Nongovernmental Hospitals
June 1963

This is the largest non-professional occupation that is peculiar to hospitals.

City and Number of Nurses Aids Employed			Nurses Aids Percent Paid					
			Less than $30		Less than $40		Less than $50	
	Men	Women	Men	Women	Men	Women	Men	Women
Atlanta	0	626	-	-	-	68	-	95
Boston	322	1,385	-	-	-	-	2	12
Chicago	529	6,272	-	-	-	2	2	17
Dallas	95	515	-	-	-	4	75	100
Philadelphia	794	2,938	12	4	9	12	85	89
Portland, Ore.	85	543	-	-	-	-	-	3

Source: Bureau of Labor Statistics, U. S. Department of Labor.

Nongovernmental Hospitals
(August 1963)

Type of Hospital	Number of Hospitals	Number of full-time Personnel*	Total Expenditures (Millions)	Average Expenditure per hospital (000)
Nonprofit	3,623	911,083	$ 5,184	$ 1,431
Profit	990	64,647	383	387
Total	4,613	975,730	5,567	1,818

*(Includes full-time personnel and full-time equivalents of part-time personnel. Excludes residents, interns, and students.)

Nongovernmental Hospitals by Size and Type

Nonprofit				
Under 25 beds	226	5,003		108
25 - 49 beds	718	32,789		242
50 - 99 beds	947	97,051		550
100 - 199 beds	849	201,916		1,319
200 - 299 beds	472	214,433		2,604
300 - 399 beds	232	153,022		3,854
400 - 499 beds	99	82,597		4,905
500 and over beds	90	124,289		8,191
Total	3,623	911,100		1,431
Profit				
Under 25 beds	282	5,350		98
25 - 49 beds	354	15,453		262
50 - 99 beds	240	21,449		554
100 - 199 beds	98	17,665		1,044
200 - 299 beds	13	3,630		1,643
300 - 399 beds	2	664		1,614
400 - 499 beds	1	419		3,057
500 and over	--	--		--
Total	990	64,630		387,000

Source: Hospitals, Journal of the American Hospital Association, Part Two
August 1963

February 6, 1962

Mr. Harry Hanover, President
New York State AFL-CIO
1 Columbia Place
Albany, New York

Dear Brother Hanover:

We are writing to bring to your attention a matter we feel is of serious concern to all trade unionists in the state of New York.

It has been brought to our attention that there is no New York State AFL-CIO civil rights committee. We feel that it is extremely important that such a committee be set up to demonstrate the interest of the New York AFL-CIO in civil rights, to provide a place on a state level where an educational program on civil rights can be instituted and where possible grievances of trade unionists can be aired in the house of labor.

President Meany has voiced the concern of labor with civil rights, and has supported the institution of a civil rights committee on a national level. The Central Labor Council of New York City has a civil rights committee.

We therefore feel that there is ample precedent in the labor movement for the establishment of a state AFL-CIO civil rights committee and urgently request that you use your good offices to spur such a development.

Very truly yours,

Norman Hill
Field Director

NH/SS
cc: Mr. Lou Simon, Chairman
Civil Rights Committee
New York Central Labor Council

A call for realistic militancy

Civil Rights and Labor

by

Shelley Appleton

A MINORITY denied its rights must be expected, in the course of its struggle for equality or freedom, occasionally to overrun the bounds of the fair and the reasonable. Something of this sort is true today of the American Negro. For over 100 years, the American Negro has been an alien in his own land. Now, at long last, he is tired of this incongruous and humiliating situation—tired, frustrated and bitter. And he is letting us, his fellow-Americans, know about it.

On the whole, one must applaud this new Negro assertiveness: people who do not respect their own rights are not likely to command the respect of others.

At the same time, however, one is under no obligation to accept, without criticism, the excesses of some spokesmen for the Negro community, especially when these excesses are plainly damaging to the cause of civil rights. I am referring, of course, to charges recently made by these Negro spokesmen and some newspapers that the AFL-CIO and its affiliates constitute a major barrier to Negro progress in America. These charges are not only false; they are pernicious in that they tend to alienate the Negro worker from the labor movement on which much of his progress must depend.

As AFL-CIO President George Meany has been among the first to note, *some* unions are guilty of discriminating against Negroes. Such unions "shame us," he has said with characteristic bluntness; and he has left no doubt that they will be under constant pressure to reform. An aggressive AFL-CIO policy has already gone far toward eliminating discriminatory practices within the labor movement. Oddly enough, the recent attacks have been concentrated not on the remaining offenders but on the Steel Workers and my own union, the International Ladies' Garment Workers, both long and conspicuously among the leaders in the fight for civil rights.

These attacks, which have originated with Herbert Hill, labor secretary of the NAACP, have been justified on the basis that there is more to be gained by attacking one's friends than by attacking one's enemies. Actually, they represent a new species of McCarthyism, with which they compare in dishonesty and virulence, and, like McCarthyism, they have served only to distract attention from the real enemy.

The fact is that organized labor in America, not excluding the South, has been in the forefront of the civil rights fight. There are now 1,500,000 Negro members of AFL-CIO unions, many of them in jobs opened to Negroes only as a result of trade union efforts. The Fair Employment Practice laws now in force in 23 states would never have been enacted without labor pressure. This is equally true of many state laws banning discrimination in housing and in various public facilities. In the historic battle over school desegregation in Little Rock, labor leaders were among the first to speak up for accepting the Supreme Court decision.

Granting all this, it is still natural for Negro organizations to charge that labor "is not doing enough." The charge will have a certain validity not only against organized labor but against every institution in American life, including the civil rights organizations, as long as the blight of discrimination remains. It would be absurd, however, not to recognize that it will take time to undo the consequences of the past 100 years which now weigh so heavily on our Negro citizens.

This is especially true in the area of job opportunities where labor has a special responsibility. The fact is that, in a period when job opportunities are contracting in many segments of our economy, it is exceedingly difficult to meet the insistent requests of Negro organizations that Negroes be upgraded into the better jobs from which they have long been barred. The request is legitimate enough. The difficulty is that often it cannot be met except by dismissing the white workers who now hold these jobs. This is the situation, for example, in the Pacific maritime industry. There is no question that the Sailors Union of the Pacific some years back was guilty of discriminating against Negro workers. The policy was changed after the union's current president, Morris Weissberger, took office, but a drastic decline in jobs has so far prevented this policy from producing significant results.

Many similar situations exist elsewhere which explains why Meany has emphasized that an expanding American economy is an essential prerequisite for the fulfillment of Negro aspirations. It must be said that this is equally true of the aspirations of millions of white workers, and especially of the young people now entering the labor force. At least one Negro organization has argued that because Negroes were so long discriminated against, they should now be given *preferential* treatment. This is unrealistic. It seems to me that, in its implication that Negroes cannot compete on equal terms with whites, it is also offensive.

This is not an argument for complacency. There is a clear moral obligation on all of us to press forward as rapidly as possible. Within the limits created by hard economic facts, there is a great deal that can be done even where resistance to change is most stubborn. The kind of thing the Congress of Racial Equality (CORE) has been accomplishing, through "sit ins" and other techniques, in opening new job opportunities for Negroes, as well as in desegregating public facilities, shows the value of militancy when it is realistically channelled. It is worth noting, I think, that CORE has had strong labor support in this militancy. But what is needed is a far more determined effort than anything we have so far witnessed. It is an effort in which labor should lead.

Negroes are right, I think, in resenting what has become known as "tokenism." The acceptance of a single Negro, or a small group of Negroes, cannot sensibly be regarded as proof that the barriers have come down. A beginning, however valuable, cannot be equated with the "real thing."

Some Negroes, distressed by the slowness of their progress as individuals, are now demanding recognition not as individuals, on the basis of merit, but as representatives of the Negro community. This is true mainly among Negroes who are involved in politics of one sort or another including the politics of the labor movement. Whatever one may think of this technique, which has been exploited in America by members of all ethnic groups, it is important to recognize that it has no true connection with the fight for civil rights.

In fact, to the extent that it seeks to exploit a separate, "ghettoized" Negro community, it does a disservice to this cause. The future of the Negro in the American democratic community lies not in this kind of ghetto representation but in the elimination—in employment, schools, housing and every other aspect of our common life—of all barriers raised by prejudice of any kind. This is the goal to which organized labor is committed. It seems to me that this goal provides a basis for cooperation among all those individuals and agencies genuinely committed to the cause of civil rights—a cause that must triumph before anyone can speak, without shame, of the promise of American life.

Shelley Appleton is a vice president of the International Ladies Garment Workers' Union, a member of the AFL-CIO civil rights committee in New York and active in numerous community causes. His article on American Labor, in the November, 1961, issue of the CALL, was widely reprinted.

Reprinted from WORKMEN'S CIRCLE CALL *January,* 1963

File.
Unions

The Potomac Institute, Inc.
1501 18th Street, N. W.
Washington 36, D. C.

National Labor Service
American Jewish Committee
165 East 56th Street
New York 22, New York

PROPOSALS FOR CIVIL RIGHTS ACTION BY ORGANIZED LABOR

1. The AFL-CIO should immediately establish a special task force of ranking officers and staff representatives, whose purpose should be to establish a broad crash program to deal with all aspects of civil rights.

2. Similar AFL-CIO task forces should be established at the state and local level.

3. International unions should be requested to make similar high-level assignment of those responsible for action on civil rights.

4. Special action needs to be taken by the Building Trades Department of the AFL-CIO, as well as by the key international unions involved. AFL-CIO task forces should encourage these unions to meet with state and city human relations commissions, with the leaders of the Negro protest organizations and with interracial groups of clergymen to work out specific action programs to end restrictive practices. Prompt action is needed to accomplish this before protest picket lines and demonstrations create increasing friction between Negro and labor groups.

5. There is need for an immediate allocation of additional financial and staff resources for the AFL-CIO civil rights department. The number of cities, such as Baltimore, Los Angeles, and Detroit, where protest organizations have already served ultimatum notices of pending demonstrations is merely symptomatic of the growing need for adequate staff with proper background and direction to undertake the type of negotiation that will resolve these situations. In addition, the major international unions should be urged to augment or create civil rights staffs to work in coordination with the

AFL-CIO civil rights department.

6. With regard specifically to minority group access to apprenticeships, every effort must be made to expand the type of coordinate community program initiated by organized labor in California and now beginning in New York City, the District of Columbia, and Chicago. These programs should include widely disseminated information on available apprenticeships and means of entering them, aimed specifically at the involvement of increasing numbers of minority apprentices. Where appropriate, apprenticeship standards should be reviewed, the number of apprentices should be enlarged, and assistance from the appropriate governmental agencies should be obtained. The need for follow-up procedures to insure fair and proper consideration of minority apprenticeship candidates is basic to this program.

A Conference of National Association of State Apprenticeship Directors in Washington, D. C., early this year, insisted that the United States needs one million apprentices. President C. J. Haggerty of the AFL-CIO Building and Construction Trades Department told the conference that the figure was "probably an understatement, rather than an exaggeration, of the need," and urged the Government to require successful bidders on public works projects to employ a specified ratio of apprentices to journeymen, with apprentices chosen on a non-discriminatory basis. This could be accomplished if President Kennedy would insert a new clause in all Federal contracts calling for the mandatory hiring of at least one apprentice or trainee for every five journeymen, and that these apprentices be chosen without discrimination. This could be done under Executive Order 10925 which already provides that "The contractor will take affirmative action to ensure that applicants are employed, and that employes are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include but shall not be limited to ... selection for training, including apprenticeship."

7. A national conference of ranking union officers and civil rights organization leaders should be convened at once under the initiative of President George Meany of the AFL-CIO. The primary purpose of this conference is to evaluate civil rights issues and problems and to review progress being made.

8. Because of the many minority workers engaged in marginal and low-paying occupations, a major review of the Fair Labor Standards Act and the Walsh-Healey Act assumes major importance. Here, the need for extended coverage and improved standards is seen in its most important light.

9. The objectives of the National Manpower Development and Training Act and the Vocational Education Program must be supported with adequate financial and technical resources. Labor support for this type of training as part of a national manpower policy should make clear the importance of these programs for minority groups and should urge broad programming, free from the technical restriction of so-called "available jobs", which has often been used to limit the number of Negro trainees.

10. At the state and local level, fair employment practices laws in many cases need strengthening. Organized labor, which was an important champion of these laws when they were first passed, should now exert its leadership in achieving the necessary improvements. Foremost among these is authority for the state or city commission to initiate action on its own without awaiting individual complaints.

11. Union leadership must be sensitive to the increasing use that may be made of NLRB procedures in the area of union practice. Efforts at consultation among international union representatives and civil rights organizations should be encouraged in order to avoid unnecessary NLRB actions.

12. Organized labor at every level should take the initiative in insisting that

Federal funds not be used to maintain discriminatory or segregated services, such as now exist in some state employment service activities and other governmental activities.

13. The labor movement should invite the cooperation of the Negro protest organizations, as well as Puerto Rican and Mexican-American groups, in a drive to organize the unorganized, particularly in the most exploited trades in which a very large proportion of Negro and other minority group workers are employed. (This was done successfully in relation to hospital workers in New York.) This should be done in recognition of the fact that many of the present minority group protest activities are offering the only available outlet and organization for the deprivations of unorganized workers. This is as true for workers in large industrial cities of the North as it is for those in the South. No one is in a better position to give recognition to the needs of such protest groups than organized labor.

14. The AFL-CIO, its constituent bodies, and the major international unions have a great opportunity - and responsibility as well - to assist in the Negro voter registration drive now going forward in the South. The Voter Education Project should have both major financial support and staff and organizational assistance from every segment of the labor movement. The responsibility of COPE is particularly great.

15. A major concern of each international union should be to insure the inclusion of capable minority trade union leaders in high policy-making positions. There is no greater challenge nor greater opportunity confronting this country's international unions.

16. Finally, the AFL-CIO, its constituent bodies, and the major international

unions must identify their organizations and resources in joint action with civic and church groups in the broad struggle not only to enlarge employment opportunities, but also to create democratic patterns in housing, school practices, public accommodations, and in the health, welfare, and recreational facilities of every community.

June 1963

E-NY 1964

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlandt 7 6270 April 20, 1964

TO: SCHOOLS COMMITTEES

FROM: NORMAN HILL / Program Director

RE: LOCAL SCHOOL BOARD VACANCIES

The Board of Education is now preparing for the task of filling the 50 vacancies which will occur by the end of the school year. There are 54 school districts throughout the city of New York, and 25 local school boards. There are two, and sometimes three, vacancies on each board. Members serve, without pay, for 5 years, and all community groups have been invited to apply. Final appointments will be made by the Board of Education.

QUALIFICATIONS: The applicant must live within the School Board District for which he is applying.

DUTIES: To help improve the operation of the school system in his district. To act as a channel through which the community's views are brought to the attention of the school system.

To arrange for monthly open meetings .

To visit schools periodically and to be informed on all matters of importance to school operations in thier area, such as:

1. Educational policies, achievements and problems
2. The adequacy of staffing
3. The physical adequacy of schools
4. The adequacy of textbook supplies and school supplies
5. Maintenance and repair conditions
6. Necessity for upgrading and integrating

This is an opportunity for active school committee members to make their voices heard and to be in a better position to get money from the City for local schools. These applications need to be mailed to the Board of Ed no later than April 30, 1964 .

Board of Education
110 Livingston Street
Brooklyn, New York

LABOR NEWS CONFERENCE
Mutual Broadcasting System

SUNDAY, JULY 19, 1964
PROGRAM 13, SERIES 4

SUBJECT : Implementing the Civil Rights Act of 1964 -- Labor's Role

GUEST : Don Slaiman, director, AFL-CIO Department of Civil Rights

PANEL : Susanna McBee, The Washington Post
Neil Gilbride, Associated Press

MODERATOR: Frank Harden

HARDEN: LABOR NEWS CONFERENCE. Welcome to another edition of LABOR NEWS CONFERENCE, a public affairs program brought to you by the AFL-CIO. LABOR NEWS CONFERENCE brings together leading AFL-CIO representatives and ranking members of the press.

Today's guest is Don Slaiman, director of the AFL-CIO's Department of Civil Rights.

When President Johnson signed into law the Civil Rights Act of 1964, on July 2, it marked the successful conclusion of one of the longest and most intense efforts of organized labor. However, the AFL-CIO recognized from the outset of the struggle to bring about enactment of the law, that once the statute was enacted, an even greater effort would have to be launched in order to implement its various provisions. AFL-CIO President George Meany has pledged the full efforts of the AFL-CIO toward this end -- and much of the responsibility for organizing and directing this effort has been assigned to the department which Mr. Slaiman heads.

Here to question Mr. Slaiman about the effects of the Civil Rights Act on the men and women of organized labor, and what the AFL-CIO envisions as its role in the implementation of its provisions, are: Susanna McBee, reporter for the Washington Post, and Neil Gilbride, Washington correspondent for the Associated Press. This is Frank Harden, filling in today for your regular moderator, Harry W. Flannery.

And now, Mr. Gilbride, I believe you have the first question?

GILBRIDE: Mr. Slaiman, Mr. Meany asked the Republican National Convention to pledge strict enforcement of the new Civil Rights Law. The Convention, I believe, didn't go quite that far, but they did say that they favored "implementing" the law. Is the AFL-CIO satisfied with this Republican statement?

SLAIMAN: No, of course not. We are for implementing the law voluntarily. We would like to see massive compliance with the law rather than resistance. We are for, and will help, in any mediation efforts in which the Community Relations Service, under Governor Collins, engages. But the reason that we were for Title II of the bill, was that mediation, conciliation, and voluntary efforts are insufficient by themselves. In fact, without a law that has enforcement powers, voluntary effort itself is weakened. We saw this not long ago in the state of Maryland, when the restaurant association was asked to desegregate the restaurants on Route 40 between New York City and Washington, D. C., and the restaurant owners themselves said that they would be able to do this only when a state law was enacted. We are for voluntary compliance, and we want to see as much of it as possible. But the enforcement provisions of the law must be utilized, and must be there to help effectuate compliance if it doesn't take place voluntarily.

McBEE: Mr. Slaiman, implementation of Title VII, the job discrimination ban provision, does not go into effect until next summer. What is organized labor doing in the meantime, to get compliance?

SLAIMAN: Well, we have been working on this, of course, for many years. What we hope to do now, is to accelerate what we have been doing all along. And President Meany announced, as soon as the law was passed, that he would ask the AFL-CIO Executive Council, at its August meeting, to set a national conference -- or to convene a national conference -- of all of our international union affiliates, and all of our state bodies, to discuss a program of accelerated activity in compliance with the law. All sections of the law -- and one of these will be Title VII, the FEPC section.

GILBRIDE: Mr. Slaiman, Mr. Meany has said that unions must use economic pressure against employers who discriminate, if that becomes necessary. What kind of pressure? Strikes? Boycotts?

SLAIMAN: Well, economic pressure is what unions have always used in promoting the things that they are fighting for. It starts with the organization of unions themselves, as a form of economic pressure; it continues with the collective bargaining process, in which you negotiate a contract, and a procedure for enforcing it. And, in the last analysis, when collective bargaining breaks down in non-agreement or violation of a contract, there are two recourses -- there is arbitration, and there is strike. In all our proposals, and working with management to eliminate discrimination, we will try to go through all the procedures. In the last analysis, if an employer is totally recalcitrant, we would utilize the laws where they exist, and we also might use direct economic pressure.

GILBRIDE: If I could follow that up with one other question -- have labor lawyers gone into the question at all of whether a purely civil rights strike might perhaps violate a federal labor law, which is designed primarily on economic issues?

SLAIMAN: Well, no. You see, it would all depend on what's in the contract. Some contracts have a no strike pledge. There are other contracts where you have a no strike pledge with exceptions. There are other contracts which don't have such a pledge. There are contracts which have arbitration procedures; and there are those which don't. Now, a non-discrimination clause in the contract, which we have for sometime advocated our affiliates negotiate into contracts, is as important a clause, or as valid a clause, as any other in the contract. If the clause is violated, there are procedures to deal with them. In some cases, under some contracts, a strike is a legitimate procedure to get enforcement of a contract clause. In other cases, it could be arbitration. As I say, we now have this situation, with the enactment of the federal FEP, or where there are state FEP's; a union can help a worker file a complaint with the government, where the grievance in question also violates the law, as well as the contract.

McBEE: Mr. Slaiman, you have been talking mainly about discrimination by employers. What about local unions that continue to discriminate? What can the AFL-CIO do about them?

SLAIMAN: Well, we have been doing a number of things, and we are not completely satisfied with what we are doing. This is one of the reasons why we supported an FEP law. We don't want to wait until we are affective, as we have been, in many cases. In the first place, many of our affiliates, following AFL-CIO policy, have developed their own civil rights programs -- including contract demands, as well as other internal matters. Secondly, we have called for inclusion of non-discrimination clauses. Thirdly, we have a compliance procedure in the AFL-CIO. Any worker in this country can file a complaint against any local union with the AFL-CIO Civil Rights Committee. There is a procedure outlined in our civil rights resolution, for processing these complaints. They are processed with the international union involved, and, in most of the cases where we get complaints that are legitimate, discrimination complaints, we get adjudication of these complaints on a satisfactory basis.

McBEE: Well, aren't local unions more or less independent from the AFL-CIO? And could organized labor use sanctions of some kind against those locals that continue to discriminate?

SLAIMAN: Well, you say independent. What you mean; isn't there a certain amount of autonomy of affiliates, and of their local unions? There is. But they are not completely independent, because every international affiliate votes for, and is covered by, AFL-CIO policy. They have their own policies as well. And it is up to the international unions to get compliance from their local unions. All international unions have different constitutions, and different procedures. Some are more centralized, some more autonomous -- but there are no local unions completely independent of national policy.

McBEE: Could you expel a local?

SLAIMAN: The AFL-CIO can't expel locals, but it can suspend or expel an international union, as it has done in a few instances. It did expel the Teamsters. It did suspend other unions, and then when they came back into compliance, they were readmitted. There have been local unions which have been put under trusteeship by their internationals. There have been other local unions which have been suspended. These sanctions are available in extreme cases. In most cases, following the procedure, and with discussion of the issue, and the pressure to expose the issue, brings about compliance. However, the AFL-CIO is not a government; it doesn't have powers of legal sanction. In fact, it has limitations on its powers to sanction local unions. There are limitations under the Taft-Hartley and Landrum-Griffin laws as to what an international union can do with an affiliate. There are not total limitations, but there are definite limitations.

GILBRIDE: Mr. Slaiman, you have been talking mostly about unionized employers, seeking to eliminate discrimination there. Mr. Meany has also said this campaign would be directed at non-union employers. Now, what process or procedure can you use there where there is, for instance, no protection for the union member who complains? How are you going to handle this?

SLAIMAN: Well, we haven't worked out the details. President Meany hasn't announced them, and I am surely not going to announce now, what we are working on. In the first place, when the AFL-CIO Executive Council calls a conference, we don't determine what policies and program will be before the conference is called. The people at the conference will discuss that too. I might indicate that there is one obvious procedure that any union can engage in, if a worker in a non-union plant would approach organized labor and say he is being discriminated against. We do know what the laws are in various states, and in the federal government. We do know how to file grievances and, therefore, we can help, and advise a worker how to file a complaint with a government agency.

GILBRIDE: How can you protect him in his own job where you have no union and no union processes, or grievance procedure?

SLAIMAN: There are only two protections now -- one under the NLRB, assures that a man can't be fired for union activity. The other is under the Civil Rights Law, which says a man can't be fired for filing a grievance on discrimination.

McBEE: Mr. Slaiman, I would like to go to another problem. The Negro unemployment rate is about twice that of whites. What can organized labor do about it? And specifically, what is the position of the AFL-CIO regarding, what the Negroes have called "preferential hiring?"

SLAIMAN: Well, there are many things that we can, and do, do about it. One is, we are working to eliminate discrimination in employment, which is one of the factors that makes for this difference in the unemployment rate. The other is that we fight for all sorts of economic measures which will bring more jobs into the economy. Another factor in unemployment rates is the lack of jobs. A third thing we do about it is work for better education, and special programs for retraining, which minority group people need even more than the population as a whole. One of the biggest factors in this higher unemployment rate is poor education -- poor training and poor qualifications for jobs where they do exist. So, our program is: one, eliminating discrimination; two, fighting for a fuller employment economy which will allow more people to have jobs, and especially minority group people, who need them to a greater extent; and, three, fighting for special programs for the underprivileged and the under-educated, and the under-qualified. Minority group people make up a higher percentage in proportion to the entire group. Even with full employment, if large numbers of people are not qualified for jobs they could still remain unemployed. That is why they need training and education.

McBEE: Well, what about encouraging locals and employers to go out looking for Negroes who are either qualified, or who could be trained for available jobs?

SLAIMAN: This is very necessary, because one of the factors in getting jobs, is knowing where the jobs are. If management, for instance, for the higher skilled jobs, goes out and recruits, they recruit only at the predominantly white colleges. Even qualified Negroes are not going to find their way to jobs that may exist, even if there is no discrimination at the hiring hall. So, we are for the kind of action which says that recruitment, and awareness of jobs, and knowledge that there is no discrimination, must be part of the effort to offer equal opportunity. We are also encouraged -- and we have examples of it -- we are very encouraged to find that local unions do this sort of thing.

Let me give you an example. Local 24 of the IBEW (International Brotherhood of Electrical Workers), in Baltimore, has, for the past few years, seen that the joint apprenticeship committee goes not only to the regular high schools, but to the predominantly Negro vocational schools in Baltimore, to announce that there is an apprentice program. To let it be known that people are welcome to apply for it, and that they will be received without discrimination. They show that there is a good opportunity for youngsters, and tell them where to apply, and when to apply. This sort of thing, we think, should be done, because it is very necessary that we not only drop barriers that may have existed, but also encourage minority group youngsters and other youngsters as well, to apply for openings that exist.

GILBRIDE: Mr. Slaiman, in recent months there has been a great deal of talk about "backlash." In seeking better employment opportunities for Negroes, are you finding any so-called "backlash" among white union members?

SLAIMAN: Yes, there is, mainly because of some misinformation and some unfortunate developments. Now, there has been a real campaign against the new Civil Rights Law. It has been a campaign of misinformation by many of its opponents who say that Title VII of the law called for a certain percentage of Negroes to be hired in every establishment, qualified or not. They say that regardless of the job situation, there has to be a certain quota hired, and that this means that white workers will be laid off, so that Negroes can be hired. Now, of course, there is no such provision in the law. Not only can you read the law and not find it, but it has been said on the Senate floor that this was not in the bill. Senator Stennis admitted on the floor that it was not in the bill. But many people believe that it is, because they haven't read the bill, and they have been sent material misrepresenting it. And so you have people who would normally be for equal opportunity, being against them, because they think it will unjustly take something away from them. If you call this "backlash," it does exist to some extent. We do our best to deal with this. We send to all our local unions an answer to these false charges. We tell our members, and local leaders this in all the schools where we discuss civil rights. But the fact is that many people have believed this propaganda.

GILBRIDE: Along the same lines, we all know we have quite a serious unemployment problem in this country. Isn't there, even though it isn't intended, some situation there where when you seek to get one person a job, somebody else, therefore, doesn't get that job. Isn't there a possibility of resentment here?

SLAIMAN: Well, it is true that as long as you have unemployment, when someone gets a job somebody is not going to have one. We don't think there is an answer to the problem -- a total answer to the problem -- except to have enough jobs for everybody. But the fact is, while there is a shortage of jobs, the competition for the job should be based on the same standards for all applicants. We don't consider taking a job away from somebody else. We say that the decision on who gets the job should be made without regard to race, creed or color. It should be made on which people apply -- are they competent to do the job and so forth? As long as that is the situation, it won't eliminate unemployment; it won't even eliminate the gap that exists between Negro and white employment. But it will eliminate those decisions where individuals don't get a job or remain unemployed no matter what their qualification, and for no valid reason. I am sure that most white workers who are looking for work, while they are looking for a job, are not interested in getting the job by saying, "you hire me because I am white." They want to say, "you hire me because I am qualified, and I'm willing to work." It is in the best interests of both white and Negro workers that they get better economic policies, and more jobs, and not by saying, "I will keep a job by keeping someone out because of their color."

McBEE: Mr. Slaiman, there has been some talk, among civil rights leaders, that in order to solve the underlying problems which go beyond civil rights -- that is poverty, unemployment and so on -- there would have to be a kind of political alliance between Negro civil rights groups, and poor white people, including union workers, but especially the unemployed. Do you think there is any practical possibility of this ever happening?

SLAIMAN: Well, I think that there is very often a practical alliance between liberals, minority group people and civil rights groups. But most minority group people, labor movement people and poor people in general, and old people, do have common aims. There is a natural alliance among them because whether it is medicare or minimum wage, or civil rights, they have a common interest, and they all have, in a sense, common political enemies. I don't mean this is true in all cases, but very often the person, or political leader, who is against medicare, is also against minimum wage, and against civil rights. And so, this alliance is natural. But if you mean that only those near the poverty level, black and white, can make a political alliance, it would be sheer utopia, because they are too small a group. They are still one-fifth the country, and they are the people who are least likely to vote. They have the smallest resources. They are the least organized. So I don't see how they could lead a political alliance alone.

These people that are near, or below, the poverty line, whatever their race, belong in a political alliance of liberals, the labor movement, and civil rights groups. The policies advocated by the labor movement on care for the aged, on minimum wage, on federal aid to education, on retraining programs, on the poverty war -- all of these things will do most for the very people we are talking about. We are interested in helping the underprivileged, because this is what the labor movement was built to do.

HARDEN: Mr. Slaiman, earlier you mentioned the conference that has been called for August, to deal with implementation of the Civil Rights Law. What will be the composition of that conference; and what will be the agenda?

SLAIMAN: Well, it hasn't been called yet. President Meany said he would recommend to the Executive Council to call the conference, and he will recommend that it be a conference of all affiliated international unions and our state bodies.

GILBRIDE: Mr. Slaiman, we have been talking largely about discrimination as it affects employment. About a year or so ago, the AFL-CIO asked all of its affiliated unions to set up programs dealing with all aspects of civil rights. Can you tell us about any definite results from this program?

SLAIMAN: Yes. After the White House conferences last summer, President Meany sent a letter to all of our central bodies saying that if there is no civil rights committee or human rights committee, one should be set up. He also established a task force, which would be a sort of technical aid program to central bodies, to work in the community with other interested groups. We hope to accelerate and intensify this program, with regard to helping to peacefully implement the Civil Rights Law, all over the country.

McBEE: Do you know how many of these committees have been set up?

SLAIMAN: We have the number of our state bodies that have committees, it is a good healthy majority. We have some figures for some of our larger central body committees, but they aren't exact. You know, we have some 800 central bodies, and it will take time to get accurate reports on the programs. Whatever it is, we aim to increase it by a great deal.

HARDEN: Thank you Miss McBee, and thank you, gentlemen. Our guest today was Don Slaiman, director of the AFL-CIO's Department of Civil Rights. Representing the press were Susanna McBee, reporter for the Washington Post, and Neil Gilbride, Washington correspondent for the Associated Press. Now this is Frank Harden, substituting today for your regular moderator, Harry W. Flannery, inviting you to listen again next week. LABOR NEWS CONFERENCE is a public affairs production of the AFL-CIO, in cooperation with the Mutual Broadcasting System.

-30-

July 18, 1966

General President James R. Hoffa
International Brotherhood of Teamsters
25 Louisiana Avenue
Washington, D.C.

Dear President Hoffa:

Heartiest congratulations on a very successful convention, and on your well deserved re-election to the General Presidency of the International Brotherhood of Teamsters. We look forward to many years of mutually beneficial cooperation.

I met with Jim Harding and Jules Bernstein on Thursday, July 14th, and discussed with them the present financial condition of CORE and how best the Teamsters could help us to overcome our immediate financial difficulties. They both suggested that the discussion be committed to writing in the form of a proposal which could be submitted to your Executive Board for their approval.

Floyd McKissick, our National Director and I, the associate national director, took office in March, 1966 at a time when the organization was in its most serious financial crisis. We both gave up secure jobs to direct the affairs of CORE because of our belief in the necessity for the continued existence of CORE and the work to which it has dedicated itself.

Because of the size and the longstanding nature of our present obligations and the very urgent need to disencumber ourselves in order that we may move forward on a more stable basis, it is necessary for us to secure a very substantial loan.

Bluntly, we need half a million dollars immediately to clear off old debts, to set up our fundraising operation on a more stable and productive basis, and to carry on the programs we now have on the way. Of course, we do not expect, nor are we asking the Teamsters to put up this entire amount. We propose to borrow this amount from a combination of unions to be repaid with interest at six and a half percent over a period of ten years.

Among the unions which have already agreed to join together and consider our request are, the Transport Workers Union, the International Ladies Garment Workers Union, the Amalgamated Clothing Workers Union, the Oil, Chemical and Atomic Workers Union, the United Hatters, and the I.U.E. We anticipate that the U.A.W., Amalgamated Meat Cutters, United Packing House Workers will also join this group.

Since busy labor leaders are difficult to assemble, we do not anticipate any action on our request before August 22nd at the Executive Board meeting in Chicago.

Because of the immediacy and urgency of our need, we are requesting a loan of $200,000. from the International Brotherhood of Teamsters to be repaid with interest at six and a half percent over a period of ten years, or such period agreeable to you and your Executive Board, but not less than five years. Repayment of this loan, it is estimated, would average $3,000. per month including interest over ten years.

I would emphasize that CORE has NEVER defaulted on a loan in all of its existence, and we now have outstanding loans at Chemical Bank New York Trust, Chase-Manhattan, and the Bank of New York. These small loans of course would be retired on the receipt of a larger re-organizational loan.

The general plan for the use of this loan is as follows: $250,000 to clear off old suppliers and loan debts, $150,000 to reorganize and set up our fundraising on a national basis covering 48 states i.e. excluding Hawaii and Alaska, and $100,000 on projects now under way in Baltimore, the Watts section of Los Angeles, Mississippi, Louisiana and Florida.

For the last five years we have received the following income: 1962 $612,500, in 1963 $516,900, in 1964 $885,700, in 1965 $779,500 and in 1966 $797,500. By the investment of a substantial sum in Fundraising, we anticipate that we

WILL RAISE $1,500,000 IN THE YEAR ENDING MAY 31, 1967, SUFFICIENT TO MAKE SCHEDULED REPAYMENTS ON ANY LOAN RECEIVED.

WE ARE PREPARED TO EXPLAIN AND DISCUSS WITH YOU OR YOUR EXECUTIVE BOARD ANY ASPECT OF THIS PROPOSAL, AT YOUR CONVENIENCE IN ANY PART OF THE COUNTRY. FROM OUR DISCUSSIONS WITH YOUR REPRESENTATIVES, I KNOW THAT YOU WILL GIVE THIS MATTER THE URGENT ATTENTION EXPRESSED TO JIM HARDING AND JULES BERNSTEIN. REGRETFULLY, TIME IS NOT OUR ALLY IN THIS INSTANCE AND YOU OR YOUR EXECUTIVE BOARD'S DECISION AS TO OUR CHANCES WOULD AFFORD US THE OPPORTUNITY OF LOOKING FOR ALTERNATIVE MEANS OF SURVIVAL.

FRATERNALLY YOURS,

LINCOLN LYNCH
ASSOCIATE NATIONAL DIRECTOR
CONGRESS OF RACIAL EQUALITY

LL:CW

office
copy

CORE - Congress of Racial Equality
38 Park Row, New York, N.Y. 10038
CO 7-6270

FOR IMMEDIATE RELEASE

ATT: Jim Peck or Marvin Rich

UNION CONTRACT LETS RIGHTS GROUPS HANDLE BIAS COMPLAINTS

Los Angeles, Calif., March 5--A novel clause permitting civil rights organizations to handle complaints on discriminatory hiring is included in a new agreement between Teamsters Local 595 and Spartan Groceries.

E.J. Franklin, chairman of the employment section of the United Civil Rights Committee, which includes CORE, commented: "The clause is an interesting development in the civil rights field."

Specifically, it provides that if a job applicant feels he has been rejected by the company because of race, he can designate one of the civil rights organizations to process his grievance, all the way through the final step of arbitration.

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File

SO THAT WE MIGHT BUILD A TRULY STRONG LABOR MOVEMENT

TULC
Supports the
NAACP

This statement of TULC policy, in support of the NAACP struggle against biased unions, appeared orginally in the June-July, 1963, edition of LABOR TODAY, an independent bi-monthly journal of comment and opinion relative to the labor movement.

We reprint it here so that it might receive the greater circulation it deserves.

We offer no apologies for it. It states clearly and factually why no organization of working people dedicated to freedom and justice for all can take any other position than that adopted by TULC.

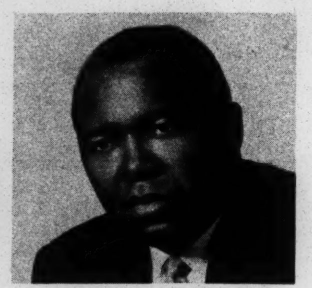
Yet, we say in all truth, that we regret having to follow such a policy. For we of TULC are second to none in loyalty to the worthy traditions and concepts of our labor movement. Our record of devotion to the union cause is well established and beyond question.

But these times demand the truth. The trade union movement cannot afford to settle for anything less, even if the price be momentary discord. We cannot and will not progress until the cancer of bias and inequality are forever removed from the union body.

Robert Battle III

Robert Battle III, President
Trade Union Leadership Council

HORACE L. SHEFFIELD



BIASED UNIONS

Horace L. Sheffield is Administrative Vice-President and Director of Organization of the Trade Union Leadership Council (TULC). The TULC has a membership of approximately 9,000, which consists primarily of Negro trade unionists. However, its membership does include a large number of white trade unionists as well as a significant number of non-union Negro and white liberals. Its main base of operation is the Greater Detroit area, but its influence has been felt throughout the labor movement. Sheffield is a member of the UAW and has held many posts in that organization. He has been an unrelenting fighter in the Negro workers' struggle to attain their full equity in the labor movement.

WHEN THE National Association for the Advancement of Colored People publicly announced its decision, last year, to file suits before the National Labor Relations Board seeking decertification of local unions that *persisted* in discrimination against Negroes, the Trade Union Leadership Council supported their action and hailed it "as a substantive step in the right direction."

Responding to the AFL-CIO Executive Council's immediate and unwarranted assaults on the NAACP and its Labor Secretary, Herbert Hill, for their decision to seek decertification of biased local unions, the TULC declared in a letter to the AFL-CIO, "As we of TULC see it, the long history of forbearance has brought the Negro workers to a series of clear, unmistakable conclusions: A man either has equality of opportunity or he doesn't . . . there is no satisfactory twilight zone in between. We stand with the NAACP and its Labor Secretary, Herbert Hill, and shall support them with all of our resources."

Some Negro and white spokesmen for the labor movement raise the counterfeit argument that "to appeal for decertification" (of unyielding jim-crow unions) "would, in essence, be union-busting rather than union-building." In our view, any so-called union that *persists* in so dehumanizing Negroes and other minorities is not worthy of being classified as a bona fide union.

To put it even more bluntly, there is nothing sacrosanct about unions! If the biased unions elect to *persist* in discriminating against Negroes, they are, in our judgment, anti-Negro, motivated by a Kluxer's mentality, and should not be afforded the sanction and protection of the Federal Government.

Equally ridiculous is the charge that the NAACP's action on jim-crow unions "is destructive of Negro-white labor unity." Since no such meaningful "Negro-white labor unity" exists today, insofar as this problem is concerned, this is mere ideological jingoism that lost most of its substance more than two decades ago. When these spokesmen talk about "preserving Negro-white labor unity," it is merely another way of asking Negro trade unionists to accomodate themselves to the snail's pace which has characterized so much of the labor movement's action in this area.

Overlooked is the fact that the NAACP's present action is directed only at those unions which *persist* in the grosser, more blatant forms of discrimination against Negroes. It is only the jim-crow local unions, those with separate lines of progression, separate seniority rosters, wage differentials based on race, etc., that would fall within the scope of the NAACP's present legal action.

To be sure, if the NAACP contemplated such action against those locals that engage in the subtler forms of discrimination against Negroes, it would have to retain at least 200 more lawyers, who would easily be kept busy, night and day, for the next ten years.

The NAACP has treated this matter with great patience and understanding. In all of the local unions where recision of certification is under consideration, the record will show that the NAACP has tried every peaceful means to induce these local unions to halt their discriminatory practices. In some instances, this fruitless activity has been going on for years. These local unions clearly intend to *persist* in their vicious discriminatory treatment of Negroes. As a matter of fact, they practically "thumbed their collective noses" at the NAACP.

NAACP Justified

In the face of this, the NAACP was absolutely justified in calling upon the National Labor Relations Board for a ruling that:

"1. A union which discriminates against Negro employees cannot qualify 'as the appropriate bargaining agent for employees in a bargaining unit';

"2. No bargaining agent may be certified by the Board if it violates its statutory duty of fair representation by segregating employees on a racial basis, excluding them from membership, or discriminating against them in their status as employees in the unit; and

"3. The certified bargaining agent be required to give all the employees 'opportunity to deliberate, discuss, and fashion the employment terms on an equal basis,' including the right to participate in the election of officers of the union."

As the NAACP pointed out, in comparing this new litigation with their historic legal attack upon school segregation, "Certain basic constitutional principles had to be affirmed at the highest level in order to break the color barrier in education. The right to equality in job opportunity is equally as basic, if not more so, as the right to an unsegregated education. Attainment of this goal," the NAACP rightly declares, "will contribute immeasurably to improving the economic status of the entire Negro community and thus will have a wholesome impact on the total economy."

On the question of communism and corruption, the AFL-CIO moved substantively and forthrightly, even expelling the "guilty unions" from the House of Labor. The virus of race discrimination, in the labor movement, is even more pervasive and pernicious and must be dealt with as the debilitating disease that it clearly is. The notion that Negroes should quietly endure discrimination until the hierarchy of the labor movement gets around to it is only acceptable to the "cousin Toms." If the NAACP had done anything less than seek recision of certification of those local unions that *persist* in discrimination against Negroes, it would no longer have deserved the support and fealty of the Negro masses.

Nursery School Out

In the aforementioned letter to the AFL-CIO, the TULC exclaimed, "We are happy to join the NAACP in hereby informing the AFL-CIO leadership that nursery school is out . . . that the dream picture that labor bureaucrats have constructed of a child-parent relationship with the Negro worker is forever finished." In unequivocal language, the TULC advised the AFL-CIO, "You can thunder, threaten, pick up the treasury, and go home . . . the fight of the Negro worker for total, absolute equality in the labor movement will go on." Indeed it will go on, and will go on with increased intensity, because the NAACP's new legal approach to the problem has added a new and vital dimension to the struggle.

The Trade Union Leadership Council was formed......

"To create a better understanding and more wholesome relationship between the Negro people, the labor movement, nationality, cultural and religious groups, and other liberal elements in the community to the end that our collective strength can be utilized to protect and strengthen our democratic institutions, to secure full recognition and enjoyment of the rights and liberties to which we all are justly entitled, and to preserve and perpetuate the cherished traditions of our democracy".... Article II, Section 2., Trade Union Leadership Council Constitution.

If you support these principles, then you should be a member. Regardless of where you live, you can join the TULC by sending two ($2.00) dollars (with your own name and address) to the the address listed below. This nominal fee also covers a subscription to The Vanguard, monthly organ of the TULC.

TRADE UNION LEADERSHIP COUNCIL, Inc.

8670 GRAND RIVER AVENUE • DETROIT 4, MICHIGAN
"A. Phillip Randolph Freedom House"
TYler 8-1020

"In Freedom's Cause"

SEPARATION RECORD

The following nonmanuscript items were removed from the C.O.R.E papers and have been sent to the division and section indicated, either to be retained or disposed of there. Any items Manuscripts wishes returned are clearly marked.

BOOKS (Library)

Equal Opportunity Union Made

PAMPHLETS (Library)

Policy Resolution on Civil Rights (3) The ILGWU-Fact & Fict
Students and Labor
The Bruns Strike (2)

NEWSPAPERS (Library - Newspaper Section)

Public Employee Press - March 20, 1964 / CSAE News - Oct. 1963
Hat Worker - March 15, 1964
AFL-CIO News - Feb. 15, 1964
Vanguard - Feb. 1964

GOVERNMENT PUBLICATIONS (Library - Government Publications Section)

BROADSIDES, CIRCULARS, AND PRINTED ADS (Library)

Religion & Labor - Feb. 1962
If You Want to Learn a Trade
Why Labor Fights for Civil Rights

PHOTOGRAPHS AND PRINTS (Museum - Iconographic Section)

ARTIFACTS (Museum)

OTHER Magazine: The American Federationist - Aug. 1964
Labor Today - Winter 1962-63

NEWS
U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary
1913 50 1963 YEARS OF PROGRESS

WEEKLY NEWS DIGEST

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Week of October 14, 1963

IN THIS ISSUE:

- Under Secretary of Labor Sees Need for Civil Rights Legislation
- critique * State Laws Against Discrimination in Private Industry Studied
- Labor Department Elevator Operator Fetes Foreign Trainees
- Pertinent Quotes
- Related Federal Agencies -- Minority Group Employment and Economics
  Franklin Delano Roosevelt, Jr., Under Secretary of Commerce

Under Secretary of Labor Sees Need for Civil Rights Legislation

Under Secretary of Labor John F. Henning, addressing the National Conference of Catholic Charities, called for united private and public effort in "common bond" issues. He cited civil rights legislation as such an issue: "Last June 4, the President set forth the most sweeping program placed before the Congress and the Nation. I can think of no audience to which the need for that program could be more evident."

* * * * *

State Laws Against Discrimination in Private Industry Studied

The Department of Labor's study (in soft-cover book form) "Growth of Labor Law in the U. S." has a 22-page chapter: "State Laws Against Discrimination in Private Employment." Fair Employment Practice Acts are discussed, as for example, "The First FEPC:

(MORE)

On the Federal level also, 1941 was a landmark year. In the early spring of that year, a group of Negroes, led by A. Phillip Randolph, President of the Brotherhood of Sleeping Car Porters, announced a mass march on Washington to focus attention on the need for fair employment practices. Just before the march was scheduled to take place, President Roosevelt issued an executive order establishing the Fair Employment Practice Committee to eliminate discriminatory employment practices based on race, creed, color or national origin in companies and unions with Government contracts, or which were engaged in war work."

Of the effectiveness of the laws, the study comments: "The success of the laws has been very directly related to whether enforcement powers are given to the administrators. Experience has shown that persuasion alone has not been able to change the employment patterns of an employer who is determined to continue a policy of discrimination".

The study which includes older worker legislation and equal pay laws for women concludes on the question of future prospects of State laws against employment discrimination: "There is every reason to expect further advances".

This study -- "Growth of Labor Law in the U. S.", is available in limited number upon request at the Department of Labor or may be purchased from the U. S. Government Printing Office, Washington 25, D. C. for $1.00.

* * * * *

Labor Department Elevator Operator Fetes Foreign Trainees

Mrs. Rosebelle Keith, an elevator operator assigned to the Department of Labor became a "goodwill ambassador" recently in an outstanding instance of American hospitality.

(MORE)

When she learned that a dozen foreign trainees studying with the Department's Bureau of Labor Statistics were ready to leave for home, she entertained them at a farewell party at her home which she organized on her own initiative. Friends and neighbors assisted.

The vistors from Viet Nam, Mexico, Surinam, Honduras, and Iraq, said they were delighted with the warm hospitality.

Mrs. Keith is well known to Labor Department employees for the unfailing warmth of her personality, in short, "everybody loves her."

* * * * *

Pertinent Quotes

"I think we take a particular pride in the fact that in many of the institutions in this country today, matters of racial discrimination or religious difference or any other have completely disappeared. There are no lines anymore within the Department of Labor, and I hope it gives you as warm a feeling to hear that and to know that, as it does me to say it."

Secretary of Labor W. Willard Wirtz,
addressing Labor Department Employees

* * * *

"Like the earlier industrial revolution, the current agricultural revolution demands changes in long-held traditions and customs, specifically in working practices and concepts of land use. Otherwise, as jobs and income decline, both trained and untrained youth will continue to leave the farms for the cities, too many of them contributing to the social dynamite of urban slums."

Esther Peterson, Assistant Secretary
of Labor

* * * * *

Related Federal Agencies--Minority Group Employment and Economics

Under Secretary of Commerce, Franklin D. Roosevelt, Jr., addressed Negro Businessmen at National Convention, Atlanta, Georgia:

> "As one of the agencies represented on the President's Committee on Equal Employment Opportunity, the Department of Commerce is keenly aware of the problems encountered in opening avenues to the main stream of economic life. In fact, we are acutely aware that the principles set forth in the President's directive on equal opportunity in employment are not always translated into action in the Federal Service itself. We are also aware of the fact that many firms holding contracts with the Government do not always fulfill as vigorously as required the conditions necessary to see that all Americans are treated alike. For this reason, the President's Committee has appealed to all employees to help make equality of employment opportunity a living reality. Now I am appealing to you as businessmen to help us in this campaign. You must help provide incentives for young people to acquire the preparation that will be required if they are to compete in the future market for manpower. You must also help the teachers give reality to a Negro youth's dream for a career in business. In fact, you must help create an environment in the Negro Community in which the ideal of self-improvement becomes contagious. I assure you that we in Federal Government are prepared to join with you in the pursuit of these goals."

* * * *

NEWS

U.S. DEPARTMENT OF LABOR

W. Willard Wirtz, Secretary

1913 50 1963
YEARS OF PROGRESS

WEEKLY NEWS DIGEST

Week of October 21, 1963

IN THIS ISSUE:

- X Dean Harding B. Young of Atlanta University on Puerto Rican Industry Committee
- Negro College Officials Assist Labor Department Seminars
- Directories of Labor Organizations Cover the World
- Hearings Scheduled on Foreign Agricultural Workers in Florida
- Emancipation Proclamation Commemoration Booklet Still Available
- President's Commission on Status of Women Submits Report
- Assistant Secretary George L-P Weaver Lauds Worker Participation in Alliance for Progress Program
- Quote by the Under Secretary of Labor John F. Henning

Dean Harding B. Young of Atlanta University on Puerto Rican Industry Committee

Harding B. Young, Dean of the School of Business, Atlanta University, has been named by Secretary of Labor W. Willard Wirtz to three review committees to consider in October, minimum wage rates in Puerto Rican industries producing knitwear and linens.

These committees which convene in Santurce, P.R., are authorized under Fair Labor Standards amendments of 1961 and represent employers, employees, and the public including residents of Puerto Rico and the continental United States. They may recommend the minimum rate or rates to be paid employees in specific industries in lieu of the rate resulting from statutory increase provided by the amendments.

(MORE)

Earlier appointees to Puerto Rican Industry Review Committees include Thomas M. Jenkins, Dean of College of Law, Florida A&M University; and James M. Nabrit, Jr., President of Howard University. Mr. Jenkins served in September 1963, at hearings concerned with the sugar, hosiery, and rubber products industries. Mr. Nabrit served in June 1963, on the committee concerned with the tobacco industry.

* * * * *

Negro College Officials Assist Labor Department Seminars

Four additional Negro educators from Negro Colleges have offered assistance as resource leaders at the Labor Department's one-day Regional Practices Seminars on Employment Opportunities for Minority Groups.

Dr. William H. Hale, President of Langston University, Langston, Okla., will serve in Denver on October 22; Dr. Lewis M. Jackson, Dean of Men at Central State College in Wilberforce, Ohio, will serve on October 17 in Cleveland; and Dr. Charles M. Hoard, Dean of Students at Lincoln University in Jefferson City, Mo., will serve in Chicago on October 18 and Kansas City, Mo., on October 28.

These seminars are intended to assist Labor Department field staffs in working with unions, industry groups, individual companies, the Negro communities and other organizations in order to gain acceptance of policies relating to equal employment opportunities. Previous seminars have been addressed by Dr. Samuel M. Nabrit, President of Texas Southern University; Dr. Carl Hill, President of Kentucky State College; Mr. Anthony Rachal, Jr., Director of Placement and Recruitment at Xavier University; and Mr. J. Percy Bond, Director of Admissions and Placement, Morgan State College. Mr. Rachal

(MORE)

who served in Dallas will also assist at Seattle on October 23 and 24.

* * * * *

Directories of Labor Organizations Cover the World

Labor Department Directories of Labor Organizations now cover Africa, Europe, and the Western Hemisphere. Newest revised and expanded edition is for Asia and Australasia, listing 2,100 major labor organizations with membership of 41 million. Prepared by the Department's Bureau of International Affairs (Assistant Secretary of Labor George L-P Weaver) this newest edition in two volumes sells for $7, at the U.S. Government Printing Office.

* * * * *

Hearing Scheduled on Employment of Foreign Agricultural Workers in Florida

Secretary of Labor W. Williard Wirtz has announced that a public hearing will be held in Miami, November 5, to consider the possible "adverse effect" of the employment of foreign agricultural workers on the wages and working conditions of domestic farmworkers in Florida. It had been previously determined that the employment of foreign agricultural workers at a rate of less than 95¢ an hour would adversely affect wages and working conditions of domestic workers.

* * * * *

Emancipation Proclamation Celebration Booklet Still Available

"America is for Everybody," the Department of Labor's booklet published earlier this year in commemoration of the Emancipation Proclamation is still available.

The illustrated booklet has a statement by President John F. Kennedy, a preface by Vice President Lyndon B. Johnson and a foreword by Secretary of Labor W. Willard Wirtz. It also has a reproduction of the Emancipation

(MORE)

Proclamation signed by President Abraham Lincoln.

The economic status of the Negro in 1863 and in 1963 is presented in text and table, as is the status of the Negro in the labor market. The work concludes in effect, as is stated by the President: "The task is not finished. Much remains to be done to eradicate the vestiges of discrimination and segregation, to make equal rights a reality for all of our people, to fulfill finally the promises of the Declaration of Independence."

The booklet is for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C., at 30¢ per copy. A limited number of copies are available upon request in the office of Arthur A. Chapin, Manpower Minority Group Specialist, Main Labor Building, Washington 25, D.C.

* * * * *

President's Commission on Status of Women Submits Report

The President's Commission on the Status of Women, established by Executive Order in December 1961, under the chairmanship of the late Eleanor Roosevelt, has submitted its 22-month "action-program" report to the President on the anniversary of Mrs. Roosevelt's death.

The report, including among its 24 signers Miss Dorothy Height, President, National Council of Negro Women, Inc., asks further executive action by the President and questions the constitutionality of many State laws which discriminate against women.

The Commission considered all women but was "particularly mindful" of the circumstances of certain women, including those who are members of minority groups, for whom many of its recommendations have added significance.

Its recommendations express special concern for women in whose families "the unbroken cycle of deprivation and retardation repeats itself from generation to generation."

In employment, the Commission enlisted the aid of the U.S. Civil Service Commission and the U.S. Employment Security Service in removing some apparent discriminations because of sex in job referrals and promotional policies. In recommends an executive order on the Federal level to bring the matter to the attention of private employers.

The report itself, an 86-page two-color book with 21 charts--"American Women" sells for $1.25 at the U.S. Government Printing Office.

* * * * *

Assistant Secretary Weaver Says Worker Participation in Alliance Necessary

Assistant Secretary of Labor for International Affairs George L-P Weaver, commenting that the workers themselves have rarely been consulted in Alliance for Progress planning, stated further: "One of the primary objectives of the United States at the Bogota meeting was to drive home the need for worker participation. I can tell you that no subject raised at the conference was more strongly and unanimously endorsed. We can consider this a significant breakthrough for the trade unionists and working people of Latin America. It has been signed into reality in the Declaration of Cundinamarca by representatives of each of the 19 nations meeting at Bogota."

The Alliance for Progress program was established to provide technical and financial cooperation among the American Republics to improve and strengthen democratic institutions through self-help, and comprehensive and well conceived national programs for economic and social development.

* * * * *

(MORE)

"It will profit the Negro little if he wins his constitutional right to vote in every town, county, and state in the union if his economic status perforce disinterests him in the governmental processes. Desegregated and expanded educational opportunities cannot of themselves guarantee the Negro a meaningful role in our society. Fair housing laws and fair housing practices will not provide him with a decent home in which to raise his family if his income is insufficient to maintain one."

--John F. Henning, Under Secretary of Labor

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NEWS
U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

WEEKLY NEWS DIGEST

Week of December 16, 1963

IN THIS ISSUE:

Employment Situation Improves Generally in Puerto Rico

Comments by A. Philip Randolph on Race and Employment

Text of Remarks by Assistant Secretary L-P Weaver at Groundbreaking of John F. Kennedy Housing Project in Mexico City

Employment Situation Improves in Puerto Rico in September

A survey of the civilian labor force of Puerto Rico by the Department of Labor's Bureau of Labor Statistics discloses that from August to September 1963, the civilian labor force increased from 702,000 to 713,000. Total employment increased from 611,000 to 639,000.

Unemployment in September was estimated at 74,000 persons, 17,000 less than in August (91,000). The corresponding unemployment rates were 10.4 and 13.0. The average duration of unemployment in September was 6.1 weeks.

Median educational level of the unemployed persons was 6.0 years. About 24 percent reported 10 years or more of schooling completed. Only 4 percent had completed 13 years or more of schooling. Forty-seven percent reported 1 to 6 years of schooling and 8 percent no schooling. Unemployment rates for the various educational levels are no schooling, 9.1 percent; 1 to 3 years, 11.6; 4 to 6 years, 11.8; 7 to 9 years, 13.0; 10 to 11 years, 11.7; 12 years, 8.6; and 13 or more years, 3.9.

About 49 percent of the unemployed were single persons; 47 percent married and 4 percent widowed or divorced. Forty-three percent were household heads.

(MORE)

The civilian noninstitutional population 14 years old and over was estimated at 1,550,000 persons in September (1,544,000 in August).

* * * * *

Quotes from A. Philip Randolph

A. Philip Randolph, AFL-CIO Vice President and President of the Brotherhood of Sleeping Car Porters, in a recent radio network interview commented on race relations in employment.

Relation of Civil Rights and Employment--"I would not set up a formula of priority with respect to the questions of civil rights or the question of employment....They must be dealt with at the same time because they supplement and compliment each other. It would not be well to say that job rights should be placed first on the agenda, or that civil rights should be placed first on the agenda. Both must be placed on the agenda....Even after Negroes get the attributes of citizenship they have got to fight for jobs and employment opportunities. You are not going to solve the problems of unemployment with civil rights. And consequently, Negroes have got to get this problem of civil rights over--and quickly--in order that we might deal with the problem of job rights."

Equal Opportunity and Job Competition--"There is some fear lingering in the minds and hearts of the workers that equal opportunity for employment to Negro workers may endanger the security of jobs for white workers. This, of course, is entirely erroneous; it's unsound. Nevertheless this fear exists and consequently a broad educational program must be carried on in the interest of eliminating this fear."

(MORE)

AFL-CIO and NAACP--"The NAACP has very successfully conducted campaigns, both outside the courts and within the courts, in the interest of declaring discrimination and segregation illegal. It has, in my opinion, achieved a splendid success, but I think that the NAACP would welcome the movement of the AFL-CIO into the civil rights struggle because in the final analysis of the basic problems the people of color face is the problem of jobs. And civil rights organizations are not set up to deal with the problem of jobs."

* * * * *

Text of Remarks of Assistant Secretary George L-P Weaver at Groundbreaking Ceremonies at the John F. Kennedy Housing Project in Mexico City

George L-P Weaver, Assistant Secretary of Labor for International Affairs represented the U.S at the groundbreaking ceremonies of the John F. Kennedy housing project in Mexico City, the first international housing project for workers financed from AFL-CIO pension funds.

The text of Mr. Weaver's remarks, reproduced here by request, follows:

"The Honorable Minster of Finance, Antonio Ortiz Mena, Mr. Ambassador, Senator Fidel Velasquez, distinguished guests and friends. This is indeed a proud moment for me. I have come at the request of the U.S. Goverment to participate in this precedent-setting ceremony.

"President Johnson and Secretary of Labor of the United States of America, W. Willard Wirtz and the Government of the United States extend their greetings and congratulations to the workers of Mexico who today join hands in a common effort with their brothers in the United States. President Johnson has pledged 'all the energies' of his Administration to the achievement of the objectives of the alliance for progress.

(MORE)

"We know what those objectives are. President Kennedy called on all the people of the hemisphere to join in a new alliance for progress, a vast cooperative effort unparalleled in magnitude and responsibility of purpose to satisfy the basic needs of the American peoples for homes, work and land, health and schools. And he said 'if we are going to meet a problem so staggering in its dimensions, our approach must itself be equally bold, an approach consistent with the majestic concept of 'Operation Pan America.'

"Just a few days before the tragic death of President Kennedy he attended the Convention of the AFL-CIO in New York City. AFL-CIO President Meany showed him a model of your housing project. When President Kennedy then addressed the Convention he quoted Abraham Lincoln: 'All that serves labor serves the Nation' and in a direct reference to the housing project of the graphic arts workers of Mexico President Kennedy said to the Convention 'I want to express my appreciation for the actions which this organization has taken under the leadership of President Meany....I saw coming in here a housing project of $10 million....in Mexico.'

"When President Kennedy voiced for the last time his hope for a hemisphere of Nations 'each confident in the strength of its own independence, devoted to the liberty of its citizens and joined with all nations of the West in an association based on national strength and a common dedication to freedom.' He also said....'goals and methods of the alliance for progress represent the only route whereby men of goodwill can obtain progress without despotism, social justice without social terror. And, it is on the alliance for progress that we base our common hope for the future.'

(MORE)

"That hope is for a hemisphere where every man has enough to eat and a chance to work; where every child can learn and every family can find decent shelter. It is for a hemisphere where every man from the American Negro to the Indian of the Altiplano can be liberated from the bonds of social injustice, free to pursue his own talents as far as they will take him, allowed to participate in the fruits of progress.

"The last two and a half years have been a time of trial and experiment. We have labored to build a structure of cooperation and common efforts for years to come. No nation in the Americas can deny that much more must be done to strengthen and speed our efforts; there have been setbacks and disappointments. That is why we intend to support strongly the leadership of the new 'Inter-American Committee for the Alliance for Progress'; and why we are working to clear away unnecessary obstacles to the swift and imaginative administration of United States contributions....and ultimately we will mold a continent where more than twenty strong nations live in peace, and people in hope, in liberty and in the realization that every tomorrow brings increase to the welfare and dignity of man."

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NEWS from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

WEEKLY NEWS DIGEST

Week of April 6, 1964

IN THIS ISSUE:

Additional Apprenticeship Information Centers Open--
to Serve the Disadvantaged

Gains Recorded for Negro Women Workers, 1950-1960
New Labor Department Booklet

Domestic Farm Labor to Benefit from Florida and California Actions

African Dignitaries Among Labor Department Foreign Visitor Trainees

Shorts:

Negro Trainees a Fourth of All Manpower Enrolles

Quote by President James M. Nabrit of Howard University

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Additional Apprenticeship Information Centers Open to Serve Disadvantaged

Three apprenticeship information centers, created particularly to assist youth of minority or otherwised disadvantaged groups are now being operated under Department of Labor auspices in the United States and two additional centers will be opened before July 1964, Under Secretary of Labor John F. Henning has announced.

Information centers were opened last week in Boston and Chicago after the success was established of the first center opened last June in Washington, D.C. Discussions are underway to determine the location of two additional centers this year.

Speaking at the March meeting of the Advisory Committee on Equal Opportunity in Apprenticeship and Training in Washington, Henning said the

(MORE)

Labor Department is requesting $302,000 in the fiscal 1965 budget to establish an additional 10 such centers.

The Advisory Committee, which has urged and supported the information center program, was created by the Secretary of Labor last year to inform and counsel youth on apprenticeship opportunities and as referral agencies for youths interested in becoming apprentices to cooperating employers. "Such assistance is needed," the Under Secretary stated, "particularly by youth of minority or otherwise disadvantaged groups."

Vernon Jirikowic of the International Association of Machinists, has called the Committee's attention to the pre-apprenticeship program the IAM has underway in Chicago for 100 young men, two-thirds of them Negroes.

* * * * *

Gains Recorded for Negro Women Workers, 1950-1960

"The major trend in the shift of employment patterns for Negro women workers is away from the traditional home service types of work, and reflects recent gains in employment and educational status," Secretary of Labor W. Willard Wirtz said in announcing the publication of a new Labor Department study, "Negro Women Workers in 1960."

There has also been a drop in the percentage of Negro women workers in farming and factory occupations, and an increase in the percentage of those in clerical, professional and sales occupations, and in service work other than household.

The study, made by the Women's Bureau, indicates that while the number of employed Negro women reached 2.5 million in 1960, an increase of 31 percent since 1950, the percentage of private-household workers among all Negro

(MORE)

women dropped from 60 percent to 41 percent in 1950 and to 36 percent in 1960. On the other hand, the percentage of Negro women clerical workers rose from 1 to 5 percent between 1940 and 1950 and to 9 percent in 1960. The increase of Negro women service workers outside households progressed from 10 percent in 1940 to 19 percent in 1950 and 21 percent in 1960. Significantly greater numbers of Negro women also have been employed in banking, retail trade, medical and other health services, public administration, and in some branches of manufacturing that are expanding.

These employment changes are attributed in part to a steady rise in educational levels. For instance, the percentage of nonwhite women who are high school graduates rose from 14 to 23 percent between 1950 and 1960. At the same time the median educational level for those in the 25-year-and-over age group rose from 7.2 years in 1950 to 8.5 years in 1960. In 1960 over three-fourths of the employed nonwhite women, 25 years and over, with four or more years of college, had professional or related kinds of jobs.

The report cites as other important factors in these changes the continuing migration of Negroes away from farms and into industrial and metropolitan areas, and a noticeable flow of Negroes out of the South into other regions of the country. In 1960, slightly over half of the nonwhite women of working age lived in the South, as compared to almost three-fourths in 1940.

A significant gap still exists between the incomes and earnings of Negro and white women workers. One in 10 Negro women received incomes of $3,000 or more in 1959 as compared to one in four white women. The median earnings of nonwhite women in 1959 were $1,219 while that for all women workers was $2,257.

(MORE)

The bulletin is on sale at the U.S. Government Printing Office, Washington, D.C. 20402. The prices is 30 cents.

* * * * *

Florida and California Actions to Benefit Domestic Farm Labor

Secretary of Labor W. Willard Wirtz has upheld a minimum wage determination of 95 cents an hour for the employment of foreign agricultural workers in Florida.

Under the law, foreign workers cannot be imported for agricultural work unless the U.S. Employment Service certifies that no U.S. workers are available and that the "employment of such workers will not adversely affect the wages or working conditions of domestic workers similarly employed in the area."

The Administrator of the Bureau of Employment Security, which administers the USES, made a determination last July that wage rates for foreign agricultural workers in Florida below 95 cents an hour would adversely affect the conditions of U.S. workers in the State.

Earlier, Under Secretary of Labor John F. Henning termed a recent agreement between the California State Employment Service and a major California food grower as "particularly pertinent in view of frequent criticism in the past of provisions of Public Law 78 which often guaranteed to foreign workers conditions of employment not offered to Americans." The grower firm of Carl Joseph Maggio, Inc., has agreed to recruit 350 U.S. farmworkers for this year's harvests under essentially the same working conditions and transportation benefits extended foreign workers.

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African Dignitaries Among Labor Department Foreign Trainees

Included among foreign visitor trainees at the Department of Labor in programs conducted by the Bureau of International Labor Affairs (Assistant Secretary of Labor George L-P Weaver) are:

Congo--Alphonse Nguvulu, Minister of Labor, studying labor-management relations; Jean-Marie Tumawaku, Chief de Cabinet Adjoint, studying labor-management relations.

Kenya--Frederick P. Kubai, Parliamentary Secretary, Ministry of Labor and Social Services.

Liberia--Ernest Boayue, statistician, studying labor inspection; Frank Ton Boldoe, Chief Labor Inspector, studying labor inspection.

Rodesia--John July Dube, President of the S.R. African Trade Union Congress, studying labor-management relations.

Sierra Leone--Henrison Nicholas Georgestone, General Secretary, Sierra Leone Council of Labor, studying labor-management relations; Joseph M. Gegbai, Branch Secretary, Sierra Leone United Mine Workers Union, studying labor-management relations.

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Negro Trainees Comprise a Fourth of Manpower Training Enrollees

Under Secretary of Labor John F. Henning has called attention to the fact that about 24 percent of the persons enrolled in training courses under the Manpower Development and Training Act are Negroes.

This is regarded as "encouraging" inasmuch as Negroes who comprise 11 percent of the labor force, have consistently suffered a much higher rate of unemployment than than the overall average.

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Quote on School Dropouts

"What does it profit us to desegregate schools if our youth are to dropout of these schools? What does it profit us to have equal employment opportunities if we lack the skills to take advantage of these opportunities? What does it profit us to have 'open' housing if we do not have the financial resources to rent or purchase such housing? Join in the fight against illiteracy, against unpreparedness. Keep our youth in school today, and when victory comes, as it will, in our age-old fight for equality, it will not be a hollow victory."

--James M. Nabrit, President, Howard
University (From address to Negro
Publishers)

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NEWS from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

MAY 7 1964

WEEKLY NEWS DIGEST

Week of May 4, 1964

IN THIS ISSUE:

Equal Opportunity for Older Americans
President Proclaims May "Senior Citizen Month"

Older Negroes in the Labor Market--A Labor Department Reprint

Arthur A. Chapin, Special Assistant to the Secretary of Labor, Delineates Economic Status of Negro to NAACP Regional Conference

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Equal Opportunity for Older Americans--May "Senior Citizens Month"

By proclamation of the President, the month of May has been designated "Senior Citizens Month."

The number and proportion of older persons in the U.S. population continues to increase. Today 55 million persons are age 45 and over; 18 million are over 65. Twenty-eight million of those 45 and over are in the labor force, representing fully 2/5 of the total force.

When those of us in 40's and 50's cannot find work because of age restrictions on job openings, or those of us of 55 and 60 are forced into premature retirement, the loss of the Nation is substantial and the loss to the individual--you and me is incalculable.

In the past decade, a number of government and private studies have been made which show that work capabilities are not necessarily related to chronological age, that the productivity, attendance, health, safety, and turnover records of older workers compare favorable with those of other age

(MORE)

groups; that most older workers have no significant physical handicap that would affect their job performances; and, that employment of older persons does not automatically increase costs of pension and other insurance systems.

* * * * *

Older Negro Workers in the Labor Market

Note: This section from the President's Manpower Report to Congress, including tables and charts, is available as a reprint in limited numbers at the U.S. Department of Labor.

The difficulties which beset the older worker in the job market are multiplied manyfold for the older Negro. Not only is he hurt by discriminatory employment practices because of race, but the factors which are a disadvantage to older workers generally--inadequate education and employment in less skilled occupations--are even more pronounced among the older Negroes.

Among men 55 to 64 years of age in 1962, the median number of years of school completed by nonwhites (nearly all Negroes, and hereafter so referred to) was only about 6 years, compared with 9 years for whites in this age group. Only about 10 percent of the Negro men in these ages in 1960 were employed in clerical, professional, and other types of white-collar jobs--where educational levels are high and unemployment relatively low--as against about 35 percent of the white men. Nearly half of all the older Negroes were either laborers or service workers, and thus subject to frequent and extended periods of joblessness and to meager incomes.

The rate of unemployment for Negro men workers aged 55 and over was 12.5 percent in March 1962, 2½ times as high as that for older white workers. Moreover, among those 55 to 64, about 1 1/3 times as high a proportion of Negro as white men were not in the labor force; presumably

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many of them had decided there was little or no possibility of find employment.

Consequently the average income of older Negro men is only about half that of older white men--an even greater income disparity than exists between Negroes and whites in the younger age groups. Although differences in education and other qualifications partly explain the income gap between white and Negro workers, there is ample evidence of unequal remuneration for equally qualified workers. Older Negro workers have considerably lower average earnings than white workers with the same years of education in the same occupation. The older Negro professional men, as a group, earned less than the overall average for older white men in all occupations, including laborers.

There are also indications of a widening of the disparity in employment opportunities as between older Negro and older white workers. The unemployment rate has been increasing faster among older Negro men and women than among older white workers. Furthermore, labor force participation rates of older Negro men have been declining noticeably in the preretirement, as well as the retirement ages, whereas those for white men have been declining only in the retirement ages and, even there, not as rapidly as among Negro men.

Judging from the close relationship between the education of the Negro worker--young and old--and his occupation, employment experience, and income, little improvement in his economic situation can be expected unless the white-nonwhite gap in education is closed substantially. This will be particularly difficult to accomplish in the case of older people well beyond

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the age of regular school attendance, many of whom lack even an elementary education. Special programs of basic education and skill development, such as those made possible by recent amendments to the Manpower Development and Training Act, will be required to qualify many older workers, expecially Negroes, for current employment opportunities.

* * * * *

Arthur A. Chapin Discusses Negroes' Economic Situation; Labor Department Efforts

In an April 25 address before the regional conference of the National Association for the Advancement of Colored People, in St. Louis, Mo., Arthur A. Chapin, Special Assistant to the Secretary of Labor told his audience in part:

"When the Labor Department prepared the Manpower Report to the President in March just past, which the President then submitted to Congress, it took a good hard look at the economic gap between the white and nonwhite population. Let me quote to you from this report:

"'The notable advances in Negro civil rights, education, occupational distribution, housing and earnings have led to a widespread assumption that the economic gap between them and the white population of the country is consistently narrowing. Such an assumption ignores the economic progress of the white population which has been even more rapid than that of the Negro in the past decade. As a result, the differences between the two racial groups have not only failed to narrow but have actually widened in such major areas as housing, income, and unemployment. Only in education is the gap narrowing, and the full rewards of this development have yet to be reaped.'

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"In other words, both racial groups have made economic progress. But the white group has made faster progress. And the result is a widening gap.

"In relation to his white counterpart, the Negro is falling farther and farther behind. During the fifties the average income of the Negro male improved substantially. For every dollar he earned in 1949, he earned $1.75 in 1959. But the white male, running ahead of the Negro, ran a little faster. While the Negro was earning $1 in 1949, his white counterpart earned $1.90; in 1959 for every $1.75 earned by the Negro, the white male earned $3.20.

"President Johnson, in his message to Congress on March 17, concerning THE WAR ON POVERTY, cited six major categories of the poor. He named as the fourth category, 'Minority Group Members.' One may well reflect that his other five categories should well have been labeled 'Minority Group Members,' for they are children of poverty, those by-passed by industrial change, rural families, fatherless families and the aged. The President pointed out that there is a substantial segment of the poor in this country who need not puzzle over the complicated economics of poverty. They are the minority group poor. For them, the equations are simpler. They are hired last, paid less, and fired first. Extending this statement today is the knowledge that automation and technological change each day remove thousands of skilled and semiskilled jobs from the job market, thus competition is increased among those least able to compete in the labor market for the remaining few jobs. The statement now has become, last hired, first fired, never rehired.

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"It is with urgency, born of necessity, that we in the Department of Labor are seeking with increasing precision to define the segments of the Negro population that can be helped. With accuracy and dedication we are seeking to place that help within the reach of those who can benefit most.

"In my job as Special Assistant to the Secretary of Labor, I have been given a mandate by the Secretary to insure that all of our Department's resources in employment, retraining, apprenticeship and research make the maximum contribution toward increasing the employment and utilization of the Negro. For the first time in American history, we have an affirmative program to employ qualified Negroes in the Federal Government, and to upgrade those already employed into better jobs based on merit.

"Secretary Wirtz has issued an order instructing the Department's Bureau of Apprenticeship and Training to require the inclusion of a specific nondiscrimination affidavit in all apprenticeship standards of firms handling government contracts and federally approved apprenticeship programs. In addition, it has been made clear that nowhere in these regulations a quota system is required. Applicants must all receive equal treatment and equal opportunity. The order further states that lists that were developed prior to the order and under which discriminatory patterns of employment may have resulted, must be ended.

"Vitally important is the Department's administration of its responsibilities under the Manpower Development and Training Act. The Department of Labor, through this act has the responsibility for developing programs to aid in the preparation of the labor force for employment opportunities.

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"A recent survey indicates that more than 20 percent of all trainees under this program in 1963 were Negroes. This is understandable but serves to underscore the high percentage of unemployment among Negroes. Today the Negro represents about 11 percent of the total work force, however there are about 800,000 Negroes who are unemployed. This 800,000 represents 21 percent of all the Nation's unemployed. Three hundred thousand of these unemployed Negroes are heads of families. The proportion of consistent unemployment among these heads of families is more than twice that among white heads of families.

"The Manpower program places special emphasis on assisting those people who are qualified only for jobs that are rapidly being automated out of existence. The largest number of unemployed workers in competition is unskilled employees. However, the least need today is for the unskilled worker.

"This program helps to make the employable and at a higher level through training and retraining. The program also provides an allowance while they are being trained; it also provides assistance in literacy training for those who, in the past, due to marginal educational attainment have been unable to qualify for a training program.

"At the conference held at Howard University, then Vice President Lyndon B. Johnson stated that: 'The most tragic mistake that a young Negro can make today, is to decide that there is no basis for faith in the opportunity which the future will offer him.'

Following these conferences, steps were taken to provide a bridge between opportunity and the preparation or qualification for opportunity.

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The determination of this Administration is not to settle for good intentions, but rather to measure itself by the same yardstick that others measure.

"We have completed a directory containing names, fields of study, both major and minor, colleges attended, and addresses of 1962 graduates. The Secretary has written to each of these graduates congratulating them, and requesting information regarding their employment status; whether they are working in areas of interest; whether the job requires a college degree; whether they are seeking advanced degrees; or, if in the military service, what plans have they for the future.

"We believe that the directory, for the first time provides an opportunity of economic leadership for Negroes whose educational attainment would not have been known except through this manner. As time progresses we will continue to expand this operation, for we believe that we can render assistance to this group and be of active service in motivating others to follow their footsteps in preparing themselves for job opportunities.

"Too few Negroes are prepared for new employment opportunities emerging from current equal employment opportunity programs, and too few are being equipped for new opportunities emerging from economic change. We must all provide the youth of our Nation with new ways of creatively facing the issue of eliminating disadvantages through education.

"Unless the Negro position improves very quickly, Negroes of whatever class may come to regard their separation from American society as permanent, and so consider themselves permanently outside the constraints and allegiances of American Society.

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"The Negro district of every large city would come to constitute an American Casbah with its own values and its own controls, and with a deep hostility to the white community. In such a situation, communication between the races would become impossible. Life in the large city would become unbearable. It is this emerging concept that is finding recognition in isolated manifestations of aloofness, from the entreaties of those who would negotiate within the framework of committees and percentages."

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NEWS from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

WEEKLY NEWS DIGEST

Week of May 11, 1964

IN THIS ISSUE:

- Secretary Wirtz Notes Increased Opportunities for Negroes, in His Annual Open Letter to College Graduates
- Negro Worker Opportunity Through Apprenticeship Noted in Evaluation
- The Nonwhite Unemployed -- A Statistical Picture
- Assistant Secretary George L-P Weaver Notes New Concern by Underdeveloped Nations for Rehabilitation and Employment of Handicapped
- Edward Sylvester of ILAB to Head U. S. Engineering Delegation to Geneva

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Secretary of Labor Wirtz Notes Increased Opportunities for Negro Graduates

Secretary of Labor W. Willard Wirtz in his annual open letter to college graduates congratulated the Class of 1964, some half million strong, and noted improved opportunities for Negro graduates:

"You are fortunate in many respects. College graduates, on the whole, have the lowest unemployment rates in the work force and the highest lifetime earnings. And increasingly, the diploma is a necessary visa to promotion opportunity and job security.

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"The economy has been expanding since 1961, and the year ahead is one of growing promise. College placement offices have reported increased recruiting activity, with better prospects being reported in nearly all fields. It is heartening to note as well that opportunities for qualified Negro graduates have improved measurably over earlier years."

The Job Outlook summary accompanying the letter notes opportunities in engineering, physical sciences, mathematics and statistics, biological sciences, forestry, earth sciences, teaching, counseling, library work, law, journalism, social science and related fields, health professions, performing arts, civil service, Peace Corps, and business.

The full letter and job outlook summary are available at the Department of Labor - USDL Release 6184.

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Negro Worker Opportunity Through Apprenticeship Noted in Statistical Evaluation

"Statistics on Apprenticeship and Their Limitations", third in a series of articles on Assessment of Apprenticeship, in the current Monthly Labor Review (March), concludes that a better job of evaluating training programs could be done if data can be improved.

On the matter of Negro Opportunity the article states: "Campaigns by government, civil rights groups, and others to open up apprenticeship to Negroes must be viewed in relation to the total number of new apprentices each year. In 1962, there were 55,465 registered new apprentices. The number has fluctuated between 50,000 and 60,000 since 1957. Of the 85,282

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male apprentices in the experienced civilian labor force in the 1960 census, 3.1 percent were nonwhite. Almost 5 percent of the journeymen were nonwhite. There is no classification by trade for Negro apprentices, but nonwhites comprised from less than 1 percent to almost a fourth of the journeymen. As observers have pointed out, in some of the trades, alternative systems of craft training offer Negroes greater opportunities for entering the skilled trades than apprenticeship.

"According to the 1963 training survey, which reveals that the more education a person had the more likely he was to have taken training, 32 percent of the nonwhites had taken some training, compared with 46 percent of all workers, and this disparity prevailed in all age groups. The education level where training was most common--high school graduation or some college--was achieved by 25 percent of the nonwhites compared with 45 percent of all workers. About 30 percent of nonwhite workers with training had never used such training, compared with 18 percent of all workers with training who had never used it."

The Monthly Labor Review is the official publication of the Department of Labor. Replete with pertinent study-articles and regular departments, it is for sale from the Superintendent of Documents, Government Printing Office, Washington, D. C., 20402. Price 75¢ per copy or $7.50 per year. Most articles are available in reprint form.

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The Nonwhite Unemployed -- A Statistical Picture

In March 1963, Negro unemployed persons were 20.9 percent of all the unemployed; by February 1964, they were 19.8 percent, and in March 1964, they were 19.3 percent. Negro men were 13.1 percent of the Nonwhite unemployed in March 1963, and decreased to 11.0 percent of the Negro unemployed in March 1964. Negro women rose correspondingly in the period from 7.8 percent of the Negro unemployed in March 1963, to 8.4 percent in March 1964.

	Unemployed Persons by Color		Percent	
	Mar '64	Mar '63	Mar '64	Mar '63
Total	4,293,000	4,501,000	100.0	100.0
White total	3,464,000	3,561,000	80.7	79.1
Male	2,210,000	2,424,000	51.5	53.8
Female	1,253,000	1,137,000	29.2	25.3
Nonwhite total	830,000	941,000	19.3	20.9
Male	470,000	589,000	11.0	13.1
Female	359,000	352,000	8.4	7.8

Nonwhite workers had somewhat higher representation among the long-term unemployed (unemployed 27 weeks and over). In March 1963, Negroes were 26.2 percent of all the long-term unemployed and in March 1964, were 22.5 percent.

Long-Term Unemployed by Color

	Percent Distribution		Civilian Labor Force Percent Distribution
	Mar '64	Mar '63	Mar '64
Total	100.0	100.0	100.0
White total	77.5	73.8	89.1
Male	54.0	55.5	58.6
Female	23.4	18.3	30.5
Nonwhite total	22.5	26.2	10.9
Male	14.3	17.5	6.5
Female	8.3	8.7	4.4

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Assistant Secretary Weaver Notes New World Concern for Employing Handicapped

Assistant Secretary of Labor for International Affairs George L-P Weaver in an address before the International Luncheon of the Annual Meeting of the President's Committee on Employment of the Handicapped called attention to growing world concern for rehabilitating and employing the handicapped:

"In my capacity as Chairman of the United States delegation to the International Labor Organization I am privileged to spend considerable time with representatives of other nations -- people who are intimately involved with employment problems in their respective countries. I find that one of their constant concerns is how to effectively utilize their countries' physically and mentally disabled.

"These people realize, as do all of us here, that in today's world it is a matter of very grave concern when we measure the sheer waste of productive capacity caused by under utilization of the handicapped. It is a most healthy sign that this fact is now being recognized by a number of underdeveloped countries which are attempting to lift themselves into the industrial 20th century.

"In these less-developed countries, the services to the handicapped have in the past been inadequate to meet even the minimum needs. This is certainly not surprising for, as you well know, rehabilitation programs require expenditure of considerable funds for medical facilities and equipment -- something the less-developed lands, until very recently, had not been able to sufficiently provide in the light of their other pressing needs."

* * * * *

Edward Sylvester to Head U. S. Engineering Delegation to ILO Geneva Session

Secretary of Labor W. Willard Wirtz has announced that Edward C. Sylvester, Jr., Deputy Administrator, Bureau of International Labor Affairs in the Department of Labor, will be Chairman of the U. S. Delegation to the Seventh Session of the International Labor Organization's Building, Civil Engineering and Public Works Committee, convening in Geneva, Switzerland, May 4-15.

The Session will concern itself particularly with technological changes in the construction industry and their socio-economic consequences. Mr. Sylvester, a graduate in civil engineering from Wayne University and a registered professional engineer who served in the Army Engineering Corps during World War II, will be the principal U. S. representative at the Conference.

Also slated for discussion is the matter of practical measures for the regularization of employment in the construction industry.

The U. S. 7-man delegation is made up of two delegates and an adviser from the government, two delegates representing employers and two delegates representing workers.

Mr. Sylvester, Deputy Administrator of George L-P Weaver, Assistant Secretary of Labor for International Affairs, will chair the delegation and is one of the government delegates. Mr. Arnold E. Chase, Assistant Commissioner for Prices and Living Conditions, Bureau of Labor Statistics, is the other government delegate.

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NEWS from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

WEEKLY NEWS DIGEST

Week of May 18, 1964

IN THIS ISSUE:

Average Urban Family Income $4,000 for Negroes, $7,000 for White; Urban Family Purchasing Power Up, But Not for Low-Income Families

Wage Discrimination Because of Sex Banned After June 11

Manpower Trainees; Their Occupational Mobility in the Service Trades

African Dignitaries Among Labor Department Foreign Trainees

Assistant Secretary George L-P Weaver Emphasizes the Role of the Church in the World Struggle for Human Rights: Addresses AME Conference

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Income of Negro Urban Families Averaged $4,100; White Families $7,000

The Department of Labor's report on "Consumer Expenditures and Income--United States, 1960-61," indicates that American urban families had considerably more purchasing power in 1960-61 than in 1950. However, there remained a substantial proportion of families with low incomes who were able to eke out only the barest existence.

Incomes of white families averaged about $7,000 compared with a little more than $4,100 for Negro families. "Others," that is Japanese, Chinese, Indians, and other nonwhite races averaged $6,200.

Negroes spent proportionately more for food and for shelter than did white families. (Food and shelter together took 59 cents out of every dollar spent by poor families against only 41 cents for food and shelter bought by families with incomes above $4,000).

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The lowest income families spent more for medical care than they did for clothing in 1960-61. Yet, these families spent only about one-third as much for medical care as families with incomes above $4,000, in spite of the predominance of elderly people with their generally greater medical needs in the lowest income group.

The average age of heads of families with incomes below $2,000 was 63 years, and they had only 8 years of schooling on the average. Rarely was there a member of these families who was employed full time. Only 1 in 6 of them owned automobiles, compared with nearly 9 out of 10 families with incomes above the $4,000 level, and homeownership was much less prevalent among the poor families. Low-income families generally spent more than their current incomes in 1960-61 by using up previously accumulated assets or going into debt by an average of $200 to $300. In fact, it was not until after incomes passed the $5,000 mark that families began to save, on the average.

The highest income families generally lived in the suburbs of metropolitan areas, where homeownership and automobile ownership were most prevalent and the proportion of nonwhite population was lowest. These families saved more, often in the form of increased equities in homes. They also made the largest payments into personal insurance, paid the most taxes, and spent the most for transportation, especially automobiles.

For additional comparative data see Table 7A from the study on the last page of this packet.

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Wage Discrimination Because of Sex Banned After June 11

The Equal Pay Act, which amends the Fair Labor Standards Act goes into effect generally June 11, 1964. It prohibits wage discrimination on the basis of sex.

Bookkeeping regulations have been amended and employers will be required to record the sex as well as the occupation of employees subject to the equal pay provisions.

The Equal Pay Act does not apply to employees exempted from the minimum wage provisions of the Fair Labor Standards Act. For example, exempted are employees of hotels and motels, restaurants, hospitals, and nursing homes, taxicabs, certain small newspapers, and a number of others employed by establishments meeting the test of the act's definition of "retail or service establishment."

A new official poster is being mailed by the Labor Department's Wage and Hour and Public Contracts Divisions to more than 1.1 million employers with 28 million employees covered by the Fair Labor Standards Act. This poster must be displayed in establishments having workers subject to the act's equal pay minimum wage, maximum hours, and overtime pay standards.

The Labor Department has also issued an interpretative bulletin designed to provide guidance to employers, union and employees as to their responsibilities and rights under the law. The bulletin, "Information on the Equal Pay Act of 1963" is available at the Department upon request.

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Manpower Trainees--Occupational Mobility

Slightly less than one out of 12 enrollees is learning a service trade. One of every 3 trainees a skilled trade; one of every 4 a semiskilled

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trade; one of every 5 a clerical and sales trade; and one of every 10 a semiprofessional and managerial trade.

The two occupations predominating in Manpower Development and Training Act programs for jobs in the service field, are health service jobs such as nurse aide, and food service occupations such as cook, waiter, and waitress.

The largest group of trainees for service jobs (38 percent) come from the service area itself and are having their skills upgraded. The second largest group (33 percent) were either unskilled workers or persons who had no significant work experience and are learning a specific skill for the first time.

(Data from "Occupational Mobility Through MDTA Training," Manpower Evaluation Report Number 2, March 1964, U.S. Department of Labor.)

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African Dignitaries Among Labor Department Foreign Trainees

Included among foreign visitor trainees at the Department of Labor in programs conducted by the Bureau of International Affairs (Assistant Secretary of Labor George L-P Weaver) are:

Congo--Alphonse Nguvulu, Minister of Labor, studying labor;
Jean-Marie Tumawaku, Chef de Cabinet Adjoint, Labor Ministry, studying labor.

Nigeria--Ayoula A. Adaleke, Chairman, United Labor Congress, Eastern Region Working Group, studying trade union activities.

Nyasaland--Honorable Willie Chokani, Minister of Labor, studying labor in government.

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Assistant Secretary Weaver Emphasizes Role of Church in Human Rights

Assistant Secretary of Labor for International Affairs George L-P Weaver told the General Conference of the African Methodist Episcopal Church that "no role is more important to the Church today than this: 'Where are we going? And are we headed in the right direction?'

"I want to say to you as forcefully as I possibly can," Mr. Weaver said, "that peace in our time cannot be achieved without the fulfillment of equality in our time. This is the direction we must go, and we must never turn back.

"And I want to say something else: The Churches of America have not always led in the fight to achieving human rights and fundamental freedoms. Too often in our nation's history its Church leaders, honest in their abhorrence of wrongdoing and 'man's inhumanity to man,' moralized and temporalized on the problems of social injustice. Their spirit of liberty lessened and just as day followed night, sound public morality declined, and wealth became more important than human rights. Too often, they repeated to their congregations, which looked desperately to them for direction, that famous phrase of Voltaire, 'I must follow the masses, for I am their leader.'

"Although the Church oftentimes has passed leadership from the moral sphere to the political sphere, I say that I am proud to witness the militancy taken by the Churches in this present fight for human rights. No soothing balm was greater than to see the religious leaders of all faiths ban together in denouncing the campaign of Governor Wallace in Wisconsin and Indiana as 'morally evil.'

(MORE)

"We live in a world and in a time of great challenge.

"But what is important is whether we are moving in the right direction. Once we have determined that, then reasonable men can dispute the question of whether the movement toward the achievement of social justice, human dignities and fundamental freedoms is too slow or too fast, too erratic or too steady.

"But to talk human freedom is not enough. We must have the will and the determination to fight for what is rightfully ours. Human rights are ours by birth and are not given by governments. History has taught us that no government ever gives human liberties and freedom--they take them away.

"The struggle for human rights is not confined to the United States, it is worldwide and universal in intensity. Racial discrimination is not peculiar to America, religious bigotry is not confined to the United States, discrimination against Arabs in Zanzibar, against the Maoris in Australia and New Zealand, against the Indians in South America are just as much the concern of us here tonight as racial discrimination here at home is our concern.

"Let us never forget the civil rights struggle at home does have its parallel in the international arena. The indomitable human spirit the world over is now seeking to burst out of its confinements of centuries. As we in the United States fight for the rights of one citizen here, we truly fight for the rights of all citizens the world over.

"Although the concept of human rights is as old as mankind itself, it is still the most potent force of all time; this concept of a life with dignity, equality and opportunity for all men everywhere.

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"I say, freedom for the black man in Africa remains the great unfinished business of mankind. In this era of awakening, in this era of new enlightenment about the rights of man, the rights of the black man in South Africa is a moment for sober reflection.

"Despite the appeals of civilized nations, there has been absolutely no forward motion by South Africa to lift the burden of oppression. In fact, that government has intensified its efforts of enslavement and has accelerated its efforts by taking away more and more freedoms.

"The Church, above all, must lift its voice in this most terrible example of 'man's inhumanity to man.'

"The task facing the world is enormous, far greater than speech-making and occasional resolutions passed by international organizations. The peace of the world rests with the eradication of any cancer which diminishes the freedom of any one of us.

"In closing, I want to emphasize that you, as makers of public opinion, can play a most important role in bringing injustice and oppression to the fore."

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TABLE 7A

SUMMARY OF FAMILY EXPENDITURES, INCOME, AND SAVINGS, BY RACE

ALL URBAN FAMILIES AND SINGLE CONSUMERS - UNITED STATES, 1960-61

	TOTAL	WHITE	NEGRO	OTHER
FAMILY CHARACTERISTICS				
ESTIMATED NO. OF FAMILIES IN UNIVERSE (000)	40132	35238	4398	494
PERCENT OF FAMILIES	100.0	87.8	11.0	1.2
AVERAGE				
FAMILY SIZE	3.1	3.1	3.2	3.5
MONEY INCOME BEFORE TAXES	$6,691	$7,018	$4,133	$6,195
NET CHANGE IN ASSETS AND LIABILITIES	$177	$196	$23	$224
NUMBER OF FULL-TIME EARNERS	.8	.8	.7	.9
AGE OF HEAD	47	48	46	43
EDUCATION OF HEAD	11	11	8	9
NUMBER OF CHILDREN UNDER 18 YEARS	1.2	1.1	1.4	1.5
PERCENT				
HOMEOWNERS, ALL YEAR	53	56	31	32
AUTO OWNERS, END OF YEAR	73	76	43	58
NONWHITE	12		100	100
REPORTING SAVINGS INCREASE	52	53	43	58
DECREASE	41	41	43	32
NO CHANGE	7	6	14	10
WITH CHILDREN UNDER 18 YEARS	50	50	50	62
WITH PERSONS 65 YEARS AND OVER	23	23	19	11
AVERAGE INCOME, EXPENDITURES AND SAVINGS				
TOTAL RECEIPTS	$7,747	$8,160	$4,512	$7,024
MONEY INCOME AFTER TAXES	5,906	6,169	3,840	5,542
OTHER MONEY RECEIPTS	82	86	33	173
DECREASE IN ASSETS	897	995	128	746
INCREASE IN LIABILITIES	862	910	511	563
ACCOUNT BALANCING DIFFERENCE	-207	-214	-210	-66
TOTAL DISBURSEMENTS	7,954	8,374	4,722	7,090
INCREASE IN ASSETS	1,423	1,561	346	1,149
DECREASE IN LIABILITIES	514	541	316	384
PERSONAL INSURANCE	324	339	203	320
GIFTS AND CONTRIBUTIONS	303	323	150	238
EXPENDITURES FOR CURRENT CONSUMPTION	5,390	5,610	3,707	4,999
FOOD, TOTAL	1,311	1,357	929	1,448
FOOD PREPARED AT HOME	1,036	1,070	760	1,110
FOOD AWAY FROM HOME	275	287	169	338
TOBACCO	95	97	80	70
ALCOHOLIC BEVERAGES	90	92	75	81
HOUSING, TOTAL	1,588	1,647	1,163	1,310
SHELTER	748	775	554	632
RENTED DWELLING	325	316	389	421
OWNED DWELLING	385	416	159	196
OTHER SHELTER	38	43	6	15
FUEL, LIGHT, REFRIGERATION, WATER	244	253	178	156
HOUSEHOLD OPERATIONS	319	332	228	248
HOUSEFURNISHINGS AND EQUIPMENT	277	287	203	274
CLOTHING, CLOTHING MATERIALS, SERVICES	558	571	464	496
PERSONAL CARE	155	157	141	130
MEDICAL CARE	355	378	178	287
RECREATION	217	228	130	203
READING	49	52	31	36
EDUCATION	60	65	24	93
TRANSPORTATION	793	839	435	722
AUTOMOBILE	700	745	352	592
OTHER TRAVEL AND TRANSPORTATION	93	94	83	130
OTHER EXPENDITURES	119	127	57	123
VALUE OF ITEMS RECEIVED WITHOUT EXPENSE	202	211	140	198
FOOD	14	14	15	16
SHELTER	11	11	11	23
OTHER	177	186	114	159
PERCENT DISTRIBUTION				
EXPENDITURES FOR CURRENT CONSUMPTION	100.0	100.0	100.0	100.0
FOOD, TOTAL	24.3	24.2	25.1	29.0
FOOD PREPARED AT HOME	19.2	19.1	20.5	22.2
FOOD AWAY FROM HOME	5.1	5.1	4.6	6.8
TOBACCO	1.8	1.7	2.2	1.4
ALCOHOLIC BEVERAGES	1.7	1.6	2.0	1.6
HOUSING, TOTAL	29.5	29.3	31.4	26.2
SHELTER	13.9	13.8	14.9	12.6
RENTED DWELLING	6.0	5.6	10.5	8.4
OWNED DWELLING	7.1	7.4	4.3	3.9
OTHER SHELTER	.7	.8	.2	.3
FUEL, LIGHT, REFRIGERATION, WATER	4.5	4.5	4.8	3.1
HOUSEHOLD OPERATIONS	5.9	5.9	6.1	5.0
HOUSEFURNISHINGS AND EQUIPMENT	5.1	5.1	5.5	5.5
CLOTHING, CLOTHING MATERIALS, SERVICES	10.4	10.2	12.5	9.9
PERSONAL CARE	2.9	2.8	3.8	2.6
MEDICAL CARE	6.6	6.7	4.8	5.7
RECREATION	4.0	4.1	3.5	4.1
READING	.9	.9	.8	.7
EDUCATION	1.1	1.2	.6	1.9
TRANSPORTATION	14.7	15.0	11.7	14.4
AUTOMOBILE	13.0	13.3	9.5	11.8
OTHER TRAVEL AND TRANSPORTATION	1.7	1.7	2.2	2.6
OTHER EXPENDITURES	2.2	2.3	1.5	2.5

NEWS from U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

WEEKLY NEWS DIGEST

Week of May 25, 1964

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Job Gains Among Nonwhite Workers--Occupational Distribution, Unemployment Rates, Proportions of the Labor Force

Secretary Wirtz Tells Clothing Workers the Well-Being of the Many Must Not Be Denied the Few

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JOB GAINS AMONG NONWHITE WORKERS

There has been some improvement over the year in the employment status of nonwhites, although their job situation remains markedly inferior to that of whites. In several respects, gains have been more pronounced than those shown by whites. Moreover, the gains were somewhat larger than those recorded in the previous year. Some of the important developments, based on first quarter averages for 1963 and 1964, are described below.

Unemployment Rates

Unemployment rates have come down over the year among both white and nonwhite workers. The improvement among nonwhites has been somewhat greater and more widespread among the various age-sex groups in the labor force.

Adult men. The decline in unemployment rates over the year for nonwhite workers was nearly 2 percentage points as compared with 0.7 percentage point for whites. Developments over the past year do not merely represent a catch-up in recovery from the 1960-61 recession. The rate for adult nonwhite men in 1964 was below that recorded in early 1960 whereas the rate for white men was about the same as 4 years earlier. It should be emphasized, however, that the convergence that has taken place in these unemployment rates, while encouraging, has been comparatively small thus far. In 1964, the unemployment rate for nonwhite men in the labor force continued to be more than double that of white men.

Adult women. Since early 1963, there has been a slight increase in the unemployment rate for white women. Among nonwhite women, there were divergent trends--a significant drop in the central age group 25 to 44 but a somewhat higher unemployment rate among other nonwhite women in early 1964 as compared with the previous year.

Teenagers. In this group, there was virtually no change for the white boys and girls, but a significant drop in unemployment rates among nonwhite youngsters. Nevertheless, the incidence of unemployment among nonwhite teenagers in the labor force continued to be exceedingly high--nearly one in four among the boys and three in ten among the girls. The rates for nonwhite girls 14 to 19 (and for young women 20 to 24) in the labor force were three times higher than for white women in these age groups in early 1964.

(MORE)

Table 2. Unemployment Rates, by Age, Sex, and Color, First Quarter Averages, 1962-64

Age, sex, and color	White 1964	White 1963	White 1962	Nonwhite 1964	Nonwhite 1963	Nonwhite 1962
Total	5.5	5.8	5.6	11.3	12.7	13.0
Male	5.3	6.0	5.7	11.1	13.1	13.2
14 to 19 years	15.3	15.1	14.0	22.7	28.2	24.7
20 years and over	4.7	5.4	5.1	10.1	11.9	12.2
20 to 24 years	9.6	10.0	10.1	16.8	18.8	16.9
25 to 44 years	3.8	4.8	4.6	10.2	11.5	11.5
45 years and over	4.5	5.1	4.7	7.7	10.2	11.6
Female	5.9	5.6	5.6	11.6	12.1	12.7
14 to 19 years	11.2	11.3	10.0	29.6	32.6	36.7
20 years and over	5.3	5.0	5.1	10.3	10.7	10.9
20 to 24 years	7.7	6.9	8.2	23.1	18.6	17.0
25 to 44 years	5.8	5.5	5.4	9.9	12.6	12.0
45 years and over	4.1	3.9	4.0	6.4	5.4	7.4

Long-term Unemployment

Throughout the postwar period, nonwhite workers have accounted for a disproportionate share of long-term unemployment. This was still the case in early 1964. Nonwhite workers, who represented 11 percent of the civilian labor force, accounted for 21 percent of those out of work 15 weeks or longer and 23 percent of those jobless for 27 weeks or longer. However, the percentage of the long-term unemployed who were nonwhite has declined since 1962, with a sharp drop between 1963 and 1964.

Table 3. Long-term Unemployment, By Sex and Color, First Quarter Averages, 1962-64

(Percent distribution)

Sex and color	Unemployed 15 weeks and over			Unemployed 27 weeks and over			Civilian labor force
	1964	1963	1962	1964	1963	1962	1964
Total							
Number (thousands)...	1,197	1,281	1,389	531	617	703	72,377
Percent	100.0	100.0	100.0	100.0	100.0	100.0	100.0
White, total	79.4	77.1	75.2	77.4	74.1	73.5	89.0
Male	52.9	54.7	52.6	52.6	54.8	51.5	58.7
Female	26.5	22.4	22.7	24.7	19.3	21.9	30.3
Nonwhite, total	20.6	22.9	24.8	22.6	25.9	26.5	11.0
Male	12.4	16.1	16.2	13.0	17.8	18.2	6.5
Female	8.2	6.8	8.6	9.6	8.1	8.4	4.4

(MORE)

Table 4. Civilian Labor Force Participation Rates, by Age, Sex, and Color, First Quarter Averages, 1962-64

Age and sex	White			Nonwhite		
	1964	1963	1962	1964	1963	1962
Male, 14 years and over	76.4	76.8	77.6	73.8	74.0	74.9
14 to 19 years	33.8	32.9	33.9	29.8	29.4	31.3
20 to 24 years	82.3	83.8	84.1	86.6	86.8	87.2
25 to 34 years	97.2	97.2	97.1	95.2	94.0	95.1
35 to 44 years	97.5	97.9	97.6	95.4	95.3	93.9
45 to 54 years	96.4	96.2	95.6	90.8	90.7	90.4
55 to 64 years	85.9	86.5	87.1	79.6	82.7	81.7
65 years and over	27.1	28.1	31.0	29.1	25.2	26.6
Female, 14 years and over ...	35.8	35.2	35.0	43.5	43.7	44.0
14 to 19 years	25.4	25.5	25.9	17.8	17.5	18.6
20 to 24 years	48.8	47.4	44.7	47.6	46.2	48.0
25 to 34 years	34.9	34.1	34.7	51.3	50.3	49.9
35 to 44 years	42.9	43.0	41.7	56.0	59.4	56.7
45 to 54 years	50.3	49.4	49.0	61.9	59.7	60.1
55 to 64 years	39.3	38.8	37.1	47.0	47.0	46.6
65 years and over	10.0	9.0	10.3	11.2	11.6	11.8

Proportions in the Labor Force

Since the mid 1950's, there has been a gradual decline in the labor force participation rates of nonwhite men in the central age groups. Although comparative small, the decline was statistically significant, whereas among white men changes in worker rates were virtually imperceptible. Thus, while worker rates for nonwhite men have always been slightly lower than for white men in the same age groups, the difference widened during the latter 1950's and early 1960's. The reasons for this development are not fully known. However, since the vast majority of men in the 25-54 year age group are in the labor force year round, any decline in their worker rate tends to arouse concern. If the previous decline in the nonwhite worker rate was related to the group's persistently high rates of unemployment, it is encouraging that the labor force rates for nonwhite men in the age groups 35-54 showed no further decl over the past year while that for the 25-34 year age group rose, returning to its 1962 level.

Involuntary Part-time Jobs

The percent of nonwhite workers on involuntary part time for economic reason was still three times that of white workers in the first quarter of 1964, but there has been more improvement over the year for nonwhites. Some of the gain probably resul from the change in the occupational and industrial distribution of the nonwhite work for especially the decline in private household service where high rates of involuntary par time prevail. At the same time, there was a significant drop in the proportion of nonwhite workers whose hours had been cut back from full to part time because of slack work or other economic factors. This suggests gains among blue-collar workers in th goods-producing industries.

(MORE)

Table 5. Persons at Work in Nonagricultural Industries, by Full- or Part-time Status and Color, First Quarter Averages, 1962-64

Full- or part-time status	White			Nonwhite		
	1964	1963	1962	1964	1963	1962
At work:						
Number (thousands)	55,490	53,902	53,091	6,312	6,036	5,824
Percent	100.0	100.0	100.0	100.0	100.0	100.0
On full-time schedules 1/	85.2	85.4	85.4	79.1	77.4	78.8
On part time for economic reasons, 2/ total	2.8	3.0	3.0	8.7	10.2	10.5
Usually work full time	1.6	1.7	1.6	2.2	2.8	2.7
Usually work part time	1.2	1.3	1.4	6.5	7.4	7.8
noneconomic reasons	12.0	11.6	11.6	12.1	12.4	10.6

1/ Includes persons who actually worked 35 hours or more during the survey week and those who usually work full time but worked 1 to 34 hours during the survey week because of noneconomic reasons (bad weather, illness, holidays, etc.)

2/ Includes persons who worked less than 35 hours a week because of slack work, material shortages, job turnover, inability to find full-time work, etc.

The Occupational Distribution

The composition of the nonwhite employed continued to change in the direction of higher proportions in professional and clerical occupations. The 1963-64 change was larger than that shown for 1962-63 and much more than the average yearly increase over the long run. At the same time, the proportion of nonwhite workers employed in private households dropped sharply. In contrast, occupational changes over the year among white jobholders were small and mostly within the range of sampling error.

On the negative side, there appeared to be a slight increase in the proportion of nonwhites working as laborers and no further drop in the percentage employed in farm occupations between 1963 and 1964. Moreover, over this past year, nonwhite workers did not make any significant inroads in managerial, sales, or skilled blue-collar jobs. The proportion of nonwhites in these 3 occupation groups was still only 11 percent in 1964 as contrasted with 32 percent among whites.

(MORE)

Table 6. Employed Persons, by Major Occupation Group and Color, First Quarter Average, 1962-64

(Percent distribution)

Major occupation group	White			Nonwhite		
	1964	1963	1962	1964	1963	1962
Total employed:						
Number (thousands)	60,879	59,655	59,038	7,037	6,825	6,682
Percent	100.0	100.0	100.0	100.0	100.0	100.0
Professional and technical	13.4	13.4	13.2	7.2	6.1	5.4
Managers, officials, proprietors	12.0	12.0	12.3	2.6	2.9	3.2
Clerical workers	16.4	16.1	15.9	8.4	7.4	7.6
Sales workers	6.8	6.9	7.0	1.8	1.7	1.7
Craftsmen and foremen	13.3	13.4	13.2	6.4	6.3	5.9
Operatives	18.2	17.8	17.3	20.4	21.6	21.2
Nonfarm laborers	3.8	3.8	3.8	12.7	12.0	13.1
Private household workers	2.1	2.1	2.4	14.2	15.9	15.2
Other service workers	8.7	8.7	8.5	19.9	19.6	18.9
Farmers and farm managers	3.4	3.7	4.2	1.9	2.0	2.3
Farm laborers and foremen	1.9	2.1	2.2	4.6	4.4	5.6

NOTE: The preceding data is reprinted from the Monthly Report on the Labor Force for April 1964, prepared in the Bureau of Labor Statistics of the Department of Labor.

* * * * *

Secretary Says Well-Being of the Many Must Not Be Denied the Few

Secretary of Labor W. Willard Wirtz addressing the Amalgamated Clothing Workers of America stated:

"If, 50 years ago, the task was to see to it that the wealth being concentrated in a few was to be shared by many, the task now is to see to it that the well-being of the many is not denied to a few.

"The test from here on is not to be how far and how fast the economy advances. The test is to be how few people are left behind. President Johnson has spoken the nation's conscience and its commitment that poverty for some is not to be the price of progress for others.

(MORE)

"It is essential, in fighting poverty, that we do everything possible to stimulate economic growth. Yet it is clear that we must also meet the special problems of human need and equity which are involved--by stronger and broader minimum wage laws, by vigorous enforcement of the new law requiring equal pay for women, and by the "medicare" amendments to the Social Security Act."

* * * * *

Manpower Training Provided for Negro and Mexican Migrant Strandees

Secretary of Labor W. Willard Wirtz has approved a Manpower Development and Training Act program to provide skills to 150 former migrant farmworkers in Lansing, Mich. As part of their preparation for jobs in 10 demand occupations, the workers will be given basic literacy training.

The 150 former migrants to be selected will be between the ages of 19 and 21.

Selectees will be provided with intensive testing, guidance, and counseling services, and will be given initial training in language-literacy, arithmetic, and cultural understanding. This phase of the project is designed to qualify them for additional training for a specific skill. Occupations for which such training is presently scheduled include automobile mechanic helper, cook, landscape laborer, greenskeeper, groundskeeper, formal waiter, maintenance worker, farm equipment mechanic, welder and machine operator.

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NEWS *from* **U.S. DEPARTMENT OF LABOR**
W. Willard Wirtz, Secretary

USDL -- 6207

FOR RELEASE: A. M. Editions
Tuesday, May 26, 1964

Address by
Arthur A. Chapin
Special Assistant to the Secretary of Labor
At the
Library Lecture Series
Savannah State College
Savannah, Georgia
May 25, 1964

* *

Ladies and Gentlemen, I want to express my appreciation to all of you for being kind enough to come here this evening and allowing me the chance to talk with you.

As Special Assistant to the Secretary of Labor for Manpower, one of my responsibilities is to assist the Department in its role of bringing an end, in this great Country of ours, to unemployment.

Therefore, I should like to consider with you the manpower picture as it is expected to develop over the next six to eleven years. Before I do so, however, it is fitting that we set the stage for this picture by the recognition that yesterday's fiction finds its parellel in today's fact. A century which dawned on an industrial revolution, that had men concerned about becoming slaves, has reached its high noon in a revolution of technology, haunted by the spectra of becoming robots.

Social critics refer to this revolution as "the triple revolution:" On the one hand we are experiencing a revolution in computer automation; while on another, we have a revolution in the production of weapons; and possibly the revolution that concerns us most, is the revolution of human rights. But, while we are caught up, as our generation is compelled to be in this triple revolution, let us take a look-see at the first of this tripartite--automation.

Today, the automobile industry is making use of a machine requiring the manpower of 10 to produce motor blocks, when only 10 short years ago, the manpower of 400 was required to produce the same amount in the same length of time.

Today, 14 operators are required to tend glass-blowwing machines that produce 90 percent of all the glass light bulbs produced in this Country.

Today, two workers may turn out 1,000 radios per work day, when only a few years ago this product required 200 workers to produce that amount in the same length of time.

Today, a common device in use is a machine which translates an issue of PRAVDA into English in less than two hours. The California Institute of Technology has in its Law Library a machine to trace precedents. Still another device in use presently is a computer which reports at the end of three minutes the results of 80 million calculations required to trace the evolution of the sun over its 4.5 billion year lifetime.

Secretary Wirtz has pointed out that between now and this time tomorrow, at least 4,400 people will have stepped aside from their jobs, moved on to other jobs, retired voluntarily or involuntarily, or joined the ranks of the Nation's unemployed, because machines will be doing what they are doing today.

Yet, any philosophy or policy about automation must necessarily start from clear recognition that unrestrained technological advance is not only inexorable, but essential to the maintenance and elevation of the standard of living. Full employment in this Country is completely dependent on our being more efficient producers than our competitors in a world where the competition is tougher every day. The alternative to automation would be economic stagnation.

The myth that automation is only a new process is akin to the thinking that splitting the atom represented only an evolutionary development in the dynamics of war. Technology has brought about as large a change in the necessary thinking about the future of work as it has about the future of war; but the answer here is obviously not to stop it.

Some critics say that "automation has rendered the industrial productive system no longer viable..." thus, "the traditional link between jobs and income is being broken."

A recent study shows that of 3,440 plants, about 11 percent have progressed to the more advanced stages of automation, turning to remote control and computer control. Of this 11 percent that are advancing with great strides to automation, 10.4 percent indicated a reduction in personnel;

41.5 percent reported no change; and almost half said that more workers are required. A total of 84.1 percent reported the necessity of increased skills.

Last year, Secretary Wirtz addressing a group similar to yours, stated that machines now have, in general, a high-school education in the sense that they can do most jobs that a high-school education qualifies people to do. This year, machines may well be awarded from one to two years of college. Machines will, without a doubt, get the unskilled jobs, because they work for less than living wages. In a real sense, machines are responsible for putting uneducated people out of work.

What then is the answer? The answer is not to cease the utilization of the machine, but the answer is to recognize that the individual versus the machine is as unfair a match today as the individual versus the corporation was in the last century, and that advancing technology requires the exercise of collective--public and private--responsibility for its effects and collective measures to carry out this responsibility.

With automation and technological changes being the dominant factor in our lives today, the question comes, what about the minority worker in his struggle to climb the economic ladder? How is he to fit in the scheme when for centuries his pattern of living has been last hired and first fired.

The forces of good in this Nation have achieved significant advances for Negro citizens, and other minorities, in the past three years. Yet, in spite of all efforts, I must report that the job and the task ahead have grown far more rapidly than all our efforts combined have in concert reduced it.

President Johnson in his message to Congress on March 17 concerning the War on Poverty, cited six major categories of the poor. He named as the fourth category, "Minority Group Members." One may well reflect that there is a strong blood relationship between the other five categories for they are Children of Poverty--those bypassed by industrial change, rural families, fatherless families and the aged.

The President pointed out that there is a substantial segment of the poor in this Country who need not puzzle over the complicated economics of poverty. They are the minority group poor. For them the equations are simpler. They are hired last, paid less, and fired first and never rehired. Modifying that phrase today is the knowledge that the present cybercultural revolution, comparable in magnitude only to the agricultural revolution, each day removes thousands of skilled jobs from the job market, thus increasing competition among those least able to compete in the labor market for the remaining few jobs.

In relation to his white counterpart, the Negro is falling further and further behind. During the fifties the average income of the Negro male improved substantially. For every dollar he earned in 1949, he earned $1.75 in 1959. But by contrast, the white male, running ahead of the Negro, ran a little faster. While the Negro was earning $1.00 in 1949, his white counterpart earned $1.90; in 1959 for every $1.75 earned by the Negro, the white male earned $3.20.

Advancing a theory to lessen the difference of earning potential, many subscribe to the philosophy that education is the key to overcoming the disparity in earnings. We would tell you that even where education is equal between white and Negro youth, the economic results is far different.

A recent study by the Department of Labor reveals that among college graduates, 21 percent of the whites became managers, officials or owners of business; while only 7 percent of the Negro college graduates obtained a comparative economic level.

The WASHINGTON POST recently reported that "in recent years Negroes have broken into fields previously clossed to them, however, this expansion has not kept pace with the Negro population, education or with the pace that whites have gotten ahead. In fields where Negroes have moved, they have been dropped out again in greater numbers than whites."

The Labor Department, in its Manpower Report to the President this year, pointed out the following:

"The notable advances in 'Negro civil rights, education, occupational distribution, housing and earnings' have led to a wide-spread assumption that the economic gap between them and the white population of the Country is consistently narrowing. Such an assumption ignores the economic progress of the white population which has been even more rapid than that of the Negro in the past decade. As a result, the differences between the two racial groups have not only failed to narrow, but have actually widened in such major areas as housing, income, and unemployment. Only in education is the gap narrowing, and the full rewards of this development have yet to be reaped."

We now are asking the eduators to assume a greater role in supplying a quality to the Nation's effort in meeting the advances in technological and economic change.

Experience indicates that people are eager to participate in a variety of training and retraining programs when the end result of the training is rewarding to them.

So it is, my friends, of vital concern to Secretary Wirtz, himself a former teacher, that every avenue be fully utilized in this fight to upgrade the performance of the present work force and the future work force. Boy so doing, this Nation can discard the luxury of having a self-renewing segment of its population unable to compete, or participate in the fruits of a thriving, hard driving economy, destined to grow and flower to immense proportion in the days ahead.

You can play a significant part in this struggle by well-directed efforts in your own community to improve the calibre of student performance by persuading parents of the importance of education. We are aware that even where education is equal between white and Negro youth, the economic result is far different. Because of this awareness, the Secretary of Labor has undertaken a project with which I am proud to be associated. Beginning in January 1963, conferences with college presidents and executives of predominantly Negro colleges were held at Howard, Texas Southern, Fisk and Atlanta Universities. The Secretary of Labor pointed out that, "Colleges and Universities have a prime responsibility today as never before in preparation and motivation of youth for emerging employment opportunities in private industry and government."

He emphasized that this is particularly true in cases of minority group youth, "who understandingly lack strong motivation because of traditional exclusion and limited acceptance in all but the lower rungs of the National force." At the conference held at Howard University, then Vice-President Lyndon B. Johnson stated that: "The most tragic mistake that a young Negro can make today, is to decide that there is no basis for faith in the opportunity which the future will offer him."

Following these conferences, steps are being taken to provide a bridge between opportunity and the preparation or qualification for opportunity. The determination of this Administration is not to settle for good intentions, but rather to measure itself by the same yardstick that others measure.

We have completed a Directory containing names, fields of study, both major and minor, colleges attended, and addresses of 1962 graduates. The Secretary has written to each of these graduates congratulating them, and requesting information regarding their employment status; whether they are working in areas of interest; whether the job requires a college degree; whether they are seeking advanced degrees; or, if in the military service, what plans have they for the future.

The survey and the Directory is an approach to the bridge between opportunity and preparation for opportunity. We know that the young Negro of the 60's is faced with contradiction. Is the time and money required to take advantage of educational opportunities worth the effort in terms of what can really be expected after high school, or more especially after college?

We believe the answer is "yes" and we believe that the commitment of more than 900 leading commercial and industrial companies and educational institutions with an aggregate of several million employees will open doors that have never been opened before to Negroes and other minority groups. These companies and institutions are pledged to observe the strict non-discriminatory Order covering equal employment opportunity. Seeing these examples, we hope to renew the motivation of the young Negro and other minority college graduates, and eventually provide the bridge between opportunity and the qualification for opportunity.

To strengthen the program, and to be of further assistance to both colleges and graduates, a task force from the Bureau of Employment Security visited some 95 colleges along with state and local officials of the employment service. Emphasis during these visits was on the operation of the Employment Service and its desire to be of assistance to placement officers and counselors of colleges in job placement, and develop positive recruitment methods.

The other day I saw a poster on a bus that showed a group of academic whites and non-whites wearing their caps and gowns. The caption said "Keep Your Leaders Coming". We in the Department know that the leadership of the Negro people comes from all walks of life today, but tomorrow we must look to the college-trained Negro for the calibre of leadership that is equipped to compete in relative equality with the problems of the future. That is why we continue to extend assistance to college graduates of 1962, as wel will extend it to those of 1963 and the years ahead in an effort to reduce the vase difference between patterns and motivation of Negro and white graduates, even from the same schools.

It is obvious that many Negro graduates are employed in fields unrelated to their training. For this purpose the Directory is being made available to Plans for Progress officials, a voluntary group of industry leaders in an effort to develop plans for member companies to make use of in recruiting college graduates.

We believe that the Directory, for the first time provides an opportunity of economic leadership for Negroes whose Educational attainment would not have been known except through this manner. As time progresses we will continue to expand this operation, for we believe that we can render assistance to this group and be of active service in motivating others to follow their footsteps in preparing themselves for job opportunities.

In closing, I should point out to you that too few Negroes are prepared for new employment opportunities emerging from current equal employment opportunity programs, and too few are being equipped for new opportunities emerging from economic change. We must all provide the youth of our Nation with new ways of creatively facing the issue of eliminating disadvantages through education.

verage latest

file

JOBLESS YOUTH MAJOR PROBLEM

Decline of Work for the Unskilled Increases Teen Unemployment

By JOHN D. POMFRET

Special to The New York Times

WASHINGTON, June 8—The evidence is mounting that the United States is faced with a long-range unemployment situation of serious dimensions.

The underlying difficulty is that the economy is not growing fast enough to create the new jobs that would provide work for those who want it.

This strikes hardest at the young people who are looking for their first permanent jobs and the burden of unemployment is falling on them with ever greater severity.

The employment figures for May, issued last week by the Labor Department, gave striking evidence of this and prompted Labor Secretary W. Willard Wirtz to say that teen-age unemployment could develop into "one of the most explosive social problems in the nation's history."

The figures showed that the unemployment rate among teen-agers was nearly 18 per cent—the highest since the department began keeping a separate figure for teen-agers in 1949.

Critical Situation

Mr. Wirtz thinks the situation is critical and called for broad action to improve the educational system, eliminate racial discrimination, train jobless youths and reduce the number of students who drop out of high school.

President Kennedy recently emphasized the gravity of the general manpower situation in a message to Congress that was accompanied by a Labor De-

conceivable to the experts that it will not be soon.

Secondly, even without any rise in the rate at which productivity is increasing, the real output of the private economy in this country grew 59 per cent between 1947 and 1961 with an increase in total man-hours of just 3 per cent. The fact that private employment increased by 10 per cent in this period was due to the very large rise in the number of part-time workers.

In the first place, the economy's performance at creating jobs has been lack-lustre in recent years. The slowdown has been centered in the private sector. This, between 1947 and 1957, grew at a rate of 700,000 jobs a year. But between 1957 and 1962 the gain was 175,000 annually.

Growth in the public sector—mostly state and local government—has absorbed some of this slack. Total civilian government employment has been rising in the post-war period at a rate more than two and a half times that of total non-farm employment. State and local governments have been creating 285,000 jobs a year on the average since 1957, compared with 185,000 before then.

More Idleness Feared

But the experts estimate that if the economy does not begin to grow faster, unemployment which now is about 4,500,006 will grow by 1967 to beyond 5,500,000, or more than 7 per cent of the labor force.

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partment analysis that is the most thorough to date.

Between 1947 and 1962 the number of jobs rose by 17 per cent, but the labor force went up by 21 per cent. The obvious result of this discrepancy was that unemployment rose from an average of below 4 per cent of the labor force in the immediate post-war period to more than 5 per cent in more recent years.

As unsatisfactory as this situation is, it may very well get worse.

Flood of Job Seekers

An unusual flood of new job seekers is about to hit the economy. The experts' estimates are that the country's labor force will grow by 13,000,000 during the sixties and by another 7,000,000 between 1970 and 1975, reaching 93,000,000.

But these are net changes. Within the figures will be even larger shifts.

Thus, 26,000,000 young persons under the age of 25 are expected to enter the labor force in the sixties — a far greater number than the country ever has had to train and absorb before in a ten-year period.

Success would mean a new level of prosperity as the young people get jobs, marry and begin to rear families and contribute to the economy's output and demand.

But the experts do not believe that success will come easily or automatically.

Further, two statistics in the manpower report indicate that the economy will have to run faster and faster just to stay even.

Research and development expenditures rose from slightly over $5,000,000,000 in 1953-54 to $14,750,000,000 in 1961-62. The impact of this so far has not been reflected by a rise in the rate at which output per man-hour is increasing, but it is inIf the challenge is large in the aggregate, it gets even bigger when looked at up close.

Technological change is demanding an ever-higher level of skill. An underlying shift in employment from goods-producing to service-producing industries is leaving many stranded. Drastic shifts in demand, depletion of natural resources or relocation of industries have left large groups of persons and sizeable areas in the backwash of the general prosperity.

Thus, unemployment last year among unskilled nonfarm laborers was 12 per cent—higher than any other occupational group. Semi-skilled workers had a jobless rate of 8 per cent; the skilled, 5 per cent, and professional people, 2 per cent.

The jobless rate among construction workers ran 12 per cent and among manufacturing employes, 5.8 per cent. In the service industries, it was 4.3 per cent and in public administration, just under 2 per cent.

Negroes, often deprived of training as well as job opportunities by discrimination, have an unemployment rate of twice the national average.

Skills Needed

Unemployment among teenage boys many of whom had not finished high school, was more than twice as high as the average rate last year. And although older workers are not as often out of work as their juniors, they have a much harder time finding a job when they are.

West Virginia, hard hit by the decline of coal-mining, had a jobless rate of 10.9 per cent last year. Pennsylvania, with the mining and steel industries both contributing to joblessness, had a rate of 7.9 per cent.

To meet the unemployment challenge, the Administration has proposed a $10,300,000 tax cut to stimulate the economy and create jobs.

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Occupational
Outlook
Brief

Professional, Administrative, and Related Occupations

An excerpt from the 1963–64 Occupational Outlook Handbook

Professional and administrative occupations have many attractions for young people considering the choice of a career. These occupations offer opportunities for interesting and responsible work and lead to relatively high earnings. As a rule, however, they can be entered only after long periods of specialized education or other preparation, since a broad knowledge of one's field and judgment of a high order are outstanding requirements for success in these types of work.

Approximately one-fourth of all workers in 1962 were in professional, administrative, and related occupations. These occupations—employing about 15½ million people—accounted for about half of all white-collar employment.

Professional occupations are of two main types. The largest group of professions—including those of engineer, architect, physician, lawyer, and teacher—requires formal education in well-organized fields of knowledge. The other group—including occupations such as editor and actor—does not require as much specialized, theoretical knowledge, but demands a great deal of broad background knowledge or creative talent and skill acquired chiefly through experience. Generally, the professions require either college graduation—often with an advanced degree—or experience of such kind and amount as to provide a comparable background. Licenses are required for practice in many professions—medicine, dentistry, and pharmacy, for example—with licensing authorities determining the minimum qualifications which members must have. Professional societies also set up membership standards, which tend to define their respective fields. In many areas of work, however, there is no clear-cut line between professional and other classes of workers.

It is not easy to prepare for and enter professional work. For most professions, one must complete a long period of education and training. Often, applicants are not accepted for professional training unless their school grades are high, and employers generally give preference in hiring to graduates whose grades in professional school put them high in their class.

Closely related to the professions—and sometimes overlapping them—is a wide variety of technical occupations. People in these occupations work with engineers, scientists, mathematicians, physicians, and other professional personnel. Their job titles include, for example, those of draftsman, engineering aid, programer, and electronics, laboratory, or X-ray technician. Employment in these technical occupations usually requires a combination of basic scientific knowledge and specialized education or training in

U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, *Secretary*
Washington, D.C. 20210

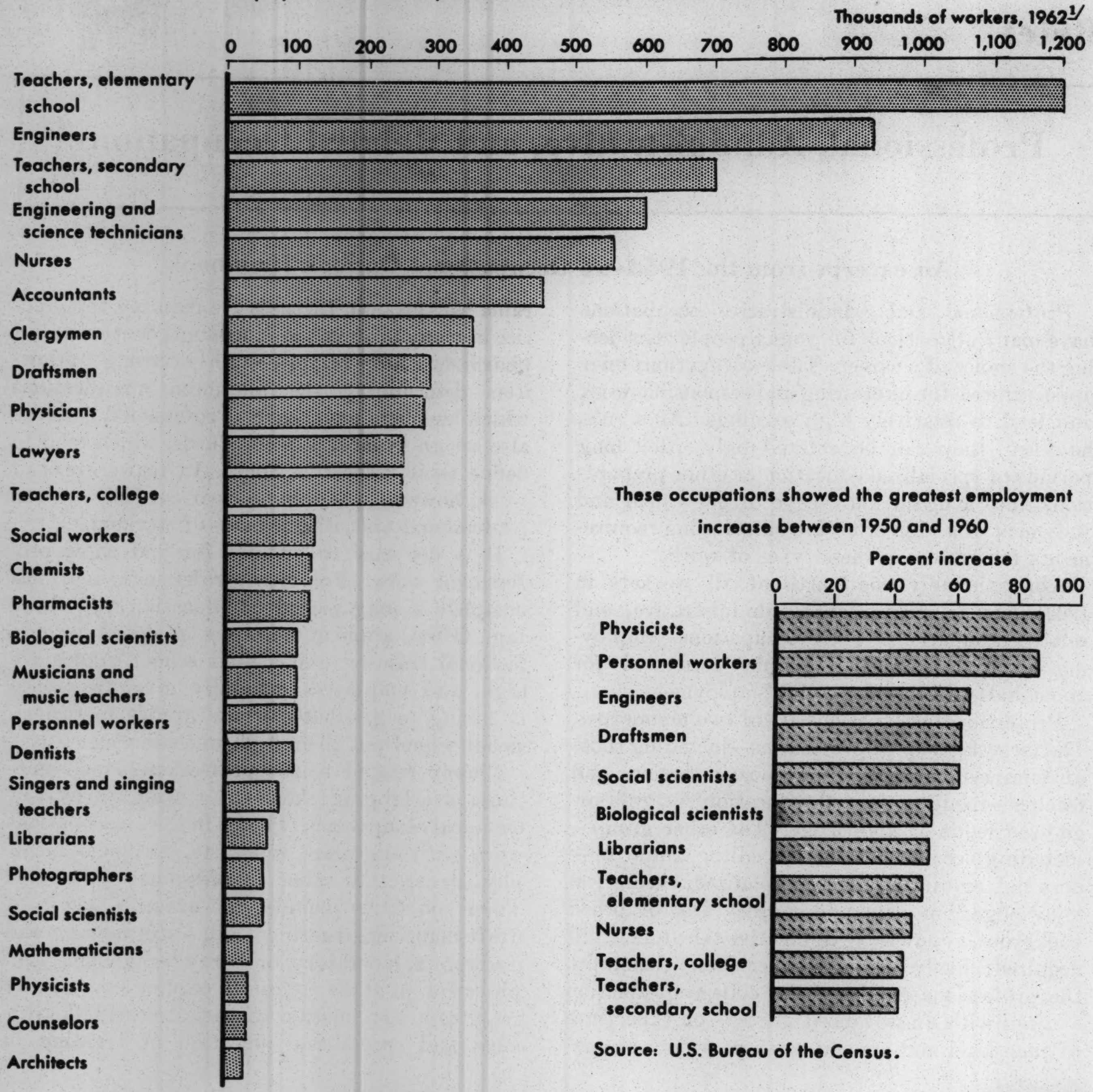
OCCUPATIONAL OUTLOOK SERVICE

BUREAU OF LABOR STATISTICS
Ewan Clague, *Commissioner*

CHART 1

ABOUT 4 OUT OF EVERY 10 PROFESSIONAL WORKERS ARE TEACHERS OR ENGINEERS

Employment in selected professional, technical, and kindred occupations



Source: U.S. Bureau of the Census.

[1] Estimated.

some particular aspect of technology or science. Such training may be obtained in technical institutes, junior colleges, and other schools, or through equivalent on-the-job training. Many of the duties of technicians may be performed also by beginning professional workers. However, because of their more limited educational background, technicians generally find it much more difficult to advance to high-level positions than do professional workers.

The major professional, technical, and related occupations are shown in chart 1.

People in administrative and related occupations run the Nation's businesses and manage a wide variety of other organizations, both private and governmental. The problems they deal with are as varied as the affairs they manage. They may have to decide, for example, whether and how to manufacture a new model of automobile, furnish a hotel lobby, advertise a store, or build a highway. Whether their organizations are small or large, employing only a few people or many thousands, the decisions administrators reach and their effectiveness in getting these decisions carried out contribute greatly to the success or failure of the enterprise.

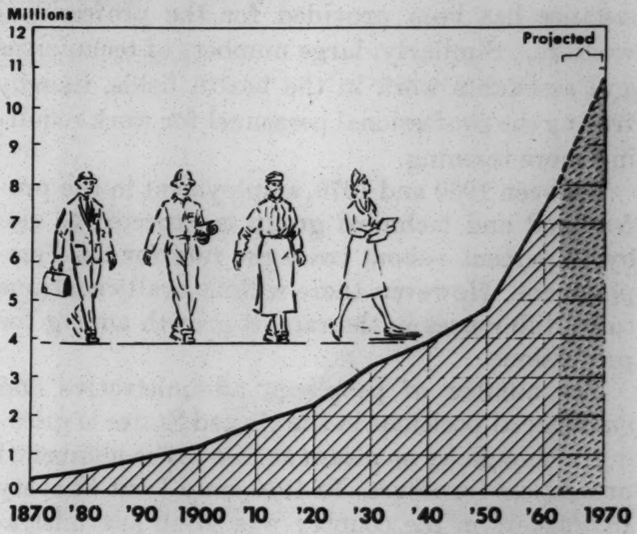
About 6.3 million men and 1.1 million women, not counting farm owners or farm managers, were managers, officials, or proprietors in 1962. Of these nearly 7.5 million people, managers and officials in salaried positions accounted for slightly more than half.

The largest group of proprietors—about half of the total number—are owners of stores, restaurants, gasoline service stations, or other kinds of retail establishments. In addition, large numbers manage their own factories or construction businesses.

Executives and other managerial personnel in business firms form the largest group of salaried managers and officials. In addition, several hundred thousand people in this category are officials of Federal, State, and local government agencies and nonprofit organizations of many kinds; and there is a very large number of other workers—purchasing agents, credit men, and many others—in specialized jobs closely related to administrative and managerial work. Also grouped with administrative workers in the occupational statistics are persons in a variety of official and managerial positions—for example, members of Congress, ship captains, railroad conductors, trade union officials, and building managers and superintendents—whose functions and background are quite different from those of most administrative personnel and who are, therefore, not covered by the rest of the information presented in this brief.

CHART 2

GROWTH OF PROFESSIONAL, TECHNICAL, AND KINDRED OCCUPATIONS.....



Data prior to 1950 are decennial census figures and are not strictly comparable to later years.

Employment Trends

Employment in professional, technical, and related occupations has risen rapidly over the years. From less than half a million in 1870, the number of these workers has grown to about 8 million in 1962. (See chart 2.) Moreover, while the professions accounted for only about 4 percent of all workers at the turn of the century, by 1962 they represented 12 percent. During the 1950 decade, the rate of growth in the professions was more than twice that for clerical workers, the second fastest growing occupational group. Moreover, thus far in the 1960's the professional, technical, and related worker group continues to exceed in growth all other occupational groups.

A major reason for the increase in the total number of workers in professional and related occupations has been the development of new professional fields. The scientific, engineering, mathematics, and closely related professions have had a spectacular growth over the years. Other major professions, which have developed wholly or largely during the present century include social work, accounting, and personnel work. Growth has been especially rapid since 1950 among physicists, personnel workers, engineers, draftsmen, social scientists, librarians, and biological scientists. (See chart 1.) Even more recent has been the growth among mathematicians, programers, other data-processing specialists, and electronics technicians. Some of this growth has accompanied the expansion in scientific and engineering professions. As scientific and technical work has become more highly organized, particularly in the laboratories and engineering departments of large firms and in government agencies, more technical assistance has been provided for the professional workers. Similarly, large numbers of technicians and assistants work in the health fields, thereby freeing the professional personnel for work requiring more training.

Between 1960 and 1970, employment in the professional and technical group is expected to rise by 43 percent—about twice the rate for total employment. However, there will naturally continue to be differences in the rate of growth among the professions.

The number of people in administrative and managerial positions in the United States is growing, although by no means as fast as the number of professional workers. In 1910, only 1 out of every 15 workers in the country was in an administrative or related job. By 1962, the proportion had risen to about 1 out of every 10 workers. Employment in this field as a whole is expected to continue increasing moderately. By 1970, the total number of people in administrative and related positions may be about 8½ million, over a fifth more than in 1960.

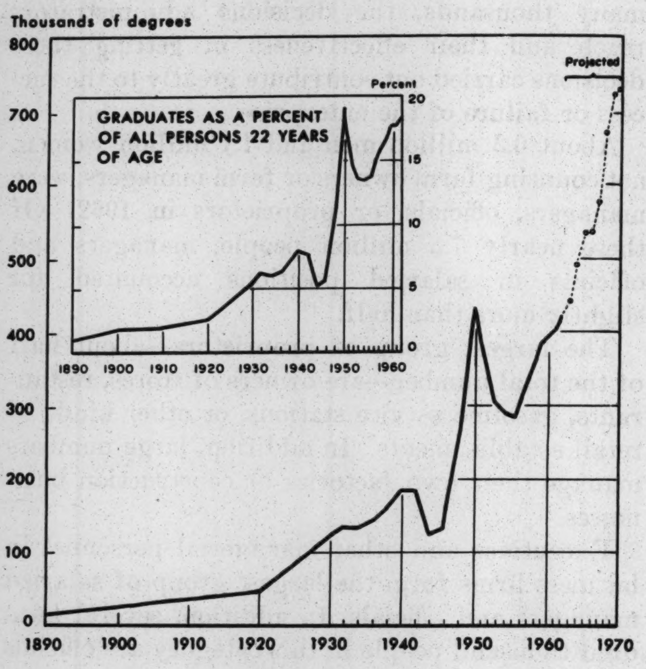
Most of this increase in employment will be in salaried positions. Growth in the number of self-employed proprietors will be relatively slow in the years ahead, because of the trend toward the formation of larger businesses. In the retail field, for example, supermarkets and other types of large stores are replacing the small general store, the separate meat market, and the corner grocery store. On the other hand, the number of managers and salaried officials in larger business organizations and government agencies is mounting rapidly.

Educational Trends

In addition to the many professional occupations for which college graduation has long been an entry requirement, demand for college graduates is increasing at the entry level in many other professional, administrative, and related occupations. Graduates are sought for many positions which either did not exist a few decades ago or which were formerly filled by employees selected primarily on the basis of their experience and personal characteristics. This emphasis on a college education will probably be reinforced in the years ahead—in view of the growing complexity of modern industry and technology, which is constantly increasing the amount of technical knowledge required for effective performance in many professional and administrative jobs.

CHART 3

NUMBER OF BACHELOR'S DEGREES GRANTED.....



Source: U.S. Department of Health, Education, and Welfare, Office of Education.

The growth in the professional, administrative, and related occupations has been accompanied by a great increase in the numbers of young men and women graduating from college—who are, of course, the chief source of professionally trained workers. The proportion of young people completing college (represented as a percent of all persons 22 years of age) rose from 2½ percent in 1920 to 8 percent in 1940, and to nearly 18½ percent in 1962, as shown in the inset in chart 3. (The high level reached in 1950 is artificial, reflecting the large number of veterans who went to college under the veterans' education program and who, in many cases, would have completed college earlier if it had not been for the war.)

The recent rapid increase in the proportion of young people graduating from college (chart

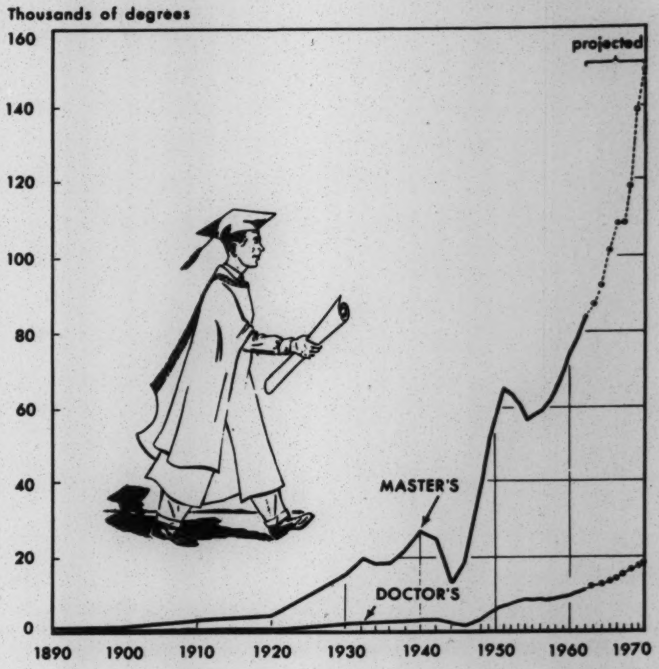
3) reflects a number of basic social trends. Family incomes are higher, and more people can afford to put off going to work and to pay the costs of education. More families want a college education for their children. Scholarships and loans are available for more students; part-time work opportunities are also available, particularly in times of labor shortages. Finally, a college education is becoming necessary for an increasing proportion of jobs, and in many professions the amount of education needed is increasing. Since these factors will probably continue to be influential in the future, the proportion of young people who are graduated from college is expected to go on increasing for many years. The college-age population is also growing. The number of people age 18 to 21 will rise by 5 million during the 1960's. These factors, considered together, point to a great increase in college graduations, assuming that the Nation's colleges and universities can build the classrooms, laboratories, dormitories, and other facilities and hire the faculty members needed to provide for the greatly increased numbers of students. It is likely that the number of bachelor's degrees awarded annually will be about 80 percent greater by 1970 than in 1961. Projections prepared by the U.S. Office of Education indicate an increase from the 401,656 bachelor's degrees granted in 1961 to 537,000 in 1965, and 731,000 in 1970.

The number of students taking graduate training has also risen very rapidly during past decades, and will probably continue to mount in the years ahead. A master's degree is usually earned through 1 or 2 years of study beyond the bachelor's degree. To earn the Ph. D. degree usually requires 3 years or more beyond the bachelor's degree. As a rule, graduate study is concentrated in the major subject field of the student's interest, whereas undergraduate study is broader in content.

Chart 4 shows the vast increase in graduate degrees awarded since 1920 in all fields taken together. The numbers of master's and doctor's degrees granted reached unprecedented heights in the early 1950's, following the record number of bachelor's degrees granted a few years before.

CHART 4

NUMBER OF MASTER'S AND DOCTOR'S DEGREES GRANTED.....



Source: U.S. Department of Health, Education, and Welfare, Office of Education.

After a slight decline in the mid-1950's, master's degrees rose to about 79,000 in 1961 and are expected to exceed 100,000 in 1965, if past trends continue. The number of doctorates awarded (10,575 in 1961) may reach 13,200 by 1965. According to projections made by the U.S. Office of Education, the number of master's degrees conferred may come close to 150,000 and doctorates may exceed 18,000 in 1970.

These projections obviously imply a great increase in the supply of personnel which will be available for professional employment. Since the demand for personnel is also expected to show continued growth, there is promise of expanding employment opportunities for the increasing numbers of college graduates. The anticipated increases in college-trained personnel raise the possibility, however, of increasing competition during the late 1960's for the better professional positions in at least some fields of work.

Detailed information on job duties, employment outlook, training and qualifications, and earnings and working conditions in the occupations discussed in this brief is contained in the 1963–64 *Occupational Outlook Handbook*. Separate reprints of the sections on these occupations are also available. In addition, the *Occupational Outlook Quarterly*, a periodical issued 4 times a year, provides up-to-date information on new studies and occupational trends between editions of the *Handbook*. These publications may be ordered by using the form at the end of this brief.

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Hill, Norman

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THE AD HOC COMMITTEE
ON THE TRIPLE REVOLUTION
1120 Connecticut Ave., NW
Washington 36, D. C.

For Release:
6:00 p.m.
March 22, 1964

Washington, March 22..... Three simultaneous revolutions are going on in the United States which require fundamental changes in public and private policy, it was asserted here today.

The radical analysis and proposals for change appear in The Triple Revolution, a 27-page document signed by economists, labor leaders, newspapermen, and others, and presented to President Johnson and Congressional leaders. The alterations in policy and attitude suggested in the statement go far beyond any present programs.

Among the signers of the document are H. Stuart Hughes, Professor of History at Harvard; Gunnar Myrdal, internationally-known economist now at the Institute for International Economic Studies at Stockholm; Gerard Piel, publisher of Scientific American; Michael Harrington, author of The Other America and recently a member of the committee working on the agency to wage the Administration's War on Poverty; Ralph L. Helstein, President of the United Packinghouse Workers, AFL-CIO; Robert Theobald, economist and author of Free Men and Free Markets; Gerald W. Johnson, Baltimore newspaperman; Linus Pauling, winner of the Nobel Peace Prize and Consultant, Center for the Study of Democratic Institutions; and about 20 others.

The three revolutions, described as inseparably intertwined with each other, are:

"THE CYBERNATION REVOLUTION: A new era of production has begun. Its principles of organization are as different from those of the industrial era as those of the industrial era were different from the agricultural. The Cybernation revolution has been brought about by the combination of the computer and the automated self-regulating machine. This results in a system of almost unlimited productive capacity which requires progressively less human labor. Cybernation is already reorganizing the economic and social system to meet its own needs.

"THE WEAPONRY REVOLUTION: New forms of weaponry have been developed which cannot win wars but which can obliterate civilization. We are recognizing only now that the great weapons have eliminated war as a method for resolving international conflicts. The ever-present threat of total destruction is tempered by the knowledge of the final futility of war. The need of a warless world is generally recognized, though achieving it will be a long and frustrating process.

"THE HUMAN RIGHTS REVOLUTION: A universal demand for full human rights is now clearly evident. It continues to be demonstrated in the civil rights movement within the United States. But this is only the local manifestation of a worldwide movement toward the establishment of social and political regimes in which every individual will feel valued and none will feel rejected on account of his race."

The statement envisions for the not too distant future a society in which a great many of the tasks done by men and women at all levels of industrial production and service trades will be done by cybernation -- by automatic machines directed by computers.

This tendency toward greater use of automation and cybernation should be encouraged by public policy and not resisted, the statement declares. The resulting social and economic changes should be dealt with by democratically-organized planning institutions at every level of government.

The statement suggests that promises of jobs to Negroes today are a "cruel and dangerous hoax," because of their special vulnerability to cybernation. "The demand of the civil rights movement /for freedom and jobs/ cannot be fulfilled within the present context of society," the statement declares. "The Negro is trying to enter a social community and a tradition of work-and-income which are in the process of vanishing even for the hitherto privileged white worker."

While suggesting that a society of abundance is not far off, the statement recognizes the need for providing for the "transition," and asks for federal and state programs for creating jobs, building up the U.S. educational system, revisions of the tax structure aimed at re-distributing income more equitably and lessening the human impact of technological change, a large increase in housing programs, financing and development of rapid transit and other programs to cope with the spreading problems of the great cities, and an expansion of the role of trade unions.

"This memorandum was prepared out of a feeling of foreboding for the nation's future," the signers wrote President Johnson. "Neither Americans nor their leaders are aware of the magnitude and acceleration of the changes going on around them. We believe that these changes will compel, in the very near future and whether we like it or not, public measures that move radically beyond any steps now proposed or contemplated.

"Radically new circumstances demand radically new strategies. If policies such as those suggested in The Triple Revolution are not adopted we believe that the nation will be thrown into unprecedented economic and social disorder."

A principal proposal of the statement is based on the assertion that "the economy of abundance can sustain all citizens in comfort and economic security whether or not they engage in what is commonly reckoned as work."

"Wealth produced by machines rather than by men is still wealth," the statement declares. "We urge, therefore, that society, through its appropriate legal and governmental institutions, undertake an unqualified commitment to provide every individual and every family with an adequate income as a matter of right. This undertaking we consider to be essential to the emerging economic, social, and political order in this country. We regard it as the only policy by which the quarter of the nation now dispossessed and soon-to-be-dispossessed by lack of employment can be brought within the abundant society."

The statement was written by a group calling itself The Ad Hoc Committee on The Triple Revolution. This committee came together first in Princeton in October, 1963, at the suggestion of Messrs. Helstein, Theobald, and W. H. Ferry, of the Center for the Study of Democratic Institutions, Santa Barbara. Other members of the original drafting committee among the signers of The Triple Revolution are: James Boggs, Detroit auto-worker and the author of Pages from a Negro Worker's Notebook, 1963; Todd Gitlin, President, Students for a Democratic Society; Roger Hagan, Editor, The Correspondent, Council for Correspondence; Tom Hayden, Students for a Democratic Society; and Mr. Piel. The other signers added their names later.

The Triple Revolution is being distributed to unions, peace and race relations organizations, universities, adult education groups and individuals, and publications with special interest in any of the fields covered by the three "revolutions."

* * * * * * * *

Single copies of The Triple Revolution, while they last, may be had on request to The Ad Hoc Committee, Maurer, Fleisher, Zon and Associates, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036, or to W.H. Ferry, Box 4068, Santa Barbara, California.

THE AD HOC COMMITTEE
ON THE TRIPLE REVOLUTION
1120 Connecticut Ave., NW
Washington 36, D. C.

For Release:
6:00 p.m.
March 22, 1964

Dear Mr. President:

We enclose a memorandum, The Triple Revolution, for your consideration. This memorandum was prepared out of a feeling of foreboding about the nation's future. The men and women whose names are signed to it think that neither Americans nor their leaders are aware of the magnitude and acceleration of the changes going on around them. These changes, economic, military, and social, comprise The Triple Revolution. We believe that these changes will compel, in the very near future and whether we like it or not, public measures that move radically beyond any steps now proposed or contemplated.

We commend the spirit prompting the War on Poverty recently announced, and the new commissions on economic dislocation and automation. With deference, this memorandum sets forth the historical and technological reasons why such tactics seem bound to fall short. Radically new circumstances demand radically new strategies.

If policies such as those suggested in The Triple Revolution are not adopted we believe that the nation will be thrown into unprecedented economic and social disorder. Our statement is aimed at showing why drastic changes in our economic organization are occurring, their relation to the growing movement for full rights for Negroes, and the minimal public and private measures that appear to us to be required.

Sincerely,

(Names of signers on
attached page)

President Lyndon B. Johnson
The White House
Washington, D. C.

cc: The Majority and Minority Leaders
The Senate
The House of Representatives
The Secretary of Labor

Donald G. Agger
Dr. Donald B. Armstrong
James Boggs
W. H. Ferry
Todd Gitlin
Roger Hagan
Michael Harrington
Tom Hayden
Ralph L. Helstein
Dr. Frances W. Herring
Brig. Gen. Hugh B. Hester
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Alice Mary Hilton
David T. Bazelon
Maxwell Geismar
Philip Green
H. Stuart Hughes
Linus Pauling
John William Ward

file

THE AD HOC COMMITTEE
ON THE TRIPLE REVOLUTION
1120 Connecticut Ave., NW
Washington 36, D. C.

For Release: 6:00 p.m.
March 22, 1964

THE TRIPLE REVOLUTION:

An Appraisal of the Major U. S. Crises and Proposals for Action

This statement is written in the recognition that mankind is at a historic conjuncture which demands a fundamental reexamination of existing values and institutions. At this time three separate and mutually reinforcing revolutions are taking place:

> THE CYBERNATION REVOLUTION: A new era of production has begun. Its principles of organization are as different from those of the industrial era as those of the industrial era were different from the agricultural. The cybernation revolution has been brought about by the combination of the computer and the automated self-regulating machine. This results in a system of almost unlimited productive capacity which requires progressively less human labor. Cybernation is already reorganizing the economic and social system to meet its own needs.

THE WEAPONRY REVOLUTION: New forms of weaponry have been developed which cannot win wars but which can obliterate civilization. We are recognizing only now that the great weapons have eliminated war as a method for resolving international conflicts. The ever-present threat of total destruction is tempered by the knowledge of the final futility of war. The need of a "warless world" is generally recognized, though achieving it will be a long and frustrating process.

THE HUMAN RIGHTS REVOLUTION: A universal demand for full human rights is now clearly evident. It continues to be demonstrated in the civil rights movement within the United States. But this is only the local manifestation of a world-wide movement toward the establishment of social and political regimes in which every individual will feel valued and none will feel rejected on account of his race.

We are particularly concerned in this statement with the first of these revolutionary phenomena. This is not because we underestimate the significance of the other two. On the contrary, we affirm that it is the simultaneous occurrence and interaction of all three developments which make evident the necessity for radical alterations in attitude and policy. The adoption of just policies for coping with cybernation and for extending rights to all Americans is indispensable to the creation of an atmosphere in the United States in which the supreme issue, peace, can be reasonably debated and resolved.

INTERACTION OF THE THREE REVOLUTIONS

The Negro claims, as a matter of simple justice, his full share in America's economic and social life. He sees adequate employment opportunities as a chief means of attaining this goal: the March on Washington demanded freedom and jobs. The Negro's claim to a job is not being met. Negroes are the hardest-hit of the many groups being exiled from the economy by cybernation. Negro unemployment rates cannot be expected to drop substantially. Promises of jobs are a cruel and dangerous hoax on hundreds of thousands of Negroes and whites alike who are especially vulnerable to cybernation because of age or inadequate education.

The demand of the civil rights movement cannot be fulfilled within the present context of society. The Negro is trying to enter a social community and a tradition of work-and-income which are in the process of vanishing even for the hitherto privileged white worker. Jobs are disappearing under the impact of highly efficient, progressively less costly machines.

The United States operates on the thesis, set out in the Employment Act of 1946, that every person will be able to obtain a job if he wishes to do so and that this job will provide him with resources adequate to live and maintain a family decently. Thus job-holding is the general mechanism through which economic resources are distributed. Those without work have access only to a minimal income, hardly sufficient to provide the necessities of life, and enabling those receiving it to function as only "minimum consumers." As a result, the goods and services which are needed by these crippled consumers, and which they would buy if they could, are not produced. This in turn deprives other workers of jobs, thus reducing their incomes and consumption.

Present excessive levels of unemployment would be multiplied several times if military and space expenditures did not continue to absorb 10% of the Gross National Product (i.e., the total goods and services produced). Some 6-8 million people are employed as a direct result of purchases for space and military activities. At least an equal number hold their jobs as an indirect result of military or space expenditures. In recent years, the military and space budgets have absorbed a rising proportion of national production and formed a strong support for the economy.

However, these expenditures are coming in for more and more criticism, at least partially in recognition of the fact that nuclear weapons have eliminated war as an acceptable method for resolving international conflicts. Early in 1964 President Johnson ordered a curtailment of certain military expenditures. Defense Secretary McNamara is closing shipyards, airfields, and army bases, and Congress is pressing the National Space Administration to economize. The future of these strong props to the economy is not as clear today as it was even a year ago.

THE NATURE OF THE CYBERNATION REVOLUTION

Cybernation is manifesting the characteristics of a revolution in production. These include the development of radically different techniques and the subsequent appearance of novel principles of the organization of production; a basic reordering of man's relationship to his environment; and a dramatic increase in total available and potential energy.

The major difference between the agricultural, industrial and cybernation revolutions is the speed at which they developed. The agricultural revolution began several thousand years ago in the Middle East. Centuries passed in the shift from a subsistence base of hunting and food-gathering to settled agriculture.

In contrast, it has been less than 200 years since the emergence of the industrial revolution, and direct and accurate knowledge of the new productive techniques has reached most of mankind. This swift dissemination of information is generally held to be the main factor leading to widespread industrialization.

While the major aspects of the cybernation revolution are for the moment restricted to the United States, its effects are observable almost at once throughout the industrial world and large parts of the non-industrial world. Observation is rapidly followed by analysis and criticism. The problems posed by the cybernation revolution are part of a new era in the history of all mankind but they are first being faced by the people of the United States. The way Americans cope with cybernation will influence the course of this phenomenon everywhere. This country is the stage on which the Machines-and-Man drama will first be played for the world to witness.

The fundamental problem posed by the cybernation revolution in the United States is that it invalidates the general mechanism so far employed to undergird people's rights as consumers. Up to this time economic resources have been distributed on the basis of contributions to production, with machines and men competing for employment on somewhat equal terms. In the developing cybernated system, potentially unlimited output can be achieved by systems of machines which will require little cooperation from human beings. As machines take over production from men, they absorb an increasing proportion of resources while the men who are displaced become dependent on minimal and unrelated government measures -- unemployment insurance, social security, welfare payments. These measures are less and less able to disguise a historic paradox: that a growing proportion of the population is subsisting on minimal incomes, often below the poverty line, at a time when sufficient productive potential is available to supply the needs of everyone in the United States.

The existence of this paradox is denied or ignored by conventional economic analysis. The general economic approach argues that potential demand, which if filled would raise the number of jobs and provide incomes to those holding them, is under-estimated. Most contemporary economic analysis states that all of the available labor force and industrial capacity is required to meet the needs of consumers and industry and to provide adequate public services: schools, parks, roads, homes, decent cities, and clean water and air. It is further argued that demand could be increased, by a variety of standard techniques, to any desired extent by providing money and machines to improve the conditions of the billions of impoverished people elsewhere in the world, who need food and shelter, clothes and machinery and everything else the industrial nations take for granted.

There is no question that cybernation does increase the potential for the provision of funds to neglected public sectors. Nor is there any question that cybernation would make possible the abolition of poverty at home and abroad. But the industrial system does not possess any adequate mechanisms to permit these potentials to become realities. The industrial system was designed to produce an ever-increasing quantity of goods as efficiently as possible, and it was assumed that the distribution of the power to purchase these goods would occur almost automatically. The continuance of the income-through-jobs link as the only major mechanism for distributing effective demand -- for granting the right to consume -- now acts as the main brake on the almost unlimited capacity of a cybernated productive system.

Recent administrations have proposed measures aimed at achieving a better distribution of resources, and at reducing unemployment and underemployment. A few of these proposals have been enacted. More often they have failed to secure Congressional support. In every case, many members of Congress have criticized the proposed measures as departing from traditional principles for the allocation of resources and the encouragement of production. Abetted by budget-balancing economists and interest groups they have argued for the maintenance of an economic machine based on ideas of scarcity to deal with the facts of abundance produced by cybernation. This time-consuming criticism has slowed the workings of Congress and has thrown out of focus for that body the inter-related effects of the triple revolution.

An adequate distribution of the potential abundance of goods and services will be achieved only when it is understood that the major economic problem is not how to increase production but how to distribute the abundance that is the great potential of cybernation. There is an urgent need for a fundamental change in the mechanisms employed to insure consumer rights.

THE CYBERNATION REVOLUTION -- FACTS AND FIGURES

No responsible observer would attempt to describe the exact pace or the full sweep of a phenomenon that is developing with the speed of cybernation. Some aspects of this revolution, however, are already clear:

the rate of productivity increase has risen with the onset of cybernation;

an industrial economic system postulated on scarcity has been unable to distribute the abundant goods and services produced by a cybernated system or potential in it;

surplus capacity and unemployment have thus co-existed at excessive levels over the last six years;

the underlying cause of excessive unemployment is the fact that the capability of machines is rising more rapidly than the capacity of many human beings to keep pace;

a permanent impoverished and jobless class is established in the midst of potential abundance.

Evidence for these statements follows:

1. The increased efficiency of machine systems is shown in the more rapid increase in productivity per man hour since 1960, a year that marks the first visible upsurge of the cybernation revolution. In 1961, 1962 and 1963, productivity per man-hour rose at an average pace above 3.5% -- a rate well above both the historical average and the post-war rate.

Companies are finding cybernation more and more attractive. Even at the present early stage of cybernation, costs have already been lowered to a point where the price of a durable machine may be as little as one-third of the current annual wage-cost of the worker it replaces. A more rapid rise in the rate of productivity increase per man-hour can be expected from now on.

2. In recent years it has proved impossible to increase demand fast enough to bring about the full use of either men or plant capacities. The task of developing sufficient additional demand promises to become more difficult each year. A $30 billion annual increase in Gross National Product is now required to prevent unemployment rates from rising. An additional $40-60 billion increase would be required to bring unemployment rates down to an acceptable level.

3. The official rate of unemployment has remained at or above 5.5% during the Sixties. The unemployment rate for teenagers has been rising steadily and now stands around 15%. The

unemployment rate for Negro teenagers stands about 30%. The unemployment rate for teenagers in minority ghettoes sometimes exceeds 50%. Unemployment rates for Negroes are regularly more than twice those for whites, whatever their occupation, educational level, age or sex. The unemployment position for other racial minorities is similarly unfavorable. Unemployment rates in depressed areas often exceed 50%.

These official figures seriously underestimate the true extent of unemployment. The statistics take no notice of underemployment or featherbedding. Besides the 5.5% of the labor force who are officially designated as unemployed, nearly 4% of the labor force sought full-time work in 1962 but could find only part-time jobs. In addition, methods of calculating unemployment rates -- a person is counted as unemployed only if he has actively sought a job recently -- ignore the fact that many men and women who would like to find jobs have not looked for them because they know there are no employment opportunities. Underestimates for this reason are pervasive among groups whose unemployment rates are high -- the young, the old, and racial minorities. Many people in the depressed agricultural, mining and industrial areas, who by official definition hold jobs but who are actually grossly underemployed, would move if there were prospects of finding work elsewhere. It is reasonable to estimate that over 8 million people are not working who would like to have jobs today as compared with the 4 million shown in the official statistics.

Even more serious is the fact that the number of people who have voluntarily removed themselves from the labor force is not constant but increases continuously. These people have decided to stop looking for employment and seem to have accepted the fact that they will never hold jobs again. This decision is largely irreversible, in economic and also in social and psychological terms. The older worker calls himself "retired"; he cannot accept work without affecting his social security status. The worker in his prime years is forced onto relief: in most states the requirements for becoming a relief recipient bring about such fundamental alterations in an individual's situation that a reversal of the process is always difficult and often totally infeasible. Teenagers, especially "drop-outs" and Negroes, are coming to realize that there is no place for them in the labor force but at the same time they are given no realistic alternative. These people and their dependents make up a large part of the "poverty" sector of the American population.

Statistical evidence of these trends appears in the decline in the proportion of people claiming to be in the labor force -- the so-called labor force participation rate. The recent apparent stabilization of the unemployment rate around 5.5% is therefore misleading: it is a reflection of the discouragement and defeat of people who cannot find employment and have withdrawn from the market rather than a measure of the economy's success in creating jobs for those who want to work.

4. An efficiently functioning industrial system is assumed to provide the great majority of new jobs through the expansion of the private enterprise sector. But well over half of the new jobs created during the period 1957-1962 were in the public sector -- predominantly in teaching. Job creation in the private sector has now almost entirely ceased except in services; of the 4,300,000 jobs created in this period, only about 200,000 were provided by private industry through its own efforts. Many authorities anticipate that the application of cybernation to certain service industries, which is only just beginning, will be particularly effective. If this is the case, no significant job creation will take place in the private sector in coming years.

5. Cybernation raises the level of the skills of the machine. Secretary of Labor Wirtz has recently stated that the machines being produced today have, on the average, skills equivalent to a high school diploma. If a human being is to compete with such machines, therefore, he must at least possess a high school diploma. The Department of Labor estimates, however, that on the basis of present trends as many as 30% of all students will be high school drop-outs in this decade.

6. A permanently depressed class is developing in the United States. Some 38,000,000 Americans, almost one-fifth of the nation, still live in poverty. The percentage of total income received by the poorest 20% of the population was 4.9% in 1944 and 4.7% in 1963.

Secretary Wirtz recently summarized these trends. "The confluence of surging population and driving technology is splitting the American labor force into tens of millions of 'have's' and millions of 'have-nots'. In our economy of 69 million jobs, those with wanted skills enjoy opportunity and earning power. But the others face a new and stark problem -- exclusion on a permanent basis, both as producers and consumers, from economic life. This division of people threatens to create a human slag heap. We cannot tolerate the development of a separate nation of the poor, the unskilled, the jobless, living within another nation of the well-off, the trained and the employed."

NEED FOR A NEW CONSENSUS

The stubbornness and novelty of the situation that is conveyed by these statistics is now generally accepted. Ironically, it continues to be assumed that it is possible to devise measures which will reduce unemployment to a minimum and thus preserve the overall viability of the present productive system. Some authorities have gone so far as to suggest that the pace of technological change should be slowed down "so as to allow the industrial productive system time to adapt."

We believe, on the contrary, that the industrial productive system is no longer viable. We assert that the only way to turn technological change to the benefit of the individual and the service of the general welfare is to accept the process and to utilize it rationally and humanely. The new science of political economy will be built on the encouragement and planned expansion of cybernation. The issues raised by cybernation are particularly amenable to intelligent policy-making: cybernation itself provides the resources and tools that are needed to ensure minimum hardship during the transition process.

But major changes must be made in our attitudes and institutions in the foreseeable future. Today Americans are being swept along by three simultaneous revolutions while assuming they have them under control. In the absence of real understanding of any of these phenomena, especially of technology, we may be allowing an efficient and dehumanized community to emerge by default. Gaining control of our future requires the conscious formation of the society we wish to have. Cybernation at last forces us to answer the historic questions: What is man's role when he is not dependent upon his own activities for the material basis of his life? What should be the basis for distributing individual access to national resources? Are there other proper claims on goods and services besides a job?

Because of cybernation, society no longer needs to impose repetitive and meaningless (because unnecessary) toil upon the individual. Society can now set the citizen free to make his own choice of occupation and vocation from a wide range of activities not now fostered by our value system and our accepted modes of "work." But in the absence of such a new consensus about cybernation, the nation cannot begin to take advantage of all that it promises for human betterment.

PROPOSAL FOR ACTION

As a first step to a new consensus it is essential to recognize that the traditional link between jobs and incomes is being broken. The economy of abundance can sustain all citizens in comfort and economic security whether or not they engage in what is commonly reckoned as work. Wealth produced by machines rather than by men is still wealth. We urge, therefore, that society, through its appropriate legal and governmental institutions, undertake an unqualified commitment to provide every individual and every family with an adequate income as a matter of right. This undertaking we consider to be essential to the emerging economic, social and political order in this country. We regard it as the only policy by which the quarter of the nation now dispossessed and soon-to-be dispossessed by lack of employment can be brought within the abundant society. The unqualified right to an income would take the place of the patchwork of welfare measures -- from unemployment insurance to relief -- designed to ensure that no citizen or resident of the United States actually starves.

We do not pretend to visualize all of the consequences of this change in our values. It is clear, however, that the distribution of abundance in a cybernated society must be based on criteria strikingly different from those of an economic system based on scarcity. In retrospect, the establishment of the right to an income will prove to have been only the first step in the reconstruction of the value system of our society brought on by the triple revolution.

The present system encourages activities which can lead to private profit and neglects those activities which can enhance the wealth and the quality of life of our society. Consequently national policy has hitherto been aimed far more at the welfare of the productive process than at the welfare of people. The era of cybernation can reverse this emphasis. With public policy and research concentrated on people rather than processes we believe that many creative activities and interests commonly thought of as non-economic will absorb the time and the commitment of many of those no longer needed to produce goods and services. Society as a whole must encourage new modes of constructive, rewarding and ennobling activity. Principal among these are activities such as teaching and learning that relate people to people rather than people to things. Education has never been primarily conducted for profit in our society; it represents the first and most obvious activity inviting the expansion of the public sector to meet the needs of this period of transition.

We are not able to predict the long-run patterns of human activity and commitment in a nation when fewer and fewer people are involved in production of goods and services, nor are we able to forecast the overall patterns of income distribution that will replace those of the past full employment system. However, these are not speculative and fanciful matters to be contemplated at leisure for a society that may come into existence in three or four generations. The outlines of the future press sharply into the present. The problems of joblessness, inadequate incomes, and frustrated lives confront us now; the American Negro, in his rebellion, asserts the demands -- and the rights -- of all the disadvantaged. The Negro's is the most insistent voice today, but behind him stand the millions of impoverished who are beginning to understand that cybernation, properly understood and used, is the road out of want and toward a decent life.

THE TRANSITION*

We recognize that the drastic alterations in circumstances and in our way of life ushered in by cybernation and the economy of abundance will not be completed overnight. Left to the ordinary forces of the market such change, however, will involve physical and psychological misery and perhaps political chaos. Such misery is already clearly evident among the unemployed, among relief clients into the third generation and more and more among the young and the old for whom society appears to hold no promise of dignified or even stable lives. We must develop programs for this transition designed to give hope to the dispossessed and those cast out by the economic system, and to provide a basis for the rallying of people to bring about those changes in political and social institutions which are essential to the age of technology.

The program here suggested is not intended to be inclusive but rather to indicate its necessary scope. We propose:

1. A massive program to build up our educational system, designed especially with the needs of the chronically under-educated in mind. We estimate that tens of thousands of

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* This view of the transitional period is not shared by all the signers. Robert Theobald and James Boggs hold that the two major principles of the transitional period will be (1) that machines rather than men will take up new conventional work openings and (2) that the activity of men will be directed to new forms of "work" and "leisure." Therefore, in their opinion the specific proposals outlined in this section are more suitable for meeting the problems of the scarcity-economic system than for advancing through the period of transition into the period of abundance.

employment opportunities in such areas as teaching and research and development, particularly for younger people, may be thus created. Federal programs looking to the training of an additional 100,000 teachers annually are needed.

2. Massive public works. The need is to develop and put into effect programs of public works to construct dams, reservoirs, ports, water and air pollution facilities, community recreation facilities. We estimate that for each $1 billion per year spent on public works 150,000 to 200,000 jobs would be created. $2 billion or more a year should be spent in this way, preferably as matching funds aimed at the relief of economically distressed or dislocated areas.

3. A massive program of low-cost housing, to be built both publicly and privately, and aimed at a rate of 700,000-1,000,000 units a year.

4. Development and financing of rapid transit systems, urban and interurban; and other programs to cope with the spreading problems of the great metropolitan centers.

5. A public power system built on the abundance of coal in distressed areas, designed for low-cost power to heavy industrial and residential sections.

6. Rehabilitation of obsolete military bases for community or educational use.

7. A major revision of our tax structure aimed at redistributing income as well as apportioning the costs of the

transition period equitably. To this end an expansion of the use of excess profits tax would be important. Subsidies and tax credit plans are required to ease the human suffering involved in the transition of many industries from manpower to machine-power.

8. The trade unions can play an important and significant role in this period in a number of ways:

a. Use of collective bargaining to negotiate not only for people at work but also for those thrown out of work by technological change.

b. Bargaining for perquisites such as housing, recreational facilities, and similar programs as they have negotiated health and welfare programs.

c. Obtaining a voice in the investment of the unions' huge pension and welfare funds, and insisting on investment policies which have as their major criteria the social use and function of the enterprise in which the investment is made.

d. Organization of the unemployed so that these voiceless people may once more be given a voice in their own economic destinies, and strengthening of the campaigns to organize white-collar and professional workers.

9. The use of the licensing power of government to regulate the speed and direction of cybernation to minimize hardship; and the use of minimum wage power as well as taxing powers to provide the incentives for moving as rapidly as possible toward the goals indicated by this paper.

These suggestions are in no way intended to be complete or definitively formulated. They contemplate expenditures of several billions more each year than are now being spent for socially rewarding enterprises, and a larger role for the government in the economy than it has now or has been given except in times of crisis. In our opinion, this is a time of crisis, the crisis of a triple revolution. Public philosophy for the transition must rest on the conviction that our economic, social and political institutions exist for the use of man and that man does not exist to maintain a particular economic system. This philosophy centers on an understanding that governments are instituted among men for the purpose of making possible life, liberty, and the pursuit of happiness and that government should be a creative and positive instrument toward these ends.

CHANGE MUST BE MANAGED

The historic discovery of the post-World War II years is that the economic destiny of the nation can be managed. Since the debate over the Employment Act of 1946 it has been increasingly understood that the Federal Government bears primary responsibility for the economic and social well-being of the country. The essence of management is planning. The democratic requirement is planning by public bodies for the general welfare. Planning by private bodies such as corporations for their own welfare does not automatically result in additions to the general welfare, as the impact of cybernation on jobs has already made clear.

The hardships imposed by sudden changes in technology have been acknowledged by Congress in proposals for dealing with the long- and short-run "dislocations", in legislation for depressed and "impacted" areas, retraining of workers replaced by machines, and the like. The measures so far proposed have not been "transitional" in conception. Perhaps for this reason they have had little effect on the situations they were designed to alleviate. But the primary weakness of this legislation is not ineffectiveness but incoherence. In no way can these disconnected measures be seen as a plan for remedying deep ailments but only, so to speak, as the superficial treatment of surface wounds.

Planning agencies should constitute the network through which pass the stated needs of the people at every level of society, gradually building into a national inventory of human requirements, arrived at by democratic debate of elected representatives.

The primary tasks of the appropriate planning institutions should be:

-- to collect the data necessary to appraise the effects, social and economic, of cybernation at different rates of innovation;

-- to recommend ways, by public and private initiative, of encouraging and stimulating cybernation;

-- to work toward optimal allocations of human and natural resources in meeting the requirements of society;

-- to develop ways to smooth the transition from a society in which the norm is full employment within an economic system based on scarcity, to one in which the norm will be either non-employment, in the traditional sense of productive work, or employment on the great variety of socially valuable but "non-productive" tasks made possible by an economy of abundance; to bring about the conditions in which men and women no longer needed to produce goods and services may find their way to a variety of self-fulfilling and socially useful occupations.

-- to work out alternatives to defense and related spending that will commend themselves to citizens, entrepreneurs and workers as a more reasonable use of common resources.

> -- to integrate domestic and international planning. The technological revolution has related virtually every major domestic problem to a world problem. The vast inequities between the industrialized and the underdeveloped countries cannot long be sustained.

The aim throughout will be the conscious and rational direction of economic life by planning institutions under democratic control.

In this changed framework the new planning institutions will operate at every level of government -- local, regional and federal -- and will be organized to elicit democratic participation in all their proceedings. These bodies will be the means for giving direction and content to the growing demand for improvement in all departments of public life. The planning institutions will show the way to turn the growing protest against ugly cities, polluted air and water, an inadequate educational system, disappearing recreational and material resources, low levels of medical care, and the haphazard economic development into an integrated effort to raise the level of general welfare.

We are encouraged by the record of the planning institutions both of the Common Market and of several European nations and believe that this country can benefit from studying their weaknesses and strengths.

A principal result of planning will be to step up investment in the public sector. Greater investment in this area is advocated because it is overdue, because the needs in this sector comprise a substantial part of the content of the general welfare, and because they can be readily afforded by an abundant society. Given the knowledge that we are now in a period of transition it would be deceptive, in our opinion, to present such activities as likely to produce full employment. The efficiencies of cybernation should be as much sought in the public as in the private sector, and a chief focus of planning would be one means of bringing this about. A central assumption of planning institutions would be the central assumption of this statement, that the nation is moving into a society in which production of goods and services is not the only or perhaps the chief means of distributing income.

THE DEMOCRATIZATION OF CHANGE

The revolution in weaponry gives some dim promise that mankind may finally eliminate institutionalized force as the method of settling international conflict and find for it political and moral equivalents leading to a better world. The Negro revolution signals the ultimate admission of this group to the American community on equal social, political and economic terms. The cybernation revolution proffers an existence qualitatively richer in democratic as well as material values. A social order in which men make the decisions that shape their lives becomes more possible now than ever before; the unshackling of men from the bonds of unfulfilling labor frees them to become citizens, to make themselves and to make their own history.

But these enhanced promises by no means constitute a guarantee. Illuminating and making more possible the "democratic vistas" is one thing; reaching them is quite another, for a vision of democratic life is made real not by technological change but by men consciously moving toward that ideal and creating institutions that will realize and nourish the vision in living form.

Democracy, as we use the term, means a community of men and women who are able to understand, express and determine their lives as dignified human beings. Democracy can only be rooted in a political and economic order in which wealth is distributed by and for people, and used for the widest social benefit. With the emergence of the era of abundance we have the economic base for a true democracy of participation, in which men no longer need to feel themselves prisoners of social forces and decisions beyond their control or comprehension.

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"I am in broad agreement with this Statement, though not entirely so."

* * * * * *

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GHANA

NEWS BULLETIN

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8/6/63

"Treaty is only a small initial step forward...."

GHANA SUPPORTS TEST BAN TREATY - BUT URGES NUCLEAR ARMS DESTRUCTION

The Government of Ghana, in announcing its support of the Nuclear Test Treaty signed by U. S., Russia and the U. K., emphasized, however, that the Treaty did not "fulfil the expectation of mankind for the abolition of nuclear warfare."

In its official statement on the Treaty, the Government said :

"The Government of Ghana considers that this Treaty is only a small initial step forward. It does not fulfil the expectation of mankind for the abolition of nuclear warfare. The Government of Ghana has, nevertheless, decided to be a party to the Treaty because it believes that even such a little step as this has a definite value in itself, in that, it could lead to negotiations for the destruction of all existing nuclear weapons and for the renunciation of nuclear warfare itself altogether.

"It would be a tragedy if the hopes raised by this beginning were destroyed by evasions of the Treaty or by the intensification in other ways and by other means of nuclear rearmament.

"The world must from this stage proceed as quickly as possible to agreement on the total banning of all nuclear armaments and the achievement of general and complete disarmament."

The Government's statement continued:

"World peace, however, cannot be secured merely by the abolition of nuclear warfare. Its attainment is bound up with solving the basic causes of conflict in the world today. For this reason, nuclear disarmament and world peace must depend upon the total liquidation of imperialism and colonialism in all its forms and manifestations in all parts of the world.

"The Government of Ghana expresses the hope that this Treaty will contribute towards a new era in the world in which plenty takes the place of poverty, national self-determination the place of subjection and oppression, and co-existence and harmony in place of racial intolerance and hatred."

2..../

8/12/63

"A Free and United Africa" Ghana's objective..."

GHANA'S STAND AT DAKAR CONFERENCE UNDERLINED BY FOREIGN MINISTER

Ghana's delegation to the Dakar Foreign Ministers' Conference of Organisation of African Unity led by Foreign Minister Mr. Kojo Botsio, returned to Accra on August 11. The delegation included Mr. Kwesi Armah, Mr. K. Budu-Acquah and Mr. Salifu Yakubu, Ghana Resident Ministers in Guinea and Mali respectively, Mr. John K. Tettegah, and Nana Kobina Nketsia the fourth Director of the Institute of Art and Culture.

In an Airport statement on his arrival home, Mr. Botsio said that Ghana's stand throughout the Conference was based on the strong conviction that only a very firm political foundation could support Africa's organic and dynamic unity. "The Conference of the Council of Foreign Ministers, from which we have just returned," he said, "marks an important step forward towards the realisation of the noble objectives contained in the Addis Ababa Charter. Much that was achieved was in clear response to the aspirations of the African masses for that real unity which transcends ethnic and national differences. The recommendation for all regional groupings to be effectively solved in the interest of African Unity and solidarity is a case in point."

"Ghana's stand throughout the Conference", the Minister continued, "was based on the strong conviction that only a very firm political foundation can support our organic and dynamic unity. That was why we insisted on the establishment of sound criterial as the only means of maintaining standards, and this principle was applied to all general discussions on matters of substance. Again and again, as true Nkrumaists and inspired by our Leader's strong faith in real African Unity as enshrined in 'Africa Must Unite', we strongly advocated that the time had come for the creation of the machinery which will provide central political direction and co-ordination in the political and diplomatic fields, and provide the necessary stability and continuity, which our developing Continent so vitally need."

In concluding his statement, Mr. Botsio said, "We left the Conference fully convinced that it is imperative as dedicated Africans we do all that we must so that, in our generation, a free and united Africa can take its rightful place in the Council of the world, and contribute to world peace, progress and prosperity."

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8/8/63

ALGERIAN LEADER VISITS GHANA

A recent distinguished visitor to Ghana was Algeria's Premier Ben Bella. The Algerian leader's six-day visit was a private one, and part of his tour of a number of African nations.

During his tour of Ghana, Premier Ben Bella visited the headquarters of the C.P.P., Tema Harbour and township, and the Young Pioneer Movement, and had private discussions with President Nkrumah.

On his arrival at Accra Airport, the Premier was accorded an impressive reception.

PREMIER BEN BELLA RECOMMENDS - ALL AFRICAN HEADS OF STATE SHOULD ATTEND U.N. GENERAL ASSEMBLY

9/8/63

Algeria's Premier, Ben Bella has suggested that all African Heads of State should attend the next session of the United Nations General Assembly which meets next month.

The Premier's suggestion came during a Press Conference before ending his private visit to Ghana. He said that the presence of all African Heads of State would enable them to demonstrate the striking aims of the Organisation of African Unity, which included the liberation of colonial territories on the African Continent. The Premier added that their presence would also encourage negroes in the U. S. to continue their fight against racial injustice.

Premier Ben Bella described the Osagyefo as"a great friend."

Commenting on the Dakar Conference, he said it was the wish of his Government that Ministers of the various African nations should tackle "real and true problems facing African Unity, technical, financial and other forms of aid to Angola, and other African countries still fighting for independence."

He said that the appointments of a Secretary General and a Permanent Secretariat for the Organisation of African Unity were secondary and that the most urgent matter was how much a Member State was prepared to contribute towards the budget of the Organisation and the setting up of training centres to train and organise freedom fighters.

4..../

AUDIO-VISUAL CENTRE OPENED IN ACCRA

8/8/63

The new Ghana Audio-Visual Centre was officially opened in Accra by the Minister of Information and Broadcasting, Mr. L. R. Abavana.

The Minister also opened at the same time, a two-week course in audio-visual aid for secondary school teachers throughout the country.

The Audio-Visual Centre is a branch of the Ghana Information Services, and since its establishment last year, has produced a substantial quantity of audio-visual materials, e.g. slides and film strips.

Further plans are for the establishment of a national centre to serve all audio-visual centres in production training research. The Ghana Audio-Visual Centre has been organized by Mr. Frank Johnson, Audio-Visual Specialist from UNESCO.

APPOINTMENTS TO AID MUSIC TRAINING

The Institute of Art and Culture has appointed two Hungarians and one Israeli as music teachers for the music division of the Institute of African Studies of Ghana University. In announcing the appointments the Institute said they were made under a Ghana-Hungarian Cultural Agreement Programme. The Israeli teacher, who will remain for eighteen months, will conduct and assist in the training of a new Ghana Orchestra. The Institute has a Music and Drama School which was established last year.

MR. K. A. BROBEY JOINS N. Y. OFFICE OF INFORMATION

A recent addition to the Ghana Information Services in New York is Mr. K. A. Brobey, in the capacity of Information Officer.

The Officer, who joined the Ghana Information Services in 1950, was formerly Regional Information Officer for Ashanti.

Mr. Brobey is married and the father of four children.

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AKO ADJEI AND FOUR OTHERS FACE COURT ON TREASON CHARGES

The former Foreign Minister, Ako Adjei, Tawiah Adamafio and Koffie Crabbe, and Member of Parliament Robert Otchere, appeared before the special Criminal Division of Ghana's High Court on Friday, August 9.

Along with another defendant, they are facing charges of conspiracy to commit treason.

The Attorney General announced that the hearing of the fraud charge against Ako Adjei would be postponed pending the treason trial.

Ako Adjei, Crabbe and Adamafio were detained in August 1962. Otchere is serving a three year prison sentence for attempted suicide. The fifth defendant, Yaw Manu, is in police custody.

Appearing for the accused were Dr. Danquah for Yaw Manu, Koi Larbi and Harold Darko for Adamafio and Ako Adjei, and Da Rocha and E. N. Moore for Crabbe. Otchere was not represented.

The trial was adjourned to August 19, 1963.

"Athletic talent in Ghana considerable...." 8/5/63

AMERICAN ENDS COACHING ASSIGNMENT IN GHANA

Afro-American Eugene Thomas, seconded from U. S. Government to Ghana for two years as Athletic Coach, has ended his assignment. He was the second Coach to come to Ghana under the specialist programme of the U. S. Department of State. Before his departure, Mr. Thomas expressed his gratitude to Central Organisation of Sports for giving him the necessary cooperation during his assignment. Commenting on the performance of athletes, he said athletic talent in Ghana was considerable.

GHANA

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GHANA

NEWS BULLETIN

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Aug. 29, 1963.

Document issued as Security Council prepares to discuss demands of African States

GHANA ISSUES LONG DOCUMENT ON SOUTHERN RHODESIA

A Document of 50,000 words has been prepared by the Government of Ghana on the issue of Southern Rhodesia. This question is likely to come before the Security Council next week (but not before Thursday 5th September.)

The Security Council discussion has arisen out of a unanimous decision by the thirty-two Independent African States to raise this matter as a question of urgency and follows upon a decision at Addis Ababa in May 1963 by African States.

The question has formally been brought before the Security Council under Rule 2 of its Rules of Procedure (which enables any member of the Council to request a meeting), by Ghana and Morocco who are the two African members of the Security Council. It is however, backed by all Independent African States and the method of presenting the case is being coordinated by a committee of African States under the Chairman of the African group.

The main issue to be raised at the Security Council is the proposed immediate transfer to Southern Rhodesia, by Britain, of forty-four powers of Government including External Affairs and Defence. Since the British Government claims to have no control over the territory of Southern Rhodesia, the transfer to this Government of, among other authorities, the control of an all-white army and one of the most powerful air forces in Africa, is regarded by African States as a dangerous threat to the peace and security of the African Continent.

Further, the fact that no major power of Government can be exercised by the Southern Rhodesian settler regime until the British Government transfers that power by law, provides an opportunity for Britain to terminate in this Colony apartheid and white minority rule which many observers consider more extreme even than that of South Africa.

A section of the Document is devoted to the Memorandum already submitted to the Security Council (and which has been previously published.) The remainder of the Document consists of material, hitherto unpublished, in the detailed notes on each paragraph of the Memorandum and of seven Appendices which deal in detail with matters treated generally in the Document. There is also a general Introduction which sets out briefly facts and statistics in regard to Southern Rhodesia.

Matters which may, among others, be of particular interest, include the following:

Page 52. This summarises conditions in Southern Rhodesia and includes a statement by the Roman Catholic hierarchy, which says that "such a state of affairs cries to heaven for vengeance."

Page 10. Contains a quotation from Mr. John Gunther's "Inside Africa" in which he describes racial discrimination in Rhodesia as "among the most barbarous, shameful and disgusting in the whole world." Details of this discrimination are given on Page 59 and also on Pages 61 to 63.

Page 28. Contains a description of Southern Rhodesian "democracy" by Lord Balniel, a British Conservative Member of Parliament. Appendix VII (pages 79-84) explains how Southern Rhodesian elections are manipulated so that the Government is controlled by a white minority of less than 6% of the population (see also page 10).

Pages 24 to 25. Point out that the official British argument that Britain had no authority over Southern Rhodesia has been repudiated by leading British Constitutional Lawyers and that, in fact, the British Government has ample powers to save the situation in Southern Rhodesia if Britain is prepared to do so.

Page 58, gives from official sources the comparative wages of Europeans and Africans.

Page 64. Deals with serious repercussions on the Rhodesian population if the British Government transfers racially constituted military forces to a white minority Government (for this see also bottom of Page 26.)

Page 42. Sets out in full the Resolution of 20 June 1963 of the Committee of 24 of the United Nations which declares that the situation in Southern Rhodesia Constitutes "a threat to international peace and security" and calls the attention of the Security Council "to the deterioration of the explosive situation which prevails in the Non-Self-Governing territory of Southern Rhodesia."

GHANA'S FOREIGN MINISTER INVITED TO NIGERIA Sept. 3,1963

Mr. Kojo Botsio, Ghana's Minister of Foreign Affairs, has accepted an invitation from the Hon. Jaja Wachuku, Minister of Foreign Affairs and Commonwealth Relations of Nigeria, to visit Nigeria. The dates set for Mr. Botsio's visit are September 9 to 10, 1963.

GHANA RESUMES DIPLOMATIC RELATIONS WITH BELGIUM

Diplomatic relations on Embassy level have been re-established between the governments of Ghana and Belgium.

Diplomatic relations between the two countries were broken off during the height of the Congo crisis.

DR. DUBOIS' LAST MESSAGE TO THE WORLD

The noted Afro-American author historia, Dr. W. E. B. DuBois, left a last message to the world before he died on Tuesday, August 27, in Accra at the age of 96. The message was read at the late historian's state funeral, at the precincts of the Castle - Ghana's seat of Government.

In attendance were members of the diplomatic corps, cabinet ministers and representatives of organisations.

The message which was written by Dr. DuBois on June 26, 1957, stated:

"It is much more difficult in theory, that actually to say the last goodbye to one's loved ones and to all the familiar things of this life. I am going to take a long deep and endless sleep. This is not a punishment, but a privilege to which I have looked forward for years.

I have loved my work, I have loved people and my play, but always I have been uplifted by the thought that what I have done well will live long and justify my life. That what I have done ill or never finished can now be handed on to others for endless days to be finished perhaps better than I could have done. And that peace will be my applause.

One thing alone I charge you as you live and believe in life. Always, human beings will live and progress to greater, broader and fuller life. The only possible death is to lose belief in this truth simply because the great end comes slowly because time is long."

In tribute to Dr. DuBois, on radio last night (Thursday, August 29), President Nkrumah said:

"We mourn the death of Dr. William Edward Burghardt DuBois, a great son of Africa. Dr. DuBois in a long life span of 96 years achieved distinction as a poet, historian and sociologist. He was an undaunted fighter for the emancipation and oppressed people and pursued this objective throughout this life.

The files of literature and science were enriched by his profound and searching scholarship a brilliant literary talent and a keen penetrating mind.

The essential quality of Dr. DuBois' life and achievement can be summed up in a single phrase - intellectual

4..../

honesty and integrity."

President Nkrumah traced his long friendship with Dr. DuBois, and his great fight against colonialism up to the time he was offered a job in Ghana, as Director of "Encyclopedia Africana." In ending his tribute, Dr. Nkrumah said:

"We mourn his death. May he live in our memory not only as a distinguished scholar, but as a great African patriot. Dr. DuBois is a phenomenon."

The historian, described as "father of Pan-Africanism," died at the age of 96. Dr. DuBois was born on February 3, 1868, in the State of Massachussets and was educated at public schools of Great Barrington, and later at Fisk, Harvard and Berlin Universities. He also received honorary degrees from many distinguished European Universities, including Prague and Moscow, and also from the University of Ghana.

During his teaching career, the historian was professor of Greek and Latin at Wilberforce University, a professor at Atlanta University, and Pennsylvania. He also served at the same University as Professor of Economics and History. He was awarded the Lenin Peace Prize in 1959.

Dr. DuBois was also one of the founders of the National Association for the Advancement of Coloured People and author of eleven volumes in the field of history. He was also best known among Africans as the founder of Pan-Africanism. At the time of his death, Dr. DuBois was director of the "Encyclopedia Africana", and a resident of Ghana after having become a naturalized Ghanaian citizen.

15/8/63

"A Royal Visitor......"

QUEEN URGES WOMEN TO JOIN FIGHT FOR AFRICAN UNITY

Queen Theresa Kanyonga of Burundi who arrived in Ghana on August 14, on a four day private visit, called on women of Africa to "come together and fight side by side with our men for the complete unity of Africa and for prosperity of her people".

Speaking at a luncheon in her honour given by the National Council of Ghana Women at Accra's Ambassador Hotel, she said that in her opinion "African Unity was now a reality," and paid warm tribute to Osagyefo for his "noble efforts towards its achievements". She described Osagyefo as a great son of Africa and said she had heard a lot about "Ghana and her wonderful people and I am happy to be here to see things for myself. I am glad to be with you here, especially the women of Ghana".

Among the places Queen Theresa visited during her stay were, Party Headquarters, women institutions, hospitals, and the University of Ghana. She was also entertained with cultural displays.

"I forsee no danger of Ghana becoming a Soviet Satellite...."

NAACP OFFICER REPLIES TO SENATOR DODD ON GHANA -

The New England Regional Conference NAACP, through its president, Mr. Frank T. Walker, made public a letter he had written to Sen. Thomas J. Dodd taking exception to the Senator's position on Ghana.

Mr. Walker pointed out to the Senator, that Ghana and the United States were working together on the Volta River development, the most important project ever undertaken in the country. He added that Ghana basically maintained a capitalistic economy with private property safeguarded and communization out.

FOR THESE REASONS, Mr. Walker stated, "Ghana cannot be the first Soviet Satellite in Africa", as had been charged by Dodd.

Mr. Walker's letter continued: "I think this small underdeveloped country should maintain our respect if the United States can keep Ghana on the upward economic path, I forsee no danger of Ghana becoming a Soviet satellite. But the job for our State Department becomes twice as hard when influential officials like yourself label a small country a satellite before it has a chance to settle into an orbit of its own." (From "The Carolinian" Raleigh, North Carolina, August 17, 1963)

15/8/63

"Training Program underway....."

TV FOR GHANA - DATE DRAWS NEAR

The Government is to take delivery of 500 television sets early next year to form the nucleus of Ghana's television service.

The sets, according to a representative of Marconi's Wireless Telegraph Company in Accra, are part of a £3 million contract signed between the company and the Government this year.

Under the contract, he said, the company would also build three television transmitting stations in Accra, Kumasi and Sekondi-Takoradi; a large transmitting station, at Ejura, for extending both the external and internal sound broadcasting services and a complete microwave link to carry six music channels between Accra and Ejura. Work in the meantime has already started on the T.V. studios.

The spokesman further disclosed that six Ghanaians would soon leave for Britain to do courses in the techniques of television operation in the Chemsford factory of Marconi Wireless Telegraph Company Limited. Their courses will be sponsored by the company.

At present 12 Ghanaian program personnel and 12 engineers are being trained in Canada to man the television and broadcasting services.

GHANA JETS TO SERVICE NEW ROUTES

The Ghana Airways will soon extend its service to cover routes linking Ghana with East Africa, the Far East, South America and the United States.

This was announced recently by a spokesman for the Airways, and he also added that the corporation was supporting a plan to improve and expand existing facilities at airports in Ghana. This would make possible the putting into operation of bigger aircrafts on internal flights when the services of the present Dakotas are discontinued. The spokesman also disclosed that the first of the three new VC-10 Jet Aircrafts ordered by the airline to augment the external services would be received sometime next August. At that time also, the specific date for servicing the new international routes by Ghana Airways would be announced.

19/8/63

TO REPRESENT PRESIDENT AT WASHINGTON CELEBRATIONS

The secretary of Ghana Academy of Sciences, Dr. J. Yanney-Wilson will represent President Nkrumah at the centenary celebrations of the American National Academy of Sciences in Washington beginning in October this year.

Dr. Nkrumah will be unable to attend the meeting because of heavy state duties at that time.

19/8/63

PERFUME FACTORY OPENED IN GHANA

A $75,000 perfumary factory of the United Perfumary Company (Ghana) Limited has been officially opened by Mr. Imoru Egala, Minister of Industries, in Accra.

The company, a private enterprise, began operation about a year and a half ago.

Mr. Egala said from a humble beginning, the management had carried out an expansion program worthy of emulation by other organizations. Mr. Egala, added the establishment of the factory bore witness to the fact that private investments in Ghana were fully recognized and encouraged.

23/8/63

"Their theme - Unity and World Peace..."

MR. MONGI SLIM CONFERS WITH PRESIDENT NKRUMAH

His Excellency Mr. Mongi Slim, Minister of Foreign Affairs of Tunisia visited Ghana from August 21 - 23.

He called on Osagyefo Dr. Kwame Nkrumah, and had conversations with him covering a wide range of subjects, including discussions on the Portuguese territories in Africa, and apartheid in South Africa.

He also had discussions on many subjects with Mr. Kojo Botsio, Minister of Foreign Affairs, affecting especially, the relations between Tunisia and Ghana, African problems, and matters coming up at the next session of the United Nations General Assembly. The two ministers reached agreement on various subjects and renewed their determination to continue to work closely together for stronger and friendlier relations between Ghana and Tunisia, and to promote the cause of African unity and world peace.

24/8/63

PLANES NOT NEEDED RETURNED TO RUSSIA

The Soviet Union has agreed to take back from Ghana four of the eight Ilyushin-18 planes the Ghana Government had purchased on credit for an estimated $1,876,000 each.

In making the announcement, Ghana's Minister of Communications, Mr. E. K. Bensah said that the planes which were bought on a Soviet credit granted in 1960, were origignally ordered for the Ghana air force. He explained, that they had become surplus, and were neither needed by the government-owned Ghana Airways Corporation.

GHANA UNIVERSITY TO PARTICIPATE IN STUDENT PROGRAM

The University of Ghana will participate in a student exchange program with several other African universities, including those of Senegal, the Ivory Coast, Morocco and Tunisia.

The programs were announced by Dr. Conor Cruise O'Brien Vice-Chancellor of the University of Ghana, and former U.N. diplomat and author of "To Katanga and Back".

PAPER CALLS FOR AFRICAN BOYCOTT OF OLYMPIC

The GHANAIAN TIMES newspaper has called for an African boycott of the forthcoming Olympic games.

In urging such an action, the TIMES editorially accused the International Olympic Committee (IOC) of acting in a "high-handed and irrational manner" on banning Kenya from the Olympic organisation.

The IOC had decided recently to transfer its next congress from Nairobi to West Germany because of Kenya's intention to refuse entry visas to South African and Portuguese representatives.

Sudanese Judge Attends Rally On Civil Rights

A supreme court judge from the Sudan in Africa sat in on the civil rights rally at the YWCA for a brief period Saturday but did not take part in the meeting.

Judge Mohammed Mudaui of Khartoun, who is on a two-week tour of the country under the auspices of the State Department, arrived unannounced and sat at the rear of Howard Hall while Mayor E. Dent Lackey spoke.

The judge left after about a half hour. He declined to talk to the press as he made his way out.

An aide said the judge had been invited to attend the meeting after arriving here on a sightseeing tour Saturday morning.

The judge was guest at a dinner at the home of Paul H. Reid Jr., 1105 Maple Ave. Mr. Reid, a local lawyer, is chairman of the Niagara Falls Citizens Committee on Human Relations.

~~Negro~~ Statistics

NEGRO MAJORITY FOUND IN CAPITAL

It Is Only Such Population Ratio for Top U.S. Cities—New York Total Highest

WASHINGTON, March 14 (AP)—This is the only major American city in which Negroes form a majority of the population, the Census Bureau said today.

, 1961

Preliminary analysis of the 1960 census shows that 411,737, or 53.9 per cent, of Washington's 763,956 residents are Negroes, it reported.

New York City has the largest number of Negroes, 1,087,931, or 14 per cent of the population of 7,781,984. Ranked after New York were Chicago, with 812,637 Negroes, Philadelphia 529,240, Detroit 482,223, Los Angeles 334,916 and Baltimore 326,589. Washington had fifth place in this list.

Among the twenty-five largest cities in the country four in addition to Washington had Negroes constituting one-third or more of their populations. These were Atlanta, 38.3 per cent; New Orleans, 37.2 per cent; Memphis, 37 per cent, and Baltimore, 34.8 per cent.

Except in San Diego and Seattle women outnumbered men in the Negro population of the twenty-five largest cities.

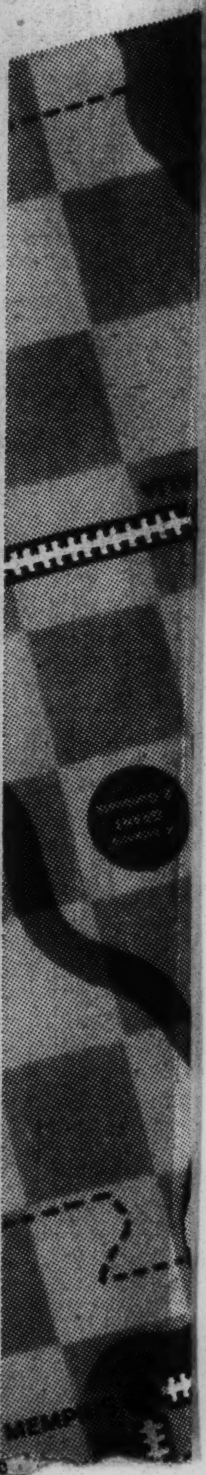
Figures for 25 Cities

The statistics for the nation's twenty-five largest cities, including Negro populations and ratios, were as follows:

City.	Total Population.	Negroes.	% of Total Population.
New York ..	7,781,984	1,087,931	14.0
Chicago	3,550,404	812,637	22.9
Los Angeles.	2,479,015	334,916	13.5
Philadelphia.	2,002,512	529,240	26.4
Detroit	1,670,144	482,223	28.9
Baltimore ..	939,024	326,589	34.8
Houston	938,219	215,037	22.9
Cleveland ..	876,050	250,818	28.6
Washington.	763,956	411,737	53.9
St. Louis ...	750,026	214,377	28.6
Milwaukee .	741,324	62,458	8.4
San Fran....	740,316	74,383	10.0
Boston	697,197	63,165	9.1
Dallas	679,684	129,242	19.0
New Orleans	627,525	233,514	37.2
Pittsburgh ..	604,332	100,692	16.7
San Antonio	587,718	41,605	7.1
San Diego...	573,224	34,435	6.0
Seattle	557,087	26,901	4.8
Buffalo	532,759	70,904	13.3
Cincinnati ..	502,550	108,754	21.6
Memphis ...	497,524	184,320	37.0
Denver	493,887	31,066	6.3
Atlanta	487,455	186,464	38.3
Minneapolis.	482,872	11,785	2.4

6 Missing in Hotel Fire

SUMMERSIDE, Prince Edward Island, March 14 (AP)—Six persons were missing and feared dead in a fire that swept the 75-year-old, wooden Clifton Hotel before dawn today. Fifteen persons were taken to hospitals. The cause of the fire, which apparently started on the second floor of the three-story hotel, was not determined.



CIVIL RIGHTS
AND
AMERICAN
SOCIETY

luther

Resolution on Civil Rights

of the YOUNG PEOPLES SOCIALIST LEAGUE (Youth Section, SP-SDF)
303 Fourth Avenue, Room 516, New York 10, New York

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CIVIL RIGHTS RESOLUTION

by

Tom Kahn & Rachelle Horowitz*

(Adopted at the 1961 annual convention of the Young People's Socialist League at Southaven, Michigan, August 30, 1961)

The Young People's Socialist League reaffirms the view, which has been the basis of its policy in recent years, that Civil Rights remains the foremost domestic issue of our time. If anything fresh and promising has appeared on the American scene sinde the mid-Fifties, it has not been our ventures into space, or the fashionable debates on "national purpose," or the still largely uncharted course of the "new frontier." It has been rather the pressing upsurge of American Negroes demanding rights that are Constitutionally theirs and that are being sought with increasing vigor by hundreds of millions on other continents. We reject categorically the notion that these rights can be in any way compromised in the name of progress on other fronts. Ultimately, in measuring any society, all questions are peripheral to this: to what extent is the democratic ideal operative? Whatever else our government has said or done, its failure to root out the barbaric practice of racial segregation and exploitation that prevails with legal sanction in large areas of our country makes a mockery of our declarations for freedom abroad. It is no mystery that American prestige should be declining precisely in those quarters where democratic revolutionary movements are growing, so long as it is evident that those who are truly fighting for democracy are less numerous in the halls of our Congress than in the jails of the South.

As an organization of students and young people, we are especially proud of the lead that Southern students have taken in the struggle. Placing their bodies where others have long directed only pronouncements, Negro students and their white supporters have rejuvenated the entire civil rights movement and stimulated assaults on new racial barriers. The sit-in movement quietly begun in Greensboro on February 1st, 1960, has been prodigiously successful, integrating hundreds of lunch-counters in more than 60 cities. Those who have deprecated the nonviolent direct action method can boast of no comparable achievement.

The YPSL is also proud of the role that its members have played in developing support for the Southern movement in various parts of the country and in initiating direct action assaults against Jim Crow in non-Southern cities. Our members have suffered violence at the hands of racists and they have been imprisoned. They have sat-in, knelt-in, and waded in. In cities from coast to coast they have organized picket lines and protest meetings.

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* Tom Kahn and Rachelle Horowitz are members of the National Executive Committee of the Young People's Socialist League. Mr. Kahn is the major author of the "Unfinished Revolution," one of the major civil rights phamplets to appear in recent years. Both he and Rachelle Horowitz have been associated with civil rights leaders, such as A. Philip Randolph, inhelping to organize the Youth Marches for Integrated Schools in 1958 and 1959.

Moreover, we did not count ourselves among those who saw the sit-ins as an emphemeral phenomenon, but understood their deep roots in the discontent of the Negro, especially apparent in those for whom the caste system has become more than intolerable - the students. Aspiring in the main to the essentially middle-class goals of most Americans and feeling at least as qualified, by virtue of education, as the average white person, the Negro student has been especially frustrated by the Jim Crow barriers. In protest he has turned to a technique of which we took note in our Civil Rights Resolution of 1959; direct mass action executed outside of the framework of the two political parties.

That the initial impact of the sit-ins would diminish was predictable. Evidence suggests that powerful elements among the American press have conspired to black out dramatic developments in the sit-in movement. The fact is that the movement has entered a new phase. It has expanded during the past year, moving from lunch-counters to theatres, to libraries, to beaches, to churches, to amusement parks, and to companies that discriminate against Negroes in their hiring policies. It has spread northward to Chicago and New York City, where members of the YPSL helped to organize a sit-in at the offices of Paramount Theatres president, Leonard Goldenson, which aided in the integration of Paramount's theatre in Austin, Texas. Most important of all, the sit-ins have moved into the Deep South, where, finally, the structure of segregation must be destroyed if real progress toward integration is to be made elsewhere.

In addition, the sit-in movement has profoundly affected student activity in areas other that Civil Rights. There is no question but that the students demonstrating against the House Un-American Activities Committee in San Francisco were extending the tactics elaborated by Southern Negroes. It is to the Southern Negro students that we must credit the greater part of the resurgence in social consciousness and activity that has been witnessed on campuses throughout the country. Like the students of Japan, Poland, Turkey, Hungary and South Korea, the Negro students have taken the lead in the struggle for democracy.

Out of the action-oriented climate generated by the spontaneous sit-ins have sprung the Freedom Rides, initiated by the Congress of Racial Equality, and joined by the Student Nonviolent Coordinating Committee, the Southern Christian Leadership Conference and the Nashville Christian Leadership Conference. We congratulate CORE and the other groups who organized the Freedom Rides, and we salute the heroic Freedom Riders themselves. In abiding by the Supreme Court's 1946 ban on segregation in interstate travel, they have subjected themselves to unbelievable violence bordering on mass murder. They have stripped the South of its mask of peaceful gentility and exposed for all to see the naked brutality that flourishes in the midst of segregation. Anniston, Birmingham, Jackson - - these have joined Little Rock and Rock Hill as symbols from which the great masses of mankind in our time are recoiling. Particularly horrifying was the role of the local police, who in refusing protection to the Freedom Riders, deliberately provoked rabid mobs to inflict the violence that normally the Southern police themselves inflict. No more can it be convincingly argued -- it never could be -- that the Dixie state apparatus functions as a moderator among contending forces, seeking only to preserve law and order. No longer can we refuse to recognize the necessity for the dismantlement and political reconstruction of the Southern state through the complete franchisement of the Southern Negro.

We do not take seriously the attacks on the Freedom Riders as "outsiders." On purely technical grounds, the Freedom Riders were not seeking the integration of "local" institutions, but of facilities sustained by interstate travelers. They were not, therefore, "interfering," But even if this were not the case, we are committed to the defense of democracy wherever it is challenged. Those who would condemn rightly, the suppression of democratic liberties behind the Iron Curtain cannot consistently condone the right of the segregationists to maintain their quaint local customs here. We shall rise or fall as a nation, not as separate states and cities. Moreover, segregated schools and other institutions in the South are recipients of federal aid, paid for by nationally levied taxes; Southern industry and commerce is bound up with the national economy generally, to which all citizens contribute; the influence of Southern politicians in the halls of Congress and other agencies of government, effects us all. Southern segregationists officials can no more assert their independence of the Constitution and the Supreme Court than they can reverse the outcome of the Civil War. In these years of the Civil War Centennial they are attempting to do both. This has been possible only because of the grip they have taken on our national political life.

Some liberals have condemned the Freedom Riders on the grounds that they have provoked violence, though unintentionally. In our view, the Freedom Riders have but brought to the surface and themselves heroically absorbed the festering violence that has always been deeply imbedded in the Deep South. As humanitarians, we deplore violence -- all the more when it is directed against our friends. At the same time, we recognize degrees and kinds of violence, and we see that which is built into the very structure of segregation -- physical and psychological -- as infinitely more destructive than that arising out of the Freedom Rides.

Equally do we reject Administration pressure for a "cooling off" period. It is inconceivable to us that this nation stands anything to gain from an abatement of direct action for the attainment of full democratic rights. The international embarrassment suffered by the government as a result of the mob violence at Birmingham and Anniston is not to be laid to the Freedom Riders. We suggest to the President that he could have strengthened U.S. prestige abroad had he, upon arriving in Geneva, declared his unequivocal support for the Freedom Riders. We note, too, that demands for a "cooling off" period have been directed primarily to the Negro Community and its efforts at integration. We join with Dr. Martin Luther King in insisting that these demands be directed toward the white hot segregationists who whip up their constituents to violence with inflammatory speeches promising maintenance to the death of that which can no longer be maintained.

The efforts of Senator Eastland and other racists to brand the Freedom Riders as "Communist organized" is a mark of the desperation of the segregationists' cause. Such slanders will find credibility only among those who would shut their eyes to the legitimate demands of the Negro people. Senator Eastland and his ilk, in seeking to credit Communists with the organization of the Freedom Rides, have rendered the international Communist movement a great service. Not even its most vigorous supporters could have so effectively adorned it in the eyes of the world.

While we give all out support to the Freedom Rides and work for their continuation, we simultaenously recognize that in the last analysis their success will be determined by the extent to which they stimulate activity on the part of the masses of Negroes who live in the South. It is encouraging that scores of Jackson Negro residents have joined the Freedom Riders in jail, and that indigenous protest activity has been heightened in other communities affected by the Freedom Riders. This is where hope lies. As Socialists, we regard as limited, though preparatory, those efforts involving primarily specialists either in the legal field or in the field of direct action. To avoid elitist developments, our aim must be always to broaden the base of the movement and to stimulate mass action. The vast potential of the movement will not be fulfilled until the great mass of unorganized working-class Negroes are actively mobilized. Freedom Rides must lead to more Montgomeries. This is true not only in the South but in the North as well. We cannot agree with those who maintain that race relations in the North are on a par with those in the South, where segregation helps sustain a reactionary political ruling class and guarantees slave-labor profits for runaway industries. Nonetheless, the housing and unemployment problems Negroes face in the North are also susceptible to direct action remedies. Desegregation can proceed but so far in the South so long as New Rochelle is in the headlines. The most effective support we can give to the Southern struggle is by way of extending the mass direct action movement northward.

The NAACP

The Young Peoples Socialist League reaffirms its support of the National Association for the Advancement of Colored People, which remains the central organization of Negro protest in the United States. We congratulate the NAACP on its membership growth in recent years and urge members of YPSL to participate in NAACP youth activities. The NAACP's court victories have made an invaluable contribution to the overall progress of the movement, and constitute an integral part of the dramatic advances that have been made in the last five years. We urge those who criticize the NAACP for being too slow, or too bureaucratic, or too limited in scope, to give meaning to their criticisms through increased participation, in the activities of the Association. Only through greater, not less participation, can militants help to effect the changes in policy they advocate. At the same time, it would be a disservice to the NAACP to mute such criticism.

The success of the direct action technique in recent years has incontestably demonstrated that the movement cannot afford to limit itself to litigation or to any other single tatic. The 1954 Supreme Court decision banning school segregation has been all but eviscerated. Since the decision, only 7% of formerly segregated Negro students have been affected. Token integration, a more subtle and evasive evil, has replaced total segregation, largely with the acquiescience of the Supreme Court. The 1946 decision outlawing segregation in interstate travel was never put into effect; only now after the Freedom Rides is the Interstate Commerce Commission likely to enforce the ruling. It is improbable that the desegregation of hundreds of lunch counters and other public facilities could have been accomplished through litigation: even if favorable court rulings had been forthcoming, their enforcement would doubtless have proved impossible.

None of this is intended to suggest that litigation is useless or outmoded, only that the movement has entered a new phase since 1954. The principle of racial equality has been enuciated by the courts; the task now is to make that principle operative as well. To do so will require not only the continuation of litigation, but of community action as well. This will require pressure on the part of the NAACP membership to swing the organization toward developing individual and mass direct action projects. Such policies would best be directed at the local level.

The Congress of Racial Equality

We congratulate CORE on the tremendous strides it has made since its inception almost 20 years ago. Though still a predominantly white organization based in the North, CORE has won the adherence of an increasing number of Negroes to its methods of non-violent direct action. It has pioneered in new forms of action against Jim Crow and in doing so has caught the imagination of thousands. Despite the fact that CORE has not developed any significant base in the Negro community, we enthusiastically urge all members and friends of the Young Peoples Socialist League to join CORE and to participate energetically in its activities. Of all the organizations in the field, CORE at present provides northern young people with probably the best opportunities for effective civil rights action. In the Congress of Racial Equality, as in other organizations in which we are active, YPSL's participate as loyal members and accept CORE discipline.

The Southern Christian Leadership Conference

The establishment in 1957 of the SCLC led by Dr. Martin Luther King, Jr. symbolized the shift of Negro leadership to the South for the first time since the days of Booker T. Washington. This is one of the most promising aspects of the growing Southern struggle.

The potential strength of the SCLC, which it has not exploited, lies in its Negro church base. Historically, the church has been the only institution evolved in the Negro community that is independent of white control, and thus has performed political, social and economic functions which in the white community are assigned to other institutions. Those who decry the leadership of ministers in the Negro's struggle must bear in mind this multifunctional character of the Negro church as it has grown up in a segregated society. Opposition to the emphasis on religion in the secular fight of the Negro must not be permitted to obscure an understanding of where it is that Negroes can be organized today in large numbers. In the absence of any serious trade union organization drive among Southern Negroes, the church will likely continue to be the center of organized Negro life in the South, and thus the center of the movement for some time to come.

In the tradition of the Negro church, Dr. King and the SCLC have been the leading exponents of nonviolence in the movement, and have had the closest relationship with the Student Nonviolent Coordinating committee, made up of students' sit-in leaders from all over the South. These are the forces, indigenous to the South, who have been on the firing line and who have given the lie once and for all to the comfortable Southern myth of the contented Negro. Their reliance on nonviolence at the peril of life, has pointed up by contrast, the moral bankruptcy and desperation of the segregationist cause.

Although the YPSL as an organization, takesno official position with regard to the principle of nonviolence as applicable to all situations, the tactic of nonviolence appears to us the most appropriate and feasible for the growth of a mass movement among Negroes in the South. Whether an individual resorts to violence in self-defense is a matter of personal choice and preparedness, and cannot be dictated by others. It is doubtful, however, that large numbers of Negroes can be mobilized around a program of violence. Our disagreement with those who advocate violence as a matter of program is not that they violate a moral principle, but that in effect they would reduce a movement of mass dimensions and vast potential to a guerilla operation. We cannot, for example, see how it would be possible to register millions of Negro voters in the South through such programs as proponents of violence might advocate. In this connection, we are heartened by Dr. King's recent announcement that thousands of Negroes will be mobilized for stand-ins at the polls in the near future. When such a mobilization materializes, it will strike at the very heart of the political strucutre that nourishes segregation in the South.

The Negro American Labor Council

The Young People's Socialist League vigorously reaffirms its support of the Negro American Labor Council, organized under the leadership of A. Philip Randolph. At the present time, it alone of the adult integrationist organizations is seeking actively to develop a program aimed at the Negro working-class. Moreover, in its dedication to the labor movement, it has emphasized the necessity for a strong Negro-Labor alliance as a key to the advance of the Negro people. As Socialists, we strongly favor this conception and look forward to the time when it will become a more powerful motivating force in both the Negro community and the labor movement.

Those in the official labor movement and the liberal community in general who have attacked the NALC as black chauvinist have, in our view, failed to understand the character of the rising tide of the black man's protest in America. We cannot in the name of integration deny Negroes the right to organize as Negroes, independently of whites, any more than we can justifiably demand the dissolution of the Jewish Labor Committee, or the Italian American Labor Council. The charge of chauvinism or anti-unionism no more applies to the NALC than to these groups. While we call for the increased participation of whites in all phases of the civil rights movement, we must recognize that ultimately the fight for racial equality in this country must be based primarily on Negroes and led by Negroes. Just as Southern Negro students have organized independently of whites, though calling for white support, and have maintained control over the direction of their movement, in like manner are Negro trade unionists pressing for racial democracy in the house of labor. It is all too easy in our segregated society for those who have failed to move radically against the roots of segregation to level the charge of racism-in-reverse.

Equally specious is the charge that the NALC is anti-labor. All of its criticisms of the AFL-CIO have been set in the context of overall support to the labor movement and participation in it. These criticisms come from within labor movement, from Negro trade unionists, and not from without - in contrast to those who, in attacking the labor movement for its failure to wipe out the vestiges of segregation and discrimination within its ranks, would overlook the fact that no comparable institution in American society has so frequently been on the right side of the race issue.

It is precisely because we, as Socialists, look to the labor movement as the most fundamental force for a democratic transformation of our society, that we also support the Negro American Labor Council. Only when the labor movement extirpates all traces of Jim Crow will it win the respect of the Negro community; only then can it hope to appeal to the masses of Negro workers who are as yet outside of the trade unions. This is a prequisite for the organization of the South, and the organization of the South is a prerequisite for the reversal of the present decline of the labor movement in numbers and prestige.

We believe that it would be a mistake for the NALC to concentrate its fire on the labor movement to the exclusion of business and government, which are more often responsible for discriminatory job policies than labor, though such policies are more reprehensive when acquiesced to by labor. Enormous possibilities for cooperation between the NALC and the AFL-CIO would be opend by common battle against the discriminatory practices of government and big business -- common battle which would in no way obscure or compromise the NALC's demands upon the labor movement itself. It is also to be hoped that an expanded and strengthened NALC might be able to devote some of its resources to organizing Negro workers in the South, thereby prodding the AFL-CIO to launch a new "Operation Dixie."

The Rising Tide of Nationalism

There is a rising tide of nationalism in the Negro community and this expresses itself not only in the growth in avowedly black nationalist groups in urban Negro centers, but in a spirit which tinges the militance of groups that do not necessarily espouse black nationalist programs. At the same time that the YPSL categorically rejects racism of any variety and opposes the separation of the races as incompatible with the socialist ideal, we seek to understand the character of black nationalism and its roots in our segregated society. Moreover, we reject the simplistic description of black nationalism as an aberration on a par with white supremacy. The two serve different social functions. There is a qualitative difference between the chauvinism adopted by an exploited and oppressed group for the purpose of counteracting inferiority feelings, and that adopted by the exploiting and oppressor group for the purpose of maintaining its rule.

The Black Muslims, largest of the nationalists groups, is the fastest growing social movement among Negroes today. Conservative estimates place its membership at 100.000 --- 1/3 that of the NAACP. Furhter, its membership is almost entirely working class. There seems little reason to question the predictions of the Muslim leaders that hundreds of thousands more will join their ranks in the next decade and that the Muslims will officially be recognized as an orthodox religion by International Islam. The army being trained by the Muslims has already presented a problem to police in cities where they are strong, and the group's potential political power has been recognized by city political figures.

Neither as an ideal nor a practical possibility can we accept the Black Muslim's goal of a "Black Nation" on the North American continent. Nor can we regard as a feasible solution to the racial problems a mass migration of Negroes to Africa or anywhere else. The Utopian and millenarian content of the Muslim's preachments indicates that their strength is not programmatic but psychological. The amazing growth of the Muslims is possible only because large numbers of Negroes have become convinced that the white man, whatever he says, will not yield to integration. It is interesting that the movement has flourished to date not primarily in the South, but in Northern urban centers where liberalism is strongest. It is here that the promise has been made and broken; in the South it has never been made. We see the Black Muslim movement as the product of our nation's failure to put into practice the ideals which it exports for consumption abroad. It is the product of tokenism and evasion. Persecution of the Muslims by the FBI and local police is not the answer to the problem they symbolize. The answer is an all-out assault on racial segregation and exploitation.

Responsibility for the growth of the Black Muslims and other nationalist groups also rests with the adult integrationist organizations. Their failure to make contact with and mobilize the mass of unorganized and frustrated working-class Negroes who are crowded into the slums of our cities and deprived of decent job opportunities - this has created a vacuum which the Muslims are trying to fill. The integration of downtown lunchcounters, theatres, restaurants, hotels and amusement parks cannot meet the needs of those who do not have the money to utilize these facilities. It is irrevelant to dismiss the nationalists as charlatans and quacks. If charlatans and quacks can take to the streetcorners and recruit thousands of disciplined followers to a mystical program, surely intelligent and sincere integration leaders, armed with a sound program and perspective, ought to be able to do as well. At present only the Negro American Labor Council appears to be cognizant of the necessity for developing a mass action program aimed at the bread-and-butter needs of the working class Negro community.

The Kennedy Administration

In the face of the increasing militance of the civil rights forces, the Kennedy Administration has played a dual role. The general sluggishness and indifference of the Eisenhower Administration has, on the surface, given way to a new spirit of concern. The deepening of Negro protest actions over the past year, combined with the new

Administration's heightened sensitivity to the nation's waning international image, has wrought new concessions from the Federal Government, particularly from the Executive Branch, Suits brought by the Justice Department to stay the eviction of the embattled Negroes of Fayette County, who suffered severe economic reprisals as a result of their efforts to register and vote, and to compel the re-opening of public schools in Prince Edward County are to be applauded. The action of the Attorney-General in sending federal marshalls and FBI agents into Alabama and Mississippi to protect Freedom Riders from mob violence was also a laudable, though belated move. The Executive Order establishing the President's Committee on Equal Employment Opportunity represents a significant, though cautious and still inadequate, advance over the farcical anti-job bias apparatus of the Eisenhower Administration. Moreover, the Kennedy Administration has appointed more Negroes to federal posts than any previous administration.

These, to date, comprise the achievements of the Kennedy Administration in the realm of civil rights. Yet, however much of an improvement they signify over the passivity of the Eisenhower era, they do not begin to deal with the fundamental problems facing the Negro people today. In actuality, they have served to divert attention from these fundamental problems and thus to maintain intact the coalition of Southern reactionaries and Northern liberals that comprises the Democratic Party.

That Kennedy was disinclined to disrupt that coalition was evident from his choice of Lyndon Johnson as his running mate. Succeeding events have confirmed the trends signaled by that choice. Since the Los Angeles convention, it has transpired that Kennedy's road to the Presidential nomination has been paved with promises and agreements made with Southern racists, notably Governor Patterson of Alabama. Part of Kennedy's deal with Patterson had included the appointment of Charles Meriweather as head of the Import Export Bank, a central agency in the dispersal of U S. funds to underdeveloped - and mainly non-white - nations. Kennedy refused to withdraw Meriweather's nomination even after it had been brought out that Meriweather was a close personal and political friend of Robert Shelton, leader of the Klu Klux Klan, who later allegedly directed from behind the scenes the mob violence directed against the Freedom Riders in Birmingham. Further, the appointment of Harold Cox, a rabid segregationist and cohort of Senator Eastland, as Federal Judge for southern Mississippi at the same time that scores of Freedom Riders were being sentenced in Jackson to jail terms for obeying the Supreme Court ban on segregation in interstate travel, demonstrates the essential duplicity of the Kennedy Administration in its declarations of support for civil rights. Ironically one of Judge Cox's first moves in his new post (August 14, N.Y. Times) was to discontinue proceedings on a Government suit on behalf of Negroes denied applications to register in Clarke County.

At the basis of this duplicity is not the personal attitudes or intentions of his advisors with regard to racial equality. Analyses and prognoses that turn on such speculations and on "inside tips" - these are abundant today - are inevitably misleading. At the basis of the new Administration's duplicity is an arrangement of political forces that has prevailed in this country for decades. Its most powerful expression is the structure of the Democratic Party, which remains today, no less than before, an unprincipled union of irreconcilable interests: on the one hand, the representatives of the racist Southern oligarchy, resting on the segregation, exploitation and disenfranchisement of the Negro; and, on the other hand, the representatives of the liberal, labor and Negro forces based in the urban centers and powers, and the hard-pressed small farmers of the Midwest. Just as the Southern Democrats vehemently denounce and block attempts to grant the Negro his Constitutional rights, so do they also fight uncompromisingly against labor's efforts to organize, especially in the South and West, against higher minimum wages, social security, medical care for the aged and other social welfare legislation. Some may hail this coalition of opposites as evidence of the diversity and "room for healthy disagreement" that obtain in the Democratic Party. We, however, can see little that is healthy in an inbuilt bottleneck against the expansion of human welfare and democracy.

Nowhere has this bottleneck operated so effectively as in the area of civil rights legislation. So long as we lack an anti-lynch law, legislation to put teeth into the Supreme Court decisions, Congressional action on voting rights, etc., it is cruel hypocricy for the President to state, as he has, that there is no need for further civil rights legislation at the present time. Even as a matter of practical politics, Kennedy's tactic of holding back of civil rights legislation in order to win approval of other legislation has not paid off. Neither the President's aid to education bill nor his foreign aid program has escaped reactionary Congressional fire. The minimum wage bill was passed only after it eliminated 140,000 laundry workers, mostly low-paid Negroes, and employees of cotton mills. The $2,550,000 education bill that cleared the Senate will be of little benefit to Southern Negroes - most in need of such aid - so long as the funds are dispersed by racist state officials. Of what use is social welfare legislation if it does not cover those who need it most? It is clear that until major advances are made in civil rights, social welfare will have only superficial meaning for the American Negro, and this cannot be of genuine value to the nation at large.

It is precisely because of their role in the Democratic Party that the Racist Southern Congressmen have been able to seize control of the vital committees of both houses and thereby wield such enormous influence over the political life of the nation. Elected again and again, usually by minorities in their own states, these men have accumulated top seniority in Congress. The Seniority Rule assigns committee chairmanships to members of the majority party with the most seniority. Thus even the election of a liberal Democrat to Congress helps assure Eastland of continued control over the Senate Judiciary Committee, throught which all proposed civil rights legislation must be filtered.

* * *

It is clear that the fight for civil rights cannot be limited to one or two spheres. A fight for the end of segregation in schools necessarily becomes involved with the fight for democracy itself (as in the defense of the NAACP against outlawing in Southern states,) and thus with the nature of political rule in the South - with the whole Southern system. A further example: what happens in Southern cities when a Negro child who has experienced integrated education graduates? A return to the ghetto after a youthful fling with equality? It is obvious that such a situation could have profound effects on the child subjected to it. Real educational integration can become meaningful only with integration in all other spheres of life, particularly housing and employment. In other words, the fight of the Negro cannot

1) be confined to working through the courts, but must put pressure on all agencies of government;
2) be restricted to the achievement of equality only in education or only in this or that area of life: his demand must be for full economic, political and social equality.

We have noted that despite all of its faults and shortsightedness, the labor movement has been the major white ally of the Negro in his struggle and has, because of its very social nature, goals and interests parallel to those of the Negro. Indeed, though the wedge of racial prejudice may unfortunately come between the Negro and white worker, their common welfare transcends the color line, which has been dimming with the growth of unionism. In addition, because their interests are parallel, the Negro and labor movements have both been attacked and frustrated by the same enemy: the coalition of conservative Republicans and Southern Dixiecrats.

We must pay great attention to the tensions that exist between the liberal-labor wing and the reactionary elements in the Democratic Party, - and the pressures created by the registration of Southern Negroes. These tensions are the dynamic potential for political realignment in America.

At this point no one can predict the exact outcome of such a struggle. Some expect the Dixiecrats to be forced out and the machine eventually destroyed while othere feel that the reactionary elements will cling to the name and structure of the Democratic Party; while the liberal-labor forces will have to adopt a new name. No matter which way the struggle leads, its result will be a split in the Democratic Party and the formation of a new party. This new party may still have the name Democratic Party but it will be recognizable by its real commitment to the progressive forces in the United States and by the fact that it is itself responsive and responsible to these forces.

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FEDERAL ACTION FOR CIVIL RIGHTS

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MAN'S RELATIONS TO MAN

FEDERAL ACTION FOR CIVIL RIGHTS

The Commission's 1961 report documents and analyzes discrimination in five volumes titled Voting, Education, Employment, Housing, *and* Justice, *and recommends a broad federal legislative and administrative program.*

U.S. Commission on Civil Rights

"No single, limited approach will bring an end to discrimination. . . . Assuring the right to vote, fundamental as that is, will not quickly assure equal protection of the laws in other aspects of the Negroes' life. Similarly the opening of new career opportunities to a particular minority will be of little use if its members have had no opportunity or reason to prepare themselves for such careers—or if they are barred from living near the 'new' places of work." Housing segregation helps produce segregated schools, which are generally inferior. Inferior schools perpetuate unequal employment. To complete the circle, restricted career choice undercuts the motives for pursuing education to the full extent of one's capabilities.

"Urban renewal is not in itself a civil rights problem, yet discrimination —in housing, in education, in employment—contributes in major degree to the creation and preservation of the slums. If they are to be abolished, discrimination will also have to go. Metropolitan . . . programs not primarily concerned with civil rights objectives may fail if they do not deal with questions of discrimination as well.

"The close relationship of civil rights to other areas of public concern may also mean that measures not directly aimed at discrimination may be helpful in eliminating it." The Commission's study of voting in Southern "black belt" counties, for example, strongly suggests that programs to stimulate, diversify, and industrialize depressed, one-crop agricultural areas "may ultimately do more than lawsuits to improve the economic, political, and legal status of black belt Negroes" by reducing their economic dependence and vulnerability to reprisals.

The Federal Government's responsibility for achieving equality of opportunity for all is far from exclusive. But it is a heavy, and as yet undischarged, responsibility and it is the statutory concern of the Commission. Underlying the Commission's recommendations are "the belief that the Presidency, and indeed the whole federal establishment, is preeminently a place for moral leadership . . . [and] the principle recently stressed by President Kennedy that 'Federal money should not be spent in any way which encourages discrimination, but rather . . . [to encourage] the national goal of equal opportunity.' "

The Power of the Law

Voting

A wide variety of voting eligibility requirements can be, and are, used to deny the right to vote on grounds of race and color. Acting under the Fifteenth and Fourteenth Amendments to the Constitution, Congress should limit the grounds for disqualification, in all state and federal elections, to age, length of residence, confinement, or conviction of a felony; proof of six grades of formal schooling should satisfy all "literacy" and similar tests. Congress should consider providing federal enforcement of population equality in both Congressional and state electoral districts.

Education

Compliance with the Supreme Court's school desegregation decisions is notoriously slow and too often merely token. Congress should require "every local school board which maintains any public school from which pupils are excluded on the basis of race, to file a plan for desegregation with a designated federal agency within six months after the adoption of such legislation," whether or not a court suit has been brought. The plan should provide for first steps toward compliance "at the beginning of the following school year, and complete desegregation as soon as practicable thereafter." Congress should direct the Attorney General to take appropriate enforcement action, and to give appropriate protection to school board members, school staff, school children and their parents, and citizens helping them, "from bodily harm, harassment, intimidation, and/or reprisal by officials or private persons."

Housing

Private lending institutions which benefit from federal programs and are supervised by federal agencies hold more than 60 per cent of the country's nonfarm home mortgage debt. On racial and religious grounds they deny large numbers of Americans equal housing opportunity and help make housing "'the one commodity in the American market . . . not freely available on equal terms to every one who can afford to pay.' . . . The Federal Government, either by executive or by Congressional action, [should] require all financial institutions engaged in a mortgage loan business that are supervised by a federal agency to conduct such business on a nondiscriminatory basis."

Employment

Similarly, internal nondiscrimination and nonsegregation should be required of all unions using National Labor Relations Board services.

Justice

While lynching may have become extinct, discriminatory law enforcement, police brutality, and official condonation of and connivance in private of violence are widespread. Existing civil rights legislation has suffered from crippling weaknesses, such as the requirement of "specific intent" to violate a victim's constitutional rights as distinguished from the general criminal intent to hurt him. Congress should consider extending the penalties of section 242 of the U.S. Criminal Code to all those "who maliciously perform, under color of law, certain described acts including the following:

"1) subjecting any person to physical injury for an unlawful purpose;

"2) subjecting any person to unnecessary force during the course of an arrest or while the person is being held in custody;

"3) subjecting any person to violence or unlawful restraint in the course of eliciting a confession to a crime or any other information;

"4) subjecting any person to violence or unlawful restraint for the purpose of obtaining anything of value;

"5) refusing to provide protection to any person from unlawful violence at the hands of private persons, knowing that such violence was planned or was then taking place;

"6) aiding or assisting private persons in any way to carry out acts of unlawful violence."

The Department of Justice should revise some of its policies and procedures that hamper federal criminal prosecutions for unlawful violence. It has taken advantage only once—and then successfully—of its statutory authority to institute prosecution by a sworn information to avoid the delay and the hazard of seeking indictment by a hostile grand jury. It has excessively relied on signed complaints, despite the fact that many victims are unaware of their rights, are fearful of retaliation, or assume that federal officers are closely linked with local policemen. It has suspended both investigation and prosecution as soon as state authorities have taken steps to prosecute local officers, making federal re-entry impractical if the state action proves ineffective. It has entrusted prosecution to U. S. Attorneys who are unfamiliar with the complex civil rights case law and, indeed, to a few who are openly hostile to Civil Rights Act prosecutions.

Civil suits brought by victims of police brutality are often fruitless because the policemen cannot pay the damages and the governmental entities that employ them will not. Congress should consider making all bodies that employ police liable for their misconduct.

To promote equal justice, Congress might empower the Attorney General to bring civil proceedings to prevent the exclusion of persons from jury service on account of race, color, or national origin.

The Use of Public Money

Withholding of funds

Federal support of discriminatory institutions is unconscionable. Complete nondiscrimination and nonsegregation should be a condition for all federal aid to state employment agencies, institutions of higher education, public libraries (where the requirement was enacted in 1956 but has not been fully enforced), training and recruitment programs, and urban renewal plans. Mortgage insurance and loan guarantees should be restricted to nondiscriminatory builders and lending institutions. Up to 50 per cent of school grants-in-aid should be withheld on a basis proportional to the number of bi-racial but still segregated school districts within a state.

Nondiscrimination should be vigorously enforced in all federal employment, all employment supported by government aid funds (as well as contracts), and all labor unions dealing with government contractors.

New programs

The Commission recommends a number of new federal programs: For desegregating schools, direct technical assistance and training of personnel; matching grants for employment of social workers and specialists in desegregation problems; and loans for districts from which state or local funds are withdrawn as a result of desegregation.

To expand nondiscriminatory employment opportunities, expanded and new programs of assistance to vocational education, apprenticeship training, and retraining of jobless workers; helping the jobless move to find jobs; and federally subsidized employment, training, and special placement services for youths.

To extend equal opportunity in housing, improving relocation requirements for urban renewal and extending them to the federal highway program, which now has no relocation program.

To improve the quality of state and local police, working out a program of grants-in-aid to raise selection tests and standards, give better training in crime detection, constitutional rights and human relations, and support continuing education for policemen.

Need for statistics

The Commission is aware that many agencies have abandoned keeping racial records for legitimate fear that they can facilitate or invite discrimination. It has found, however, that statistical data are often necessary for policy planning and evaluating local, state, and federal programs in terms of equality of opportunity, and believes that means can be found to prevent discriminatory use. It recommends that information be systematically kept on voting registration and eligibility, school enrollment, employment and employment opportunities, availability of home mortgage credit, and related problems of discrimination. *(1961 U. S. Commission on Civil Rights Report.* Book 4, *Housing,* available through Readers Service)

Civil Rights

For further information-GR 3-2181

PRESS RELEASE FOR RELEASE AFTER 5 PM, WED. 14 MARCH

U.S. Gov't. Lack of Progress in SOUTH 1962

Representatives of the New York student and adult communities today picketed the office of the United States Justice Department at Foley Square in protest against the inaction of that Department in the case of six student leaders of the civil rights movement in the south.

The following is the text of a statement presented to representatives of the Justice Department by a delegation consisting of members of the Student NonViolent Coordinating Committee, The Congress of Racial Equality, and Students for a Democratic Society, the sponsoring organizations of the protest:

We are protesting before your office because the followong conditions exist:

Charles McDew, Chairman of the Student NonViolent Coordinating Committee, and John Robert Zellner, Field Secretary of S.N.C.C. have been arrested in Baton Rouge, La. and charged with criminal anarchy. They are now free on $7,000 bond apiece pending trial on May 28...

Dion Diamond, S.N.C.C. Field Secretary, is in Baton Rouge, La. jail, charged with criminal anarchy, trespassing, and disorderly conduct, held in jail for lack of $15,000 bond...

Rev. B.L.Cox, C.O.R.E. Field Secretary is in Baton Rouge, La. jail having been convicted of criminal anarchy, sentenced to 21 months, and denied appeal bond and a Writ of Habeas Corpus...

Ronnie Moore, Chairman of Baton Rouge C.O.R.E., and Weldon Roureau, the Vice Chairman, are in Baton Rouge jail, charged with criminal anarchy, being held in lieu of $9,000 bond apiece...

This charge of criminal anarchy, under which the above are being held is a trumped up attempt to halt integration activities in that state. We feel that these charges are in violation of the rights of the accused under the Constitution and that this situation is a direct affront to our sense of American principles of freedom and justice.

Therefore we make the following demands:

That the Justice Department file briefs in the State Courts of the State of Louisiana in the cases above because the charges are in direct violation of the rights of the accused under the excessive bail clause of the Eight Amendment and the due process and equal protection clauses of the fourteenth amendment#...

That the President of the United States issue a strong statement enjoining the various agencies of state and local government from interfering with the non-violent progress of the student civil rights movement and the work of the various adult organizations, particularly C.O.R.E. and the N.A.A.C.P.

In December and January, students from the Southern University chapter of C.O.R.E. were conducting a direct action demonstration program in Baton Rouge. Because of this program, several participants in the movement were arrested. As a result of these arrests mass demonstrations of S.U. students took place. 2,500 students marched peacefully to downtown Baton Rouge where they were dispersed by police using tear gas guns and dogs. Subsequently many of the leaders were jailed and an injunction was issued against any C.O.R.E. activity in the Baton Rouge area.

Arrested at that time and charged with criminal anarchy, and still in jail are three officials of the Congress of Racial Equality; Ronnie Moore, chairman of B aton Rouge C.O.R.E.; Weldon Rougeau, the Vice-Chairman, and the Rev. B.L. Cox, a C.O.R.E. Field Secretary.

Criminal anarchy,"an attempt to overthrow the government of the state of Louisiana,or of the United States by unlawful means", is classified as felony in Louisiana bearing the possible sentence of ten years. Additionally the crime of criminal anarchy requires that one must remain in jail while pressing an appeal — an appeal period which might take up to three years.

At this point S.N.C.C. Field Secretary Dion Diamond went to Baton Rouge to assist the S.U. students in continuing their protest. After several speeches to student groups on campus, he was arrested. He is still in the Baton Rouge jail and is awaiting trial.

Charles McDew, S.N.C.C. Chairman and John Robert Zellner, a white S.N.C.C. Field Secretary from Alabama, were arrested Saturday evening February 17, barely 3 hours after their arrival in Baton Rouge, after they had visited Dion Diamond. McDew said that they had gone to the jail Saturday afternoon after their arrival in town and had asked the jailer if they could see Diamond. They were told that visiting day was tuesday. They then asked the jailer if they could bring Diamond some fruit and books. They were told that they could and when they returned to the jail that evening, they were arrested by the Parrish District Attorney.

The choice of Louisiana to prosecute these charges can spell the end of an era of non-violent direct action; for Louisiana shall have destroyed the difference between non-violence and violence before the law.

In Washington, D.C., on Friday, March 9, members of the Non-Violent Action Group, an affiliate of S.N.C. C. , presented a petition to the Justice Department protesting the cruel police intimidation of students in Baton Rouge, Louisiana. The petition signed by 1300 students in the Washington area demanded that the United States Government act to enjoin state officials from arbitrarily arresting those working to register voters and promote social justice.

In New Orleans, members of the Southern Conference Educational Fund were also asked to join in the mounting protest against the arrests. The S.C.E.F. office also circulated a memorandum to more than eighty civil rights and human relations organizations, asking them to send letters or telegrams of protest to the Justice Department.

In Atlanta, a special telegram of protest was sent to officials in Washington and Louisiana; it was signed by Roy Wilkins, James Farmer, A. Philip Randolph, Harry Belafonte, Reinhold Niebuhr and Whitney Young, and signatures are expected from other prominent Americans.

* "Excessive bail shall not be required..."8th Amendment to the U.S. Constitution. "... Nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." 14th Amendment to the Constitution

Civil Rights

CORE
Congress of Racial Equality
38 Park Row, NYC 38, N.Y.
March 27, 1963

MEMORANDUM

TO: CORE CONTACTS
FROM: JAMES T. MC CAIN, DIRECTOR OF ORGANIZATION

CONSTITUTIONAL AMENDMENT ON POLL TAX

Twenty-three of the necessary 38 states have ratified the constitutional amendment preventing states from imposing a poll tax for voting in federal elections.

Your state is one which has not yet ratified this amendment. In order that this important amendment may be passed, all pressure possible should be brought to bear on state legislatures so that the remaining fifteen states' approval can be gained.

We urge you as CORE members to write your state representatives, and to urge your friends, and all those who care about equality to write, and press for the passage of this amendment.

Thank you for your cooperation.

* * * * *

THE STATES WHICH HAVE RATIFIED THE AMENDMENT ARE:
ILLINOIS, OREGON, WEST VIRGINIA, NEW JERSEY, MONTANA, MARYLAND, NEW YORK, CALIFORNIA, INDIANA, RHODE ISLAND, MICHIGAN, ALASKA, OHIO, IDAHO, HAWAII, NEW MEXICO, UTAH, MINNESOTA, NORTH DAKOTA, COLORADO, VERMONT, WASHINGTON AND NEVADA.

HOW AMERICANS PROTEST

A Statement on the
Civil Rights Demonstrations

Published by the

AMERICAN CIVIL LIBERTIES UNION

156 Fifth Avenue New York 10, N. Y.

August,
1963

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Foreword

THE AMERICAN CIVIL LIBERTIES UNION views with firm hope the course being taken by the movement of our Negro countrymen toward full citizenship. A protest movement of such dimensions is bound to arouse opposition and be attended by disorders, perhaps some that will be more serious than have already occurred. But disorder is less to be dreaded than suppression of the right to protest. In our constitutional system this right is one of fundamental importance — a part of the purpose of our national being. It is also a means of resolving deep-seated problems — the loss of which threatens dangers of a much higher order.

We deem it essential, therefore, to revert to first principles — to inquire why the First Amendment forbids Congress to make any law "abridging . . . the right of the people peaceably to assemble and to petition the government for a redress of grievances," why the Fourteenth Amendment forbids State action abridging the same right, how Americans have used this right before, and how all this affects what we *do* in response to today's headlines.

The First Amendment prohibition was a fruit of colonial experience. Bacon's Rebellion in Virginia, the Regulator movement in North Carolina, and the movement culminating in the Boston Massacre — all originated in denial to the people of a right to assemble and voice their grievances. The colonists, therefore, had had bitter experiences at the hands of an unrestrained government willing to resort to shooting and hanging to suppress popular protest. Hence the architects of the Constitution rightly put the new government under restraint.

Yet in the very act of establishing a government they placed themselves under reciprocal restraint, acknowledging this in the word "peaceably" which they wrote into their definition of the First Amendment right. Even so, the right they defined is quite as capable of being suppressed by violent citizen opponents as by an unrestrained government. Clearly, then, government is not only required to refrain from interference with peaceful assemblies; it must restrain the restrainers as well.

Those government officials and editorial writers, who have been quick to rebuke certain parts of the extraordinarily effective civil rights demonstrations of 1963, have forgotten this clear direction of the First Amendment. They have likewise forgotten that the demonstrators have shown a keen awareness of the meaning and limit of the First Amendment right. When breaches of order have occurred, the well-led civil rights assemblies have manifested truly remarkable self-discipline, and they have rarely been the aggressors.

But observers of these actions owe the protesters an additional concession: the grievances sought to be redressed are themselves the denial of a carefully defined constitutional right to equality. Members of the majority that has dominated the American society and its law-making machinery for the past century cannot escape responsibility for the years of callous indifference to the demands of non-white citizens. This indifference created the frustration which now finds expression in the current demonstrations. After decades of denial of rights, is it any wonder that demonstrations show such deep emotion? Or that some actions have been taken which inconvenience — or even interfere with rights of — other citizens? The American Civil Liberties Union does not assert that every civil rights demonstration has confined itself to constitutionally-protected protests. But we remind every American who feels adversely affected by this activity that he is involved in the current crisis: he must face the issue of the deprivation of rights — rights having dignity equal with his own.

In the final analysis it is *redress* of the grievances that will measure the living value of the right to protest. In employing this time-honored American right, the people engaged in this movement have created an awareness of the extent of deprivation, and the justice of their cause, that never before existed among their countrymen. Yet ignorance of these matters persists, sometimes from almost conscious self-deception, more often from an unreal sense of distance from and non-involvement in the issues. None of us is free from involvement.

The blot of inequality, of persisting vestiges of that slavery which the Thirteenth Amendment undertook to outlaw, is a curse upon all of us, and threatens the security with which we all enjoy the fundamental rights of an American. Until this lesson is brought home, until the grievances to which it relates are in fact redressed, we may expect an increasingly persistent employment of the right of protest. And a decent respect for our own interest in all of the rights of an American demands that we acquire and manifest a more perfect understanding of this one.

THE AMERICAN HERITAGE OF PUBLIC PROTEST

THE MAJOR IMPACT of the civil rights demonstrations in 1963 warrants our knowing more of the American heritage of public protest. Too many of us have forgotten the important role protests have played in the history of the United States, and the constitutional rights involved.

De Tocqueville's *Democracy in America* pertinently remarks that the exercise of the right of association in order to pursue common objectives is a potent weapon of free citizens to resist tyranny of the majority and to achieve desired legislative action.[1] The First Amendment contained in the Bill of Rights (1791) guarantees the right of the people "peaceably to assemble, and to petition the Government for a redress of grievances." This federal constitutional guarantee was preceded by provisions of several state constitutions guaranteeing the right of the people to "assemble together, to consult for the common good, to instruct their Representatives and to apply to the Legislature for redress of grievances."[2] Although stemming historically from the right to petition the Crown for redress, set forth in Chapter 61 of the Magna Carta (1215), the United States Supreme Court has established that the American right is not limited to assembly *in order* to petition the Government but is an independent right, equally as important as free speech and press.[3]

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[1] De Tocqueville, *Democracy in America* (New York, 1956), pp. 194-5.

[2] North Carolina Constitution, 1776, Declaration of Rights, Article 18. See also similar provisions in the Constitutions of Pennsylvania, Rhode Island and Massachusetts.

The Declaration of Independence reminds us that this Nation came into being as an act of protest against discriminatory treatment of the colonies by the British Government. It is not surprising then that we find throughout our turbulent history numerous examples of public and even violent protest either against governmental action or to achieve the creation of new public policy. The formation of a Government of the United States followed such public protests as the Boston Tea Party and those of the earlier movements in Virginia and the Carolinas. In New York the protest took a less violent but no less effective form when the Sons of Liberty of New York published, on November 29, 1773, a Resolution branding as an "enemy of the liberties of America" whoever aided in transporting, selling or buying the taxed tea. The forceful suppression of these protests culminated in a war of revolution, whose successful conclusion made the paper independence of 1776 an ultimate reality. The relationship between these protests enshrined in history and the current protests on behalf of equal rights for Negroes was recognized by Senator John O. Pastore in the course of Secretary of State Rusk's July 10, 1963 testimony before the Senate Commerce Committee on the pending civil rights bill. When Senator Thurmond challenged Secretary Rusk's approval of civil rights demonstrations, Senator Pastore asked Senator Thurmond whether he believed in the Boston Tea Party.

Slavery in the United States, prior to its abolition in 1865 by the Thirteenth Amendment, was the object of vigorous public attack and support in the North as well as in the South. William Lloyd Garrison, a leading abolitionist, was a pacifist; the agitation he led and countenanced did not include physical violence or go beyond the bounds of colorful speech and symbolic burnings of copies of the Federal Fugitive Slave Act of 1850 and of court decisions enforcing it.

Determined efforts to stop his non-violent agitation for abolition involved disorderly public demonstrations and unlawful threats in several Northern cities. For example, on his return in 1835 from London, where he spoke against slavery, Garrison was criticized in the New York newspapers and met at the pier by a throng of 5000 persons opposing abolition. His appearance in Boston was met with placards urging that he be tarred and feathered. Prominent people, including members of the clergy, joined in denouncing the abolitionists and Boston's Faneuil Hall, that historic cradle of liberty, was packed with a crowd of the "best people" to listen to speeches denouncing the abolitionists and in support of states' rights and slavery. A month later a mob gathered in front of the Boston office of Garrison's newspaper, the *Liberator*, and dragged him through the street at the end of a rope. In 1838 a mob opposing the abolitionists rioted for several days in Philadelphia and in the process burned down the newly built Pennsylvania Hall.

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[3] *DeJonge v. Oregon*, 229 U.S. 353, 364.

For years abolitionists could not meet in New York City without encountering organized disturbances. And even during the Civil War the New York City Draft Riots of 1863, which in large part reflected anti-Negro sentiment, resulted in thousands of deaths and several lynchings of Negroes. Southern states, such as South Carolina, of course handled abolition talk very simply by threatening to hang any abolitionist who might fall into their zealous hands. (It is only fair to add, however, that the abolition movement had its start and, prior to 1831, most of its members in the plantation states.[4])

Even though Garrison refused to support or condone them, violent demonstrations also supported the cause of abolition. The enforcement of the Federal Fugitive Slave Act of 1850 requiring the return of escaped slaves met with violent resistance. In 1854 the capture and return of Anthony Burns was met with riot in Boston as well as by Thoreau's famous denunciation, "Slavery in Massachusetts." The Supreme Court's Dred Scott decision in 1857, holding that an escaped slave remained the property of his master, aroused indignation and protest throughout the entire North. The raids, violence and killings in the struggle to determine whether Kansas would be a free or slave state culminated in John Brown's raid on the federal arsenal at Harper's Ferry seeking to arm volunteers, white and Negro, to invade the South and free the slaves. Although Brown was promptly captured and hanged, his truth that slavery is an abomination did indeed go marching on and all of the violence on both sides merged into the Civil War.

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[4] Charles A. Madison, *Critics and Crusades* (2d ed.; New York, 1951), pp. 3-4.

After the ultimate violence of that fratricidal war, in which more Americans were killed than in any other war in which the United States participated, the struggle to secure the freedom and equal rights of Negroes "guaranteed" by the Thirteenth (1865), the Fourteenth (1868) and the Fifteenth (1870) Amendments, continued. The strongest measures were taken by the Federal Government, including the passage of the Civil Rights Acts of 1866 and 1875, and the series of Reconstruction statutes imposing military rule on the defeated South until 1877.[5] During this period, as at present, Negroes demonstrated to obtain in fact the equal treatment under the laws which the Civil Rights Acts undertook to grant them and then, as now, their peaceful protest actions were met with counter-attacks and physical violence. For example, in May, 1871, in Louisville, Kentucky, Negroes who insisted on riding in streetcar seats reserved for whites were dragged off the cars by fellow passengers and bystanders and beaten. When the United States Attorney promised federal court action to support the rights of the Negro riders, the streetcar company capitulated and allowed passengers to sit where they pleased. The Kentucky press approved this desegregation of the streetcars as a model for good race relations and the community accepted the new state of affairs.[6]

The Supreme Court's 1883 decision in the *Civil Rights Cases*,[7] holding invalid the Act of 1875 which prohibited discrimination in public accommodations, brought to a halt that era of demonstrations to support the rights of Negroes. The 1954 decision in the school segregation cases [8] was the forerunner of the protests currently developing.

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[5] Claude Bowers, *The Tragic Era* (New York, 1929).

[6] Alan F. Westin, "Ride-In," *American Heritage Magazine*, August, 1962.

[7] 109 U.S. 3.

[8] *Brown v. Board of Education*, 347 U.S. 483.

Wholly apart from the many forms of pro and anti-slavery agitation, our history has recorded many vigorous public protests, either against action taken by state or federal authorities or urging action to be taken. Even under the Articles of Confederation it was necessary for state authority to cope with such uprisings as Shay's Rebellion. In 1794 the militia of the infant federal government was called to suppress the Whiskey Rebellion in western Pennsylvania against the federal excise tax on liquor. Public agitation against the Senate's ratification of the Jay Treaty terminating the War of the Revolution with Great Britain was so violent and extensive that John Jay, who negotiated the treaty for the United States, was burned in effigy in 1795 at the culmination of public meetings of protest in Boston, New York, Philadelphia, Charleston, Savannah and other cities.[9] Convictions under the infamous Sedition Act of 1798 were protested by large assemblies before the jails demanding the release of the prisoners. In later demonstrations, the suffragettes helped secure voting rights for women; supporters of the Anti-Saloon League contributed to the enactment of prohibition; a Bonus Army of thousands of jobless veterans marched on Washington, D.C. in 1932; farmers in the Middle West protested against foreclosure of farm mortgages during the economic depression of the 1930's; and extensive agitation and picketing accompanied the attainment by labor of the right to organize. All these uses of the right of public "assembly" give solid precedent for the current demonstrations against unequal treatment of Negro citizens.

THE RIGHT OF PROTEST

TWO VITAL QUESTIONS are immediately presented to the public as it views the current protests: what are the proper limits to which these demonstrations may go, and are the participants under any obligation to avoid occasions where violence may occur?

There is no doubt that some demonstrations have exceeded the proper limits of the constitutionally-protected right of protest. For example, last July 4 a protest against discrimination in employment by Jones Beach State Park in Long Island, New York, took the form, not merely of legal picketing, but in addition of blocking automobile approaches to the park by bodies of demonstrators lying across the highway. More recently the blocking of all access to the construction site for Downstate Medical Center in Brooklyn, New York, in protest against the hiring policies in the construction trades, prevented persons from entering the site on their own business. Each of these violated legal protections of the public's right of movement and thereby exceeded the limits of constitutionally protected activity. The ACLU does not support such excesses; specifically we believe that physical obstruction of the right of movement does not merit civil liberties protection.

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[9] Claude Bowers, *Jefferson and Hamilton* (Boston, 1925), pp. 265-288.

But citizens will variously judge these invasions of the rights of others — deliberately done on these occasions by persons prepared to accept the consequences of law violation. We owe these persons acknowledgement that the discrimination they object to is itself a violation of law — more outrageous in these cases because the public's funds, and thereby a measure of official sanction, are involved. Moreover, it recognizes but part of the problem to editorialize, as did the *New York Times* recently, that "protest certainly cannot be allowed to interfere with the rights of innocent bystanders."[10] This analysis neglects the fact that the majority, long indifferent to racial discrimination, may scarcely be considered to consist entirely of innocent bystanders. Some men of conscience are moved to use extraordinary means only because ordinary ones have seemed to fail.

The Supreme Court has made it clear that the right of assembly is a relative, not an absolute right, subject to regulation to protect the rights of others.[11] But it may be regulated only to protect substantial rights, not merely to avoid inconvenience. Just as the distribution of non-commercial handbills (an exercise of the comparable right of freedom of press) may not be prohibited merely to avoid littering,[12] so the right to assemble and protest may not be denied to avoid possible public unrest, or even violent opposition.[13] A permit may be required for the holding of parades or public meetings, and meetings and demonstrations may be regulated, for example, to prevent undue restriction of normal traffic or to limit use of facilities to one group at a time. But this power may not be used to "protect" the public from exposure to what some members of it — or some officials — do not want said.[14]

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[10] "Bounds Of Protest," July 9, 1963; See also "Right Goal — Wrong Method," July 23, 1963; "Breakthrough or Breakdown?" July 31, 1963.

[11] *Hague v. CIO,* 307 U.S. 496, 516.

The American majority may well see the predominantly lawful activity which has characterized the current movement as bringing troublesome inconvenience. And indeed the protests forecast even more. Painful readjustments are demanded by the expressed grievances. Many people, in every section of the country, are only now beginning to understand how racism pervades our daily lives and to sense how profoundly all our ways will be affected in the process of eliminating it. As white citizens in Northern communities begin to re-examine entrenched habits and customs, particularly those involving schools, employment, and housing, many of the same emotions may be stirred as in a deep Southern community moving away from total segregation. Change is difficult and often frightening. But it is coming, and its accomplishment will occupy a towering place in history. Oliver Wendell Holmes said that a man must "share the passion and action of his time at peril of being judged not to have lived," and we are confident that Americans will increasingly welcome the sense of urgency which our time impels. We are also confident that as a beginning, each community will bend to accommodate the immediate inconveniences engendered by today's legitimate protests.

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[12] *Lowell v. Griffith,* 303 U.S. 444.

[13] *Kunz v. New York,* 340 U.S. 290; *Terminiello v. Chicago,* 337 U.S. 1. As Mr. Justice Douglas said in *Terminiello,* of an intensely provocative speech made in a public meeting, ". . . [a] function of free speech under our system . . . is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are or even stirs people to anger . . . It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea." 337 U.S. at 4. These words apply equally to protest demonstrations.

[14] *Hague v. CIO,* note 11 above (holding void a municipal "permit" ordinance which had been used by local authorities to prevent public meetings on behalf of union organization); *Rockwell v. Morris,* 211 New York State 2d 25, Affd. 10 N.Y. 2d 721, cert. denied 368 U.S. 913 (requiring issuance of a permit to hold a public meeting for a speech by a " 'self-confessed advocate of violence' and Hitlerian methods").

The major aspect of the right to demonstrate which has had insufficient attention is found in the suggestions by many of the highest public authorities that assemblies likely to lead to breaches of the peace should be avoided. Governors of various States and even the President of the United States have been among the authors of this misstatement of principle. The point that has not been made clear is that the important constitutional right of protest cannot be abridged by the violent threats of lawless individuals opposed to the objectives of the demonstrators.

The courts have plainly declared that important constitutional rights, such as free speech and assembly and equal protection of the laws, cannot be curtailed because of apprehension that the exercise of these rights will result in riotous disturbances by lawless opponents. The United States Supreme Court very recently reiterated this point in *Wright v. Georgia*,[15] in reversing the "breach of peace" conviction of six Negroes for peacefully playing basketball in a "whites only" public park. There the Court said "the possibility of disorder by others [whites, whom the police anticipated would be provoked to a breach of the peace by the Negroes' presence] cannot justify the exclusion of persons from a place if they otherwise have a constitutional right (founded on the Equal Protection Clause) to be present." The constitutional rights of speech and protest are equally fundamental.[16] In *Cooper v. Aaron*,[17] the "lawless opponents" were state officials themselves who, encouraging mob violence and interposing state units of the National Guard forcibly to prevent compliance with federal court orders, led the school authorities in Little Rock, Arkansas to ask a federal court to postpone implementation of a desegregation plan because of extreme public hostility. The Supreme Court rejected this petition and ordered immediate reinstatement of the plan, saying that "law and order are not here to be preserved by depriving the Negro children of their constitutional rights." [18]

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[15] 373 U.S. 284.

[16] *Edwards v. South Carolina*, 373 U.S. 229 (peaceful protest on State capital grounds); *Rockwell v. Morris*, note 14, above; *Terminiello v. Chicago*, note 13, above (inflamatory speech which occasioned mob violence by opponents outside the meeting hall).

[17] 358 U.S. 1.

[18] 358 U.S. at 16.

This issue arises in the streets, at police headquarters and at executive mansions before it reaches the courts and it is the Governors, the Mayors, and the police officials who must bring home the truth that demonstrations for racial equality cannot be prohibited because lawless reaction is anticipated. Means must be found to turn the forces of law and order to the protection of the demonstrators and to prevent violence by those who would attack them.

It is unthinkable that the constitutional right to demonstrate peaceably should be abridged by the least tolerant element in the community. Reversing the denial of an injunction against interference with free speech of Jehovah's Witnesses, the Court of Appeals for the Eighth Circuit in *Sellers v. Johnson*[19] explained:

> "Under such a doctrine [that individuals may be deprived of their constitutional rights of assembly if their unpopularity threatens a riot], unpopular political, racial, and religious groups might find themselves virtually inarticulate. Certainly the fundamental rights to assemble, to speak, and to worship cannot be abridged merely because persons threaten to stage a riot or because peace officers believe or are afraid that breaches of the peace will occur if the rights are exercised."

Of course police may be compelled to stop a public meeting or demonstration if the situation develops to the point of imminent riot. But before the tension reaches that stage police must act to prevent hostile threats agains peaceful demonstrators from being carried out and to arrest those seeking to break up an assembly.[20] There is no legal or constitutional right for other citizens to interfere with a public assembly.[21]

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[19] 163 F. 2d 877, 881.

[20] Police Commissioner Michael J. Murphy, of New York City, on June 20, 1963 issued a public statement describing the responsibility assumed by the police department he heads. In it he said: "The police are the representatives of the government — a government of laws, not men. The police have a sworn duty to enforce the law — impartially, objectively and equally . . . They recognize and respect the right of the people to express their views on matters of public concern. The police will protect the rights of all to peacefully assemble and petition. They will brook no interference with these rights by anyone. Their impartial role is clear and set by law."

[21] See dissenting opinions in *Feiner v. New York*, 304 N.Y. 315; also, David Fellman, "*The Constitutional Right of Association*", pp. 29-33.

NEEDED: A NATIONAL COMMITMENT

THE EXERCISE of the right of assembly, protest and demonstration cannot guarantee a redress of all just grievances and of only those which are just. Not every movement of protest will be successful, nor will history necessarily judge to be just all those which are successful.

But grievances must be heard in order to be redressed — and in a forum where action can be taken that is responsive to the whole thrust of the problems raised. Underlying the emphasis which the civil rights movement now places upon public demonstrations is the proven inadequacy of the forums in which their grievances have previously been heard. The courts have responded to their suits with unequivocal declarations of the right to equal treatment. Yet nine years after the decision in the school segregation cases, but a small proportion of Negro students in biracial districts attend integrated schools, and parks and other public facilities continue to discriminate. Presidents and Governors have issued executive orders in response to the pleas of civil rights leaders, dealing among other things with discrimination in public employment. Yet lack of employment opportunities for non-white people is a problem approaching crisis proportions today. Congress has legislated that there shall be no discrimination in voting rights, but application of these laws has so far made only a small dent in the rejection that faces many Negroes seeking to vote.

Each of these forums — the judicial, the executive, and the legislative — has responded, when it acted, with an unequivocal endorsement of the justice of the civil rights demands and each has contributed important gains which have in turn given impetus to both the demands and the awakening of the American conscience. But these gains, in the context of the total problem, have afforded only a token measure of redress. What has not yet come to pass is a commitment of the whole nation to right the wrongs toward minority races embedded in the patterns of our national existence. Such a commitment can only come from a total awareness of the problems, and of the inconsistent clash that exists between our historic and constitutional standards of equality and our everyday practices. Only appeal in a larger forum — the public demonstrations — can achieve that total awareness. Only then will legislation, executive action, judicial decree and private response concur to redress not merely some grievances, but an entire pattern of second-class citizenship.

Thus it is that our aggrieved countrymen have come to state their case in the largest forum our free society provides. They follow the path of countless others — from the participants in the Boston Tea Party to the suffragettes and the trade unionists. They count on a core of humanity and decency in their fellow men to respond to a case that is well and forcefully stated. And, as their cause is just, so may we as confidently count on the Nation's ultimate response to be equal to it.

file

From: Student Leadership Conference on Religion and Race

Sponsoring Organizations

B'nai B'rith Hillel Foundations
National Newman Club Federation
National Federation of Catholic College Students
National Student Christian Federation

November 29, 1963

FOR RELEASE UPON RECEIPT

MESSAGE TO STUDENT CONFERENCE ON RACE AND RELIGION
ONE OF LAST STATEMENTS ON CIVIL RIGHTS
BY LATE PRESIDENT KENNEDY

WASHINGTON -- One of the late President John F. Kennedy's last public statements on civil rights and integration was a message to the Student Leadership Conference on Religion and Race which met last week (Nov. 17-20) in Washington.

The late President, in a wire to the 326 students and 58 campus religious advisors who convened here said he was pleased by "the active interest of college students throughout the nation representing all major faiths in the area of civil rights."

He called the gathering of college students sponsored by four campus religious organizations a "unique conference" and expressed the hope that "your own experiences and observations can be the subject of detailed discussions in the schools you represent."

The Presidential message, sent to Rabbi Oscar Groner, assistant national director of the B'nai B'rith Hillel Foundations and staff coordinator of the conference, added:

"One of the fundamental problems facing the United States at this point in time is the need to move steadily toward the twin goals of equal treatment and equal opportunity for all Americans."

Students from 84 American colleges participated in the conference. Since funds were not available for travel and housekeeping expenses, most students paid their own way.

The conference was convened by four student religious groups: the National Newman Club Federation and National Federation of Catholic College Students, for Roman Catholic students; the National Student Christian Federation, representing leading Protestant denominations on the campus; and the B'nai B'rith Hillel Foundations, representing Jewish students.

The conference focused its deliberations on an understanding of relationships between religious teaching and racial justice.

The students agreed that the conference had accomplished four principal objectives:

1. Make possible an exchange of views at a national level among students of diverse geographic and religious background and drew closer together the campus religious communities throughout the nation on the civil rights issue.

2. Studied under professional guidance the issues, proposals and problems involved in civil rights legislation.

3. Provided members of Congress and the Administration with an opportunity to hear first-hand a consensus of the students' viewpoints on civil rights issues and legislative proposals.

4. Brought the campus religious groups in closer contact with existing civil rights groups such as the NAACP, Congress of Racial Equality, Student Non-Violent Coordinating Committee and the Northern Student Movement. Many conference students said there is a need to emphasize these relationships "because American religious communities have so often failed to demonstrate any involvement in the civil rights movement."

Text of the late President Kennedy's wire to the Conference, sent November 19, 1963, follows:

"I was pleased to learn of your conference in Washington and to note the active interest of college students throughout the nation representing all major religious faiths in the area of civil rights. One of the fundamental problems facing the United States at this particular point in time is the need to move steadily toward the twin goals of equal treatment and equal opportunity for all Americans.

"I am confident that this unique conference will be an inspiring and useful experience for all of you in attendance. I appreciate the opportunity to extend greetings to you and to express the hope that your own experiences and observations can be the subject of detailed discussions in the schools you represent."

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A REPORT OF THE
NEW YORK ADVISORY COMMITTEE
TO THE
UNITED STATES COMMISSION ON CIVIL RIGHTS

AUGUST 1963

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PREFACE

This report was submitted to the United States Commission on Civil Rights by the New York Advisory Committee. The New York Committee is one of the 51 Committees established in the 50 States and the District of Columbia by the Commission pursuant to section 105(c) of the Civil Rights Act of 1957. Its membership consists of interested citizens of standing who serve without compensation. Among the functions and responsibilities of the State Advisory Committees, under their mandate from the Commission on Civil Rights, are the following:

(1) To advise the Commission of all information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; (2) to advise the Commission as to the effect of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution; and (3) to advise the Commission upon matters of mutual concern in the preparation of its final report. The Commission, in turn, has been charged by the Congress to investigate allegations, made in writing and under oath, that citizens are being deprived of the right to vote by reason of color, race, religion, or national origin; to study and collect information regarding legal developments constituting a denial of equal protection of the laws; to appraise Federal laws and policies with respect to equal protection; and to report to the President and to the Congress its activities, findings, and recommendations.

In the fall of 1962, the New York State Advisory Committee to the United States Civil Rights Commission appointed a subcommittee, under the chairmanship of Professor William M. Murphy, to study whether there was a clear pattern of discrimination against Negroes in the building trades industry in New York City. The subcommittee was able to procure the services of Dr. Donald Shaughnessy of Columbia University to do most of the field work in the project. The material in this summary report is largely derived from Dr. Shaughnessy's report.

The study was necessarily limited by the relatively small amount of time that could be devoted to this complex subject. A further--and unnecessary--limitation was encountered as a result of the general policy of non-cooperation followed by leaders of the building trades unions. With few exceptions, union officials failed to assist the study in any way--making it difficult or impossible to obtain information that was readily available.

Despite these limitations, the study serves to demonstrate that Negroes are denied access to employment in most of the building trades in New York City. The study further indicates that retention of present practices in admission to apprenticeship programs will mean that Negroes can expect no more than token participation in most of the building trades in the future. Our report considers some of the economic and other factors that lead to these practices and recommends that these practices be modified.

DISCRIMINATION IN THE BUILDING TRADES IN NEW YORK

BUILDING CONSTRUCTION IN NEW YORK CITY

At six-sixteen on weekday mornings a train leaves Bridgeport, Connecticut, carrying a group of commuters relatively unknown to the general public. They are men with skills in the building trades who arrive in New York City at seven-thirty, and report to construction jobs. It costs about $15.00 a week to commute from Bridgeport to New York, but a union electrician earns $200.00 per week, and the work is steady.

These blue-collar commuters represent one of the many indications of the obvious fact that New York City is in the midst of a continuing boom in large construction. There is presently more office space in New York City than in the next 15 largest cities combined. Despite rows of office towers like those north of Grand Central on Park Avenue and rows of residential towers like those all along Third Avenue, there are estimates that the backlog of needed construction in New York City may take decades to fill.

How do these buildings get built? With wide allowance for over-simplication the process can be summarized as follows:

When the architect has completed his design and specifications, general contractors competent in the size of job being undertaken submit bids to the owners. Subcontractors (electrical firms, plumbing firms and the like) have previously submitted bids to the general contractor upon which his bid, in part, is based. The contract is then awarded to a general contractor--who engages subcontractors--and men begin to appear to perform the work in the specialized trades. First the excavation, then the other trades in their turn appear on the job.

Most firms in the building industry are not large; they do not steadily employ a large number of skilled workers. These firms build a product that is immobile. This product must be built in the city, essentially by local contractors and subcontractors--and in particular by a locally based labor force.

The men who build New York City's buildings are recruited from labor pools controlled by the unions in the building trades. The union is the employment agency and the men who appear on the construction job --whether they be local or "out-of-town" men--are the men whom the union permits to appear. Since a building cannot be erected in Detroit or Atlanta and shipped to New York and since the unions regulate the local use of "out-of--town" labor, the labor supply is rigidly controlled.

The construction worker tends to identify with his union for a number of reasons. He is rarely on any job for a great length of time. He may well have five or six employers in one year. He is not likely to develop an attachment for a particular firm or to have steady fellow-workers from year to year, and of course, he has no fixed place of work. His job security comes from the local union. The local union is not only his hiring hall but the place where his friendships are formed and the continuing stable element in his employment. Local unions may or may not be ethnocentric but their members are likely to be united against outsiders. In one local "outsiders" may mean people not of Italian ancestry, in another it may mean Jews. For most unions in the building trades, as for many other institutions, color is the most readily identifiable badge of non-membership.

With these economic and social bonds to his local union, the man in the building trades is little concerned with the "labor" views on the subject of race relations. George Meany, once a plumber, now President of the AFL-CIO, concedes that local unions can effectively disregard the resolutions opposing discrimination that are regularly adopted by federated bodies in the labor movement. On the bread-and-butter issues it is not the international or any council that delivers --but the local union.

This is not to say that the building trade unions lack the ability to unite in support of their common interests. In the building and construction trade department of the AFL-CIO there are 19 international unions. New York City locals of these unions form the New York City Building and Construction Trade Council. This Council serves as a very effective spokesman for the building trade unions in city and State legislative halls and executive departments. While the Council is active and effective in speaking to the outside world on behalf of its constituent locals, it has not traditionally exerted effective internal pressures. (The Council's president, Peter J. Brennan, assured Mayor Wagner on June 6, 1963, of "an all-out effort to end discrimination in building trades unions." This assurance clearly must be qualified in view of the Council's mixed reaction to proposals to secure more Negro and Puerto Rican apprentices.)

In brief, the economic structure of the building industry tends to concentrate in the local unions the decision as to who obtains employment and, even more important, who gets admitted to the craft. The dominating role of the union in construction employment affords to contractors the opportunity to disclaim all responsibility for discrimination in the building trades. The employers seem to welcome the opportunity, which accords with their consistent tendency to avoid "rocking the boat." Our study found no instance in which an employer sought to promote equal employment opportunity in the building trades.

APPRENTICESHIP

Current apprentice programs provide from one-half to two-thirds of the skilled workers needed simply to replace craftsmen who retire, die, or leave the trade. By fixing the number of apprentices in accordance with a ratio of apprentices to journeymen (the mean ratio is 1:6), and not in accordance with present or future demand, the building trades unions continue to maintain an effective shortage of labor. One way that this shortage is preserved in the face of continuing high demand is in the use of commuters like those from Bridgeport who represent an auxiliary source of manpower that can be cut off at any time.

While 120-mile-per-day commuters have found steady employment for several years, a local source of skilled manpower is ignored. New York City has 22 vocational high schools in 5 of which are taught skills used in the building trades. These schools are financed by Federal, State, and city funds. The best qualified graduates of the vocational schools often take low-paying nonunion jobs, or jobs outside the trade. Federal and State apprenticeship agencies have not been heard to complain that Negro youngsters, taught a trade at public expense, are consistently deprived of the opportunity to practice it.

New York State law on the subject is clear and precise. Section 296 of Article 15 of the Executive Law prohibits discrimination by employers in hiring, compensation, employment privileges, working conditions and discharges, prohibits union discrimination in membership, and bars discrimination by employers and unions in admission to apprentice training, on-the-job training, and the like. This policy is also reflected in the existence of agencies such as the State Commission for Human Rights, the New York City Commission on Human Rights, and the Civil Rights Bureau of the State Attorney General's office. The last-named agency is largely responsible for the fact that, in the State of New York, there are now two Negroes in the apprentice training program of the Plumbers Union.

The national agency in the field of apprenticeship is the Bureau of Apprenticeship and Training in the United States Department of Labor. The Bureau has an essentially passive role in certifying and registering apprentice training programs. This role is of no great importance since less than half of the apprentice programs in the city are certified by the Bureau. The Bureau appears to have been neutral in the matter of racial discrimination, an inappropriate posture the abandonment of which is recommended, at the end of this report.

5. Local 14 and 14B of the International Union of Operating Engineers.

This union trains its members through Apprenticeship Local 15--a three-year program. Unlike most other union members, the operating engineers must take an objective examination, administered by the New York City Department of Buildings. The examination is open--not limited to union members. After passing the examination, an apprentice must obtain two sponsors (members of Local 14 - 14B) in order to be admitted to the union. Thus far only 23 Negroes have been admitted to the 1,600-member union.

6. Local 3, International Brotherhood of Electrical Workers.

Local 3 recently won fame in securing a five-hour day. This union has different levels of membership, the most important of which is "A-Card construction worker." These men (who won the five-hour day) comprise 9,000 of the 30,000 members of Local 3. The number of Negroes who hold the A-Card and earn $5.00 per hour is small, estimates ranging from 300 to 400. There are about 2,250 men from outside New York City working in electrical construction, filling jobs from which qualified vocational school graduates are excluded. On the lower level of Local 3, members work for the lamp and lamp shade manufacturing industry and are paid about $2.00 per hour.

In the spring of 1962, Mr. Harry Van Arsdale, president of Local 3, announced that the union would recruit 1,000 new apprentices, on a nondiscriminatory basis. The Urban League forwarded the names of 51 qualified Negroes and the NAACP forwarded 57 names. Negroes and Puerto Ricans were recruited from other sources and a total of 1,600 apprentices were screened by a nonunion committee of three men, one of whom was a Negro. One thousand and twenty apprentices were admitted to the program including about 140 Negroes and about 60 Puerto Ricans. This dramatic result and Local 3's broad recruiting effort is, so far as we know, without parallel in any building trades union in the country.

In the course of its inquiry, the New York State Advisory Committee became aware of undocumented charges to the effect that the approximately 200 Negro and Puerto Rican apprentices have not entered into regular apprenticeship channels, but are being utilized to perform unskilled labor. This issue was raised by Committee Chairman Sachs in a meeting with Mr. Harry Van Arsdale, business manager of Local 3, IBEW, and Mr. Theodore W. Kheel, Director of the Office of Impartial Review of the Electrical Industry. Mr. Sachs received unequivocal assurances from both Mr. Van Arsdale and Mr. Kheel that these charges are unfounded, and that the 200 apprentices in question are undergoing regular apprenticeship training leading, in the course of four years, to full journeyman status and a Class-A union membership card, on the same basis as all other apprentices.

The six examples listed above illustrate that control of apprenticeship programs gives the building trades unions a potent weapon against the possibility of future unemployment. By restricting the apprenticeship program, the union can continue to maintain a chronic labor shortage and to assure reasonably full employment for their members. Entry into such a well-protected, high-paying career is an outstanding employment opportunity. These employment opportunities have, in effect, become union patronage. A union leader who is not skilful in dispensing this patronage may lose his position. They and the rank-and-file members consider that their power at the bargaining table has won them control of apprenticeship opportunities.

The unions have maintained a tight rein on apprenticeship openings despite the current widespread projections of a continued high level of new construction. Earlier projections by the Department of Commerce indicated that for every 100 men skilled in the building trades in 1955, 122 would be needed in 1965 and 145 by 1975. Current apprenticeship programs not only fail to provide for this growth but, as noted above, fail to produce enough journeymen to replace those who retire, die, or leave the trade.

In keeping with this static philosophy of apprenticeship, Negro participation has remained relatively constant. In 1950, Negroes constituted 1.5 percent of the apprentices and 13 percent of the population of New York City. In 1960, Negroes constituted 2 percent of the apprentices and 22 percent of the population of New York City. It is estimated that by 1970 Negroes will constitute about 33 percent of the population of New York City. If Negro participation in apprenticeship programs continues to bear no relation to the size of the Negro population, then larger and larger numbers of Negroes will be obliged to compete for the dwindling supply of unskilled jobs.

The alternatives are essentially three:

1. Retention by the building trades unions of presently prevailing practices. This is likely to result in no substantial increase in Negro and Puerto Rican apprenticeship.

2. Voluntary adoption by other unions of programs like that of Local 3, IBEW, with positive efforts to recruit Negroes and Puerto Ricans and an objective body to screen and approve apprenticeship applicants.

3. Adoption by public authorities of regulations, contract policies, and other practices which provide objective criteria for apprentice selection and enforce compliance by the manner in which public funds are expended and withheld.

While our study was limited, it was sufficient to reject the first alternative as intolerable and to conclude that while the second alternative may be more desirable, the third is required for prompt and effective action.

Our conclusions and recommendations follow:

CONCLUSIONS

1. Participation of Negroes in the building trades in New York City ranges from total exclusion in some trades (sheetmetal workers, plumbers) through token participation in others (plasterers, operating engineers) to substantial, if often segregated, local union membership in others (carpenters).

2. Access to employment in the building trades is substantially controlled by local unions. Through apprenticeship programs nominally subject to the joint control of unions and management, the unions determine who shall acquire the skills--and the journeyman rating--necessary to employment on nearly all new construction in the city.

3. The number of persons admitted to apprenticeship in any year is not determined by current demand but by the ratio of apprentices to journeymen deemed appropriate by agreement of the union and the employers in a given trade. Where demand continues to be high over a period of years as it recently has, "out of town" men are imported temporarily to meet the demand.

4. By rigid limitations on the number of apprentices, the unions have maintained a chronic labor shortage in the building trades. Admission to and completion of an apprenticeship program is fair assurance of reasonably steady employment for a regular work week and extremely high pay for overtime work. Union members value highly the right to secure admissions to apprenticeship programs--and tend to exercise it (especially in the plumbers union) in favor of their sons, nephews and others with whom they have personal connections.

5. Since admission to apprenticeship is exercised largely on a personal basis, and by persons already pursuing the various trades, patterns of exclusion of Negroes will tend to be perpetuated. The elaborate Federal, State, and local apprenticeship structure leaves essentially untouched the crucial subjective decision as to who is admitted to apprenticeship in the building trades--for example:

> Five New York City high schools train young men in the building trades. Their honor graduates have less chance of admission to an apprenticeship program than any business agent's nephew.
>
> The complex New York State Apprenticeship Council, created by statute to "promote an orderly development of the supply of skilled journeymen or craftsmen," is fearful that if the issue of minority apprenticeships is raised, industry and labor might withdraw from, or not join in, apprenticeship programs registered with the Council.

The Federal Bureau of Apprenticeship and Training, created to promote and improve standards of apprenticeship, clearly has lacked the power (and apparently the inclination) to enforce nondiscrimination as a "standard" of admission to apprenticeship.

6. The men who now control admission to apprenticeship programs remember with fear the chronic job scarcity of the 1930's. This memory and their enormous bargaining power suggest that union leaders will not lightly surrender the prerogative of regulating admission to apprenticeship programs.

7. The admission of Negroes to apprenticeship beyond a token basis requires that there be introduced into the present personal, subjective procedures for entry into apprenticeship programs standards that are objective and public. Recommendations that fail to move in this direction do not come to grips with the economic realities and the highly personal relationships that underlie the present system. If the building trades unions insist on retaining the present "patronage" approach, they will eventually be confronted with a form of "civil service" selection analagous to that which has deprived the political parties of their former control of most areas of public employment.

8. The commendable voluntary approach of Local 3, IBEW, actively recruiting of minority group youngsters and investing apprentice selection upon an independent group, has not been followed by other unions, and as of July 1963, there is little indication that it will be adopted by other building trade locals in New York City.

RECOMMENDATIONS

The New York State Advisory Committee recommends to the United States Commission on Civil Rights that steps be taken to bring about the following changes in present practices:

1. (a) That the Federal Bureau of Apprenticeship and Training be authorized and empowered to require that all apprenticeship programs in the construction industry be registered by the Bureau; that it establish, in consultation with representatives of unions and management, objective criteria for admission to apprenticeship programs; that it determine the number of available apprenticeship openings in each program, giving consideration to the skilled manpower needs of the nation as well as to those of the industry and the immediate locality; and that it establish a meaningful and effective evaluation system for each of the trades;

   (b) That the Federal Bureau of Apprenticeship and Training be authorized and empowered to require that all notices of acceptance and rejection to apprenticeship programs be filed with the Bureau, and that acceptances and rejections be accounted for in terms of the established objective criteria of admission;

   (c) That the Federal Bureau of Apprenticeship and Training be authorized and empowered to conduct systematic apprenticeship recruiting programs, in part by means of uniform vocational guidance procedures in public schools, and to investigate, on its own initiative, apprentice training programs which are, or are believed to be, engaged in discriminatory practices.

2. (a) That departments, agencies, offices, and bureaus of the Federal Government be required to withhold all financial support from apprenticeship programs which fail to admit qualified Negro applicants or fail to comply with the requirements of the Bureau of Apprenticeship and Training described above;

(b) That departments, agencies, offices, and bureaus of the Federal Government be required to withhold all financial assistance from any contractor and from any building project employing the labor of any union or local thereof which cannot give satisfactory proof that it does not follow discriminatory practices.

3. In the event that the foregoing procedures are found to be ineffective, we recommend that Congress enact legislation declaring that admission to apprenticeship in the construction trades is a matter affecting interstate commerce and that such admission be vested in a suitable agency empowered to adopt and enforce procedures analagous to those employed by the Civil Service Commission.

The foregoing is a report which primarily summarizes material supplied to the New York State Advisory Committee by Dr. Donald Shaughnessy. It also draws upon "Apprentices, Skilled Craftsman and the Negro," a publication of the New York State Commission for Human Rights, and the experience of Frank Logue, Regional Consultant to the United States Commission on Civil Rights for New York and the New England States.

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SUMMARY OF 1962 and 1963
STATE ANTI-DISCRIMINATION LAWS

Prepared by the

COMMISSION ON LAW AND SOCIAL ACTION

OF THE AMERICAN JEWISH CONGRESS

15 East 84th Street

New York, N.Y. 10028

SUMMARY OF 1962 AND 1963
STATE ANTI-DISCRIMINATION LAWS

This is the fourth in a series of biennial reports on state anti-discrimination laws. It shows a continuous increase in legislative activity in this vital field. Again, as in 1961, new records were set in 1963 both in the number of states taking action, twenty-five, and in the number of new laws enacted, forty-eight. Three of the new civil rights laws adopted in 1963 took the form of provisions embedded in state constitutions.

This report covers not only the laws enacted in 1963 but also nine laws enacted in three states during 1962. Too few state legislatures meet in even-numbered years to warrant a separate report on their actions on civil rights. To make our biennial reports complete we include mention of the laws enacted in the off-years.

The principal legislative advances of 1962 and 1963 may be summarized briefly.

1. Hawaii and Indiana enacted fair employment laws enforceable through the administrative process that has proved so successful in other states. (The Indiana law replaced a "voluntary", that is unenforceable, law enacted in 1945.) Iowa and Vermont adopted fair employment laws enforceable by criminal penalties.

2. Illinois and California became the first states to adopt laws dealing with de facto segregation in public schools, a problem that has caused increasing concern in all parts of the country outside the South. The new Illinois law specifically directs public school boards to seek the elimination of such segregation.

3. Broad statutes prohibiting discrimination in housing were adopted in Alaska and Colorado. In Connecticut, Massachusetts and New York, existing limited fair housing laws were extended to cover virtually the entire housing market.

4. New laws prohibiting discrimination in places of public accommodation were adopted in Maryland and South Dakota and a number of other states adopted bills increasing the effectiveness of existing statutes dealing with this area.

5. Finally, Michigan adopted a new constitution containing broad civil rights guarantees which have been interpreted as prohibiting discrimination not only in employment but also in education, housing and public accommodations.

As a result of the actions of the 1963 state legislatures, an impressive number of state anti-discrimination laws are now in effect. The principal statutes may be summarized as follows: Twenty-one states now have fair employment laws enforceable by an administrative agency using the well-tested method of conciliation, backed by the power to issue administrative orders enforceable in the courts (Alaska, Calif., Colo., Conn., Hawaii, Ill., Ind., Kansas, Mass., Mich., Minn., Mo., N. J., N. Mex., N. Y., Ohio, Ore., Pa., R. I., Wash., Wisc.). Four states have laws prohibiting employment discrimination, enforceable by criminal penalties (Del., Idaho, Iowa, Utah). Six states have laws broadly prohibiting discrimination in education, enforced by administrative agencies (Ind., Mass., N. J., N. Y., Pa., Wash.), a seventh (Mich.) may also be in that category under its new constitution. A number of other states have more limited legislation dealing with schools. Eleven states have by statute prohibited discrimination in a substantial portion of the general housing market (Alaska, Calif., Colo., Conn., Mass., Minn., N. H., N. J., N. Y., Ore., Pa.) and a twelfth (Mich.) appears to have done so by a constitutional provision. A number of states have more limited statutes applying to public and publicly-assisted housing. Thirty states and the District of Columbia have prohibited discrimination in places of public accommodation (Alaska, Calif., Colo., Conn., D. C., Idaho, Ill., Ind., Iowa, Kansas, Maine, Md., Mass., Mich., Minn., Mont., Neb., N.H., N.J.,

N. Mex., N.Y., N. Dak., Ohio, Ore., Pa., R. I., S. Dak., Vt., Wash., Wisc., Wyo.). Fifteen of these have provided for administrative enforcement (Alaska, Colo., Conn., Ind., Kan., Md., Mass., Mich., N.J., N.Y., Ohio, Ore., Pa., R.I., Wash.).

In Table I, we show the population of the various states having major civil rights laws as well as the number of Negroes, other non-white persons and Jews in each state. In Table II, we give the proportion of Negroes, other non-white persons and Jews in states having fair employment laws, fair education laws, fair housing laws and public accommodations laws. As will be seen from that table, 69.6% of the population of the United States is now covered by a law prohibiting discrimination in places of public accommodation. The figures for laws against discrimination in employment, housing and education are 64.6%, 41.6% and 28.9% respectively. A very high proportion of the Jewish population lives in these states, ranging from 66.3% for fair education laws to 93.9% for public accommodations. For Negroes, the proportions range from 20.6% for fair education states to 45.0% for public accommodations states. The reason for the lower proportion in the case of Negroes is the high concentration of Negroes in southern states where no civil rights laws have been adopted.

In the following pages, the various laws enacted during 1962 and 1963 are described.

EMPLOYMENT

Eleven states in 1963 and one in 1962 enacted laws dealing with discrimination in employment. Hawaii adopted a fair employment law enforceable through administrative proceedings and Indiana added administrative enforcement provisions to its "voluntary" fair employment law of 1945. Iowa and Utah adopte short fair employment laws, enforceable only by criminal proceedings. Alaska gave its newly established Commission for Human Rights jurisdiction over its existing fair employment law. Other laws affecting employment were adopted in California, Illinois, Missouri, New York and Oklahoma.

An important breakthrough was the statute enacted in Indiana making its fair employment law enforceable. Indiana had had a "voluntary" law since 1945, the same year the first enforceable fair employment laws were enacted in New York and New Jersey. In the eighteen years since then, every other industrial state outside the South has enacted an enforceable fair employment law. In the few states and cities where "voluntary" laws were enacted, enforcement features were later added. Indiana, the last hold-out, has now yielded.

The new comprehensive law retains the Commission now administering the old statute. The Commission is given power to receive and investigate complaints of discrimination and to seek to conciliate them It is also empowered to hold hearings and subpoena witnesses. It may hold a hearing only if a complaint has been filed by an individual "charging on his own behalf to have been personally aggrieved by discriminatory practices." Complaints must be filed within 90 days after occurrence of the alleged discriminatory practice. If the Commission finds that a person has engaged in discrimination, it may issue an order requiring him to cease and desist and to take such affirmative action as will effectuate the purposes of the statute. The Commission's order may be reviewed by the courts in the same manner as the orders of other agencies. If no procedure for judicial review is started within 30 days after issuance of the order, the Commission may apply for a court order of enforcement, on a showing that the person is subject to the Commission's jurisdiction.

It is not possible to describe precisely what conduct is forbidden by the new law because, unlike other anti-discrimination laws, it has no precise description of what constitutes discrimination or an unlawful discriminatory practice. The law states generally that "equal educational and employment opportunities and equal access to and use of public accommodations are hereby declared to be civil rights." It is presumably a denial of this right that the Commission will concern itself with. There are definitions of the terms "employer," "employment agency" and "labor organization" but there are no provisions specifically stating what conduct by such entities is forbidden. It may be presumed, however, that the act applies to discrimination by all three groups. The definition of "employer" limits the coverage of the act to employers of six or more persons. The state and its subdivisions are included and there is an exemption for non-profit fraternal and religious institutions.

Hawaii enacted a fair employment law providing for administrative enforcement but with one significant departure from the usual procedure -- enforcement of orders by criminal penalty rather than court decree.

The new law prohibits discrimination by employers and labor unions. It also prohibits the use of discriminatory advertising, employment application forms and questions by employers, labor unions and employment agencies.* The law prohibits discrimination based on age and sex as well as on race, religion and ancestry.

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*In omitting a provision specifically prohibiting discrimination by employment agencies, the Hawaii law parallels that of New York and a number of other states. Despite this omission, the New York law has been construed as barring discrimination by employment agencies and it is likely that the Hawaii law will also be so interpreted.

The law applies to all employers, without regard to the number of employees. There is a provision, however, allowing religious institutions to give preference to persons of the same denomination. There is also a provision permitting the maintenance of bona fide occupational qualifications.

Responsibility for enforcement of the law is given to the State Department of Labor and Industrial Relations. Complaints may be filed with the Department by aggrieved parties or by the State Attorney General. If the Department is unable to settle the case by conciliation, it will hold a hearing in accordance with the existing state statute generally regulating administrative proceedings. If the Department finds that an unlawful employment practice has occurred, it may issue an order directing the respondent to cease and desist from its unlawful conduct and to take such affirmative action as will effectuate the purposes of the statute. Any party adversely affected by the order may obtain judicial review under the general statute providing for review of administrative orders.

Lacking from the statute is the usual provision that the Department may go into court to obtain a decree requiring the respondent to comply with the order. Instead, the act provides that any person who "wilfully" violates a Department order shall be fined not more than $200 for the first offense. For subsequent offenses, the penalty is a fine of up to $500 and imprisonment for up to 90 days. It remains to be seen how effective this method of enforcement will be.

Short fair employment laws, enforceable only through criminal proccedings, were adopted in Iowa and Vermont.

The Iowa law briefly and comprehensively prohibits discrimination by all employers and labor unions. Violations are punishable by a fine of up to $100 or imprisonment for up to 30 days. There is no exemption for religious institutions. Even employment of domestic servants is apparently covered. There is no provision applicable to employment agencies and no prohibition of discriminatory advertising or application blanks.

The Vermont law is somewhat more detailed. It prohibits discrimination by employers, employment agencies and unions.[*] It also bars discriminatory advertising but not the use of discriminatory application forms. The act is not applicable to the employment of members of the employer's family or domestic servants or where a particular job requires persons of a particular religion. Any person "wilfully" violating the statute is subject to a fine of up to $500 for each violation. In addition, there is a clause requiring that all public contracts contain a provision obligating contractors and sub-contractors to comply with the statute.

In Alaska, which enacted a fair employment law in 1953, administered by the Department of Labor, a new Commission for Human Rights was established, as noted below in the section on "Housing." Without repealing or amending the 1953 law, the new statute gives the Commission power to deal with complaints of discrimination under that law.[**]

Revisions in existing fair employment laws were made in Colorado, Illinois and New York.

In New York, the comprehensive law against discrimination, administered by the State Commission for Human Rights, was amended in 1962 by adding an additional paragraph to the section defining unlawful discrimination. The new paragraph prohibits discrimination by employers, unions, employment agencies and joint labor-management committees with respect to apprentice training, on-the-job training and similar guidance programs.*

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[*] The act is made applicable to "discrimination in rates of pay by reason of sex" as well as race, etc.

[**] The Executive Director of the new Commission has informed us that legislation giving exclusive jurisdiction to the Commission will be introduced in the Legislature in 1964 and that, meanwhile, the Labor Department is referring all cases to the Commission.

In Colorado, the jurisdiction of the Anti-Discrimination Commission was similarly extended to cover discrimination in apprenticeship programs, on-the-job training and vocational schools.

In Illinois, a number of revisions were made in the fair employment act adopted in 1961, including a provision making the act applicable to agencies of the state and local governments.

Additional laws affecting discrimination in employment or professional activity were enacted in three states. In California, the existing law barring discrimination because of sex, race or marital status in the civil service was amended to add, "religious creed, color, national origin, ancestry." New York made it illegal for a hospital to refuse to allow any duly licensed physician to practice in the institution because of his color or race. The state agency regulating hospitals was given power to compel the hospital to grant such permission. Missouri, in the process of overhauling its general statute regulating veterinarians, included a provision that licenses shall not be denied, revoked or suspended because of race, creed, color or national origin.

Finally, a border state, Oklahoma, enacted detailed provisions barring discrimination in state employment. In the bill establishing a state Human Relations Commission, described below, the legislature prohibited all forms of discrimination by all state agencies on the basis of race, religion or national origin. The State Personnel Board was given the duty of investigating and correcting such discrimination. The new Human Relations Commission was authorized to receive complaints as well as to investigate on its own initiative and to file appropriate formal complaints with the State Personnel Board.

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* Also in 1962, New York amended its law empowering the State Attorney General to bring proceedings to enforce the state laws against discrimination based on race, religion or ancestry, so as to add "age."

EDUCATION

Four states adopted seven bills and a constitutional provision affecting education in 1963, two of them dealing for the first time with the problem of de facto segregation in public schools.

An unusual situation exists in Michigan, where the voters this year approved a new state constitution which has two important sections affecting civil rights. One of these establishes a new Civil Rights Commission with general power to administer the civil rights laws of the state. Another section provides that no person shall be denied his civil rights or be discriminated against in the exercise thereof because of race, religion or national origin.

The State Attorney General has ruled that under these sections, taken together, the new Commission will have general power to prohibit discrimination in employment, education, housing and places of public accommodation. With respect to education, the Attorney General appears to have held that the Commission will have broad power to investigate and prevent discrimination. However, his opinion can be construed as holding only that the Commission can deal with infractions of existing statutes, which apply only to public schools.

The Indiana comprehensive civil rights bill, already described in the employment section above, must be regarded as a general fair education law, if it is interpreted as broadly as its language warrants. As already noted, that law creates a commission to enforce a declaration that "equal educational ... opportunities ... are hereby declared to be civil rights." This appears to empower the Indiana commission to halt discrimination by educational institutions.

California enacted a comprehensive bill to establish programs "for compensatory education" in public schools to assist pupils handicapped by "language, cultural, and economic disadvantages." A State Consultant on Compensatory

Education is to supervise these programs, which are to be conducted in slum areas, remote rural areas, areas with concentrations of non-English speaking populations and the like. State funds will be granted to school districts undertaking these programs, with emphasis on pilot programs. A 17-member Advisory Committee on Compensatory Education is established, four of whom are to be members of the legislature. These four are to constitute a joint interim investigating committee to recommend further action. The entire program is to terminate on June 30, 1965, unless it is extended by the legislature.

In a separate bill, *California* took limited action on the subject of *de fact* segregation when it amended a 1959 law which established a commission in the Department of Education to assist local schools in dealing with problems of discriminatio in hiring personnel. The new law empowers the commission to advise also on "problems involving the ethnic distribution of pupils and school attendance areas."

Illinois took more forthright action in this area by amending the general school law to make it the duty of public school boards, in building or acquiring schools, not to do so in a manner that promotes segregation on the basis of race or nationality. Boards were further directed, as soon as practicable, to change existing attendance units in a way that takes into consideration the elimination of segregation. This is the first state statute recognizing an obligation on the part of public school officials to combat *de facto* segregation.

Illinois adopted three additional bills on education. One amends the law regulating business schools to provide that permits may be denied or revoked in the case of schools that refuse to admit applicants solely on the basis of race, color or creed. Under the other two bills, the laws providing for payments for attendanc at industrial schools for girls and training schools for boys were amended to limit such payments to the case of schools that do not discriminate on the basis of race or ethnic origin.

HOUSING

During 1962 and 1963, two states, Alaska and California, adopted comprehensive fair housing laws, and three, Connecticut, Massachusetts and New York, amended their existing fair housing laws to cover virtually the entire housing market. In addition, the new Michigan state constitution apparently will operate as a fair housing law. Minor bills affecting housing discrimination were adopted in Kansas, New York and Massachusetts.

The Rumford bill enacted in California is the first general fair housing law in that state although a number of earlier statutes regulated housing discrimination to some extent.* The new law is a typical administrative procedure statute, to be administered by the existing state Fair Employment Practices Commission. It applies to all public housing and redevelopment housing, all publicly assisted housing in buildings of three or more units, all publicly assisted one-family homes in which the owner lives and all buildings of five or more units, whether or not publicly assisted. In addition, the Commission is given power to bar discrimination in all housing operations subject to the state's general civil rights act which applies to "all business establishments of every kind whatsoever." California courts have ruled that that provision applies to rentals in any building with three or more units and to the sale of homes in new real estate tracts. They have also held that it applies to real estate brokers in the performance of their services. A separate provision of the Rumford bill prohibits discrimination by banks and other financial institutions in the granting of mortgages.

Enforcement is by the same procedures that the Commission now uses to enforce the fair employment law, with a few exceptions. Under the fair employment law, complaints can be filed by either the aggrieved party or the Attorney General. Under the new housing law, the Attorney General may not file complaints. The Commission is given specific power not only to order a person who is engaged in discrimination to cease and desist but also, affirmatively, to sell or rent the accommodation or a similar one or to pay damages not to exceed $500.

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* The 1963 law replaced the 1959 law against discrimination in publicly assisted housing.

The Commission is also given power to seek "interim relief" during the pendency of proceedings. This provision, similar to those in the Massachusetts and New York City fair housing laws, is designed to keep an owner from frustrating Commission proceedings by making an accommodation unavailable. Under the new law, after the Commission has found probable cause to believe the allegations of a complaint, it may apply to a court for an injunction prohibiting disposition of the property for up to 20 days.

The bill contains a specific clause invalidating all city, county and other local legislation dealing with discrimination in housing.

Alaska enacted two statutes, one in 1962 and one in 1963, dealing primarily with public accommodations but, almost incidentally, including a broad prohibition of housing discrimination. The first was an amendment to the existing law against discrimination in public accommodations, first enacted in 1945. In broadening the scope of that law, the legislature included "housing accommodations," defining that term so as to include "public housing, and all publicly assisted housing and any housing accommodations offered for sale, rent or lease." Enforcement was by criminal prosecution, with fines up to $500 and imprisonment up to 30 days.

In 1963, a new statute created a Commission for Human Rights, with limited power to administer various state anti-discrimination laws. The five-man Commission was empowered to receive complaints of discrimination in violation of the law against discrimination in public accommodations (including housing) and also complaints of discrimination in violation of the existing statutes against discrimination in employment based on age, sex, and race, religion, etc. A complaint will be investigated by the Commission's executive director. If discrimination is found and cannot be eliminated by conciliation, a hearing will be held before the Commission. If it finds discrimination, it will issue an order directing the respondent to desist from discrimination. The order may prescribe conditions on future conduct "relevant to the cessation of the discrimination." However, the act lacks the usual provision for judicial enforcement of Commission orders. Instead, it provides that compliance with the terms of an order will be a bar to criminal prosecution for the discrimination involved in the complaint.

In Michigan, as noted in the "Education" section above, a new constitution was adopted with provisions on civil rights that have been construed by the State Attorney General as dealing with discrimination in housing. The Attorney General has ruled that the new provisions give the newly-created Commission broad power to investigate and prevent discrimination in the sale, leasing or financing of housing accommodations.

Connecticut, Massachusetts and New York broadened the coverage of their existing fair housing laws.

In Connecticut, the existing law had applied to owners of three or more contiguous housing accommodations. The 1963 amendment eliminated this limitation and made the law applicable to all housing accommodations except (1) the rental of an apartment in a two-family dwelling where the other apartment is occupied by the owner and (2) the renting of rooms to boarders.

A similar change was made in New York. There the existing fair housing law applied to the sale or rental of accommodations in a building with three or more apartments and to one- and two-family homes in projects of ten or more. These limitations were stricken and the same exemption as in Connecticut was adopted. In addition, the clause prohibiting discrimination by real estate brokers was amended so as to apply to all housing.

The existing Massachusetts law also applied only to publicly-assisted housing and to buildings containing three or more housing accommodations and one- and two-family homes in tracts of ten or more. The 1963 amendment added a provision making the law applicable to all other housing which is publicly offered for sale or lease, directly or through agents, by advertising, posting of signs, listing with a broker or other forms of "public offering." It was also made applicable to open land intended for the erection of housing otherwise covered by the statute.

Massachusetts also adopted two bills making a number of changes in its general anti-discrimination law. One of these made the existing provision requiring employers, employment agencies and unions to post notices setting forth the purposes of the statute applicable also to real estate agencies and rental offices.

New York in 1962, enacted a statute declaring racial restrictive covenants void as against public policy and wholly unenforceable. It will be recalled that the United States Supreme Court in 1948 held that state and federal courts could not constitutionally enforce such covenants. The Court did not at that time declare such covenants void and it was believed they could still have some legal effect. The 1962 statute was designed to deal with that possibility.

Finally, the Kansas legislature adopted a resolution directing the State Legislative Council to investigate housing discrimination and to submit recommendations to the 1965 legislative session.

PUBLIC ACCOMMODATIONS

Twelve states adopted laws affecting discrimination in places of public accommodation. Two of these, Maryland and South Dakota, were acting in this area for the first time. Illinois, Nebraska and New York broadened the scope of existing laws. Alaska, Indiana, Kansas and Michigan provided for administrative enforcement and Massachusetts improved its enforcement procedure. New Mexico added a provision for criminal penalties. Missouri prohibited discrimination in publicly operated nursing homes.

The new Maryland law (which consists of two separately enacted bills) was aimed primarily at ending the national scandal of discrimination by restaurants along the major highways connecting Washington with Baltimore, Philadelphia, New York and other points north. It is narrowly drawn, both in its geographic scope and in the types of places covered. It applies only to hotels and other establishments providing sleeping accommodations or serving food, which are open to the general public. Even to this narrow definition, there is an exemption excluding any premises or parts of premises primarily devoted to the sale of liquor. Under the unusual procedures of the Maryland legislature allowing the delegation of any county to have its county excluded from bills of general application, the law was made inapplicable to 11 of Maryland's 23 counties. In a twelfth county, the law calls for a referendum by November 1964 to determine whether it should go into effect.

Administration of the law is entrusted to the State Commission on Interracial Problems and Relations, established in 1951. The Commission will receive and investigate complaints and attempt to conciliate them. Where conciliation fails, a hearing may be held before the Commission. If it finds discrimination, it may order the respondent to cease and desist and to take appropriate affirmative action. If the respondent fails to comply, the local state attorney will sue for judicial enforcement of the Commission's order. In the judicial proceeding, a jury trial of the facts will be held if the respondent so requests. Moreover, the respondent may elect to short-circuit the Commission at an earlier stage. After the Commission has found probable cause to believe the complaint and has attempted unsuccessfully to conciliate it, the respondent may at that point demand and get a jury trial in court rather than a Commission hearing.

In addition, the act provides that a person can be found guilty of a misdemeanor if he files a complaint that is later dismissed and the Commission or a court finds that the complaint was filed "maliciously." Fines of from $25 to $500 and imprisonment for up to one year may be imposed.

Efforts to block the law by compelling a statewide referendum failed when opponents were unable to obtain enough signatures on a referendum petition. Under state law, the law can be suspended and a referendum compelled by petitions signed by three percent of the number of votes in the last gubernatorial election.

One other Maryland bill should be mentioned. In 1962, Baltimore adopted an ordinance prohibiting discrimination in certain places of public accommodation. The ordinance was held invalid on the ground that it conflicted with the Maryland statute defining the crime of trespass. Under that statute, it is a misdemeanor to go or stay on the land of another after being told by the owner not to do so. This year, the Maryland legislature amended that statute to provide that it did not prevent the City of Baltimore from enacting legislation prohibiting discrimination in places open to the general public. Thereafter, Baltimore reenacted the ordinance.

The new South Dakota law is substantially broader than that of Maryland. It prohibits discrimination in public conveyances, theaters and "other public places of amusement," hotels, barbershops, saloons, restaurants and "other places of refreshment, entertainment, or accommodation." If the courts interpret the quoted language broadly, the bill could have wide application. However, even the widest interpretation of that language is not likely to include retail stores and other establishments covered in some of the state laws on this subject. Persons violating any provision of the law will be subject to a fine of up to $200.

Four states, Alaska, Indiana, Kansas and Michigan, provided for administrative enforcement of their existing laws against discrimination in public accommodations.

The civil rights provisions in the new Michigan constitution, described above under "Education," created a new commission empowered to deal broadly with enforcement of civil rights. Even if the powers of this commission are narrowly construed, it would still be clear that it has jurisdiction to enforce the existing state law against discrimination in places of public accommodation.

Alaska, as noted above under "Housing," enacted two laws affecting public accommodations. The 1962 statute added a number of items to the list of types of enterprise covered, including motels, swimming pools and "business establishments." More generally, it made the statute applicable to "any establishment which caters or offers its services or goods to the general public." It also raised the maximum fine for violations from $250 to $500 while keeping the maximum jail penalty at 30 days.

The 1963 statute established a Commission for Human Rights with limited powers to enforce the existing law, as noted in the "Housing" section.

In Indiana, the change was effected in the comprehensive civil rights law already described in the "Employment" section. The new Commission is empowered to deal with discrimination in places of public accommodation in the same way as discrimination in employment. The new law expressly makes "equal access to and use of public accommodations" a civil right. As in the case of employment, there is no specific spelling out of the discriminatory practices prohibited. However, there is a definition of the term "public accommodations" making it apply to "any establishment which caters or offers its services or facilities or goods to the general public." This very broad definition follows the wording of the statute enacted in 1961, which was enforceable by a fine or imprisonment or a civil suit for a penalty.

Kansas amended its existing fair employment law to give its Commission on Civil Rights power to prevent discrimination in "hotels, motels, cabin camps and restaurants," using the same administrative procedure that it now has in the case of employment discrimination. The new law will apparently operate independently of existing Kansas law making it a misdemeanor for owners of hotels, restaurant, public carriers and licensed public places to discriminate. It specifically condemns "segregation" as well as discrimination.

In addition to Alaska, Illinois, Nebraska and New York adopted bills broadening the scope of their laws against discrimination in public accommodations.

New York, in 1962, adopted a bill adding a number of types of accommodation to its statute, including motels, swimming pools, laundries, trailer camps, public conveyances by air and travel agencies. It also made clear that its statute applies to establishments "dealing with goods or services of any kind."

Nebraska, which has a relatively limited law, amended it to make it applicable to hotels, motels, trailer courts, taverns and beauty parlors. It omitted the specific reference to theaters and added a broad clause making the law apply generally to places of "recreation." It also made it plain that the act applies to any place providing accommodations similar to those listed.

Illinois amended its existing law against discrimination in places of public accommodation by substantially enlarging the list of enterprises covered, adding inter alia department stores, clothing stores, swimming pools, golf courses, barber shops and rest rooms.

The Massachusetts bills making a number of changes in the general anti-discrimination law, referred to above under "Housing," contain two sections applicable to public accommodations. In 1961, Massachusetts adopted a provision for "interim relief" in housing discrimination cases. This provision permits the Commission, after it finds probable cause to credit the allegations of a complaint, to go to court seeking an order restraining the owner from disposing of the property while the complaint is pending. The 1963 law extends that provision to discrimination in places of public accommodation.

The other change makes it clear that the law dealing with public accommodations applies to discrimination based on "national origin" as well as race and religion.

New Mexico, which had adopted a law prohibiting discrimination in public accommodations in 1955, added a section making violation of the law punishable by a fine of $10 to $50.

Finally, Missouri, in a bill providing for the establishment of nursing home districts, directed that any such home must be operated for the benefit of the inhabitants of the area, "regardless of race, creed or color."

OTHER PROCEDURAL CHANGES

Seven of the states that have commissions broadly empowered to deal with discrimination in a number of areas made changes in the structure of the commissions or in the procedures they are directed to use.

Probably the major change was that resulting from the adoption of a new constitution in Michigan. As already noted, that constitution contains a broad guarantee of civil rights and a separate provision establishing a Civil Rights Commission. This Commission will replace the existing Fair Employment Practices Commission at the beginning of 1964. The precise scope of its powers remains to be determined.

One provision in the new constitution should, however, be mentioned. It is specifically provided that all appeals from Commission orders shall be tried "*de novo*" in the courts. This means that the courts will try over again the cases that have been decided by the Commission and will make their own findings of fact. It remains to be seen whether and how much this departure from the usual administrative procedure will impair the effectiveness of the Commission.

Oregon changed the procedures of its comprehensive civil rights law in a number of respects, including the following: (1) During the investigation of a complaint, the Commissioner may, if he finds it necessary, name additional persons as respondents. (2) Informal settlements of complaints must now be embodied in a formal "conciliation agreement." Violations of such an agreement can be dealt with in the same manner as violations of orders of the Commissioner who administers the statute. In addition, a complainant who does not accept the terms of the conciliation agreement may obtain judicial review. (3) When a complaint is not settled informally, it will be prosecuted by the office of the Attorney General, rather than by the Commissioner's staff as heretofore. (4) The Commissioner is given power to issue rules and regulations establishing what kinds of advertisements and application form inquiries are to be prohibited by the statute. Violations of these rules and regulations are treated as the same as violations of the statute. (5) Employers and owners of housing or public accommodations, who are informed that a complaint has been filed against them, are prohibited from taking any action, with an intent to frustrate the statute, which makes unavailable any services, property or employment opportunities sought by the complainant. A person aggrieved by a violation of this provision may sue for damages, provided the complaint was not later dismissed. (In addition, the Commissioner has been informed by the Attorney General that he may obtain a court injunction preventing violation of this provision.)

In New Jersey, enforcement of the comprehensive civil rights law was shifted from the Department of Education, where it had been since 1945, to the Department of Law and Public Safety. The administration of the law was thus entrusted to the state Attorney General. However, the power actually to pass on charges of discrimination and to issue appropriate orders was placed in the newly created post of Director of the Division on Civil Rights.

The same bill also made a number of minor changes. Among other things, the period within which a complaint must be filed was changed from 90 to 180 days.

New York enacted four bills in 1962 making minor changes in its anti-discrimination laws. (1) The name of the enforcement agency was changed from Commission Against Discrimination to Commission for Human Rights. (2) The number of members of the Commission was raised from five to seven. (3) The powers of the Chairman of the Commission were spelled out and the Governor was empowered to appoint a Vice-Chairman. (4) For cases initiated by the Attorney General or the Industrial Commissioner (but not by aggrieved individuals), the time within which the complaint must be filed was increased from 90 days to six months.

Connecticut amended its law to allow appeals to the courts by complainants aggrieved by a dismissal of a complaint by the Commission or by a final order of a hearing tribunal.

In California, the comprehensive fair housing bill already described included a provision increasing the size of the Commission from five to seven members.

The Massachusetts Commission was enlarged from three to four members. In addition, it was provided expressly that its orders may "operate prospectively."

New York added a provision to its comprehensive civil rights law making it an unlawful practice for any person covered by the act to discriminate against anyone because he had opposed illegal conduct under the act or had filed a complaint or otherwise participated in a proceeding under the act. Prior to this amendment, such retaliation was prohibited only in respect to employment.

HUMAN RIGHTS COMMISSIONS

The border state of Oklahoma established a Human Relations Commission with power to investigate and attempt to eliminate discrimination. The new law declares that racial, ethnic or religious discrimination threatens democratic institutions and is a matter of state concern. A nine-man Commission is created with power to engage in research and educational activities and to investigate and hold public hearings. It is directed to work toward eliminating discrimination. It will receive and investigate complaints of discrimination and recommend ways of eliminating the resulting injustices. In addition, as noted above, it is empowered to file complaints of discrimination in state employment with the State Personnel Board.

New York State enacted a bill giving counties, cities, villages and towns power to create human relations commissions for the purpose of studying intergroup problems, investigating incidents of tension and conducting appropriate educational programs.

Maryland adopted three bills each authorizing a specific county to establish a human relations commission.*

MISCELLANEOUS

The legislature of Maine submitted a constitutional amendment, which was subsequently approved by the electorate, adding a new clause guaranteeing due process and equal protection of the laws and declaring that no person shall be "denied the enjoyment of his civil rights or be discriminated against in the exercise thereof." The precise effect of this amendment cannot be determined at this point. It was described by the Secretary of State as having the intent of protecting "individual rights as they are now protected by the Fourteenth Amendment of the United States Constitution."

In Idaho, a constitutional amendment was approved in 1962 repealing the provision barring persons of Mongolian descent not born in the United States from voting, serving as jurors or holding any civil office.

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* It should be noted that in December 1961, Delaware established a state Human Relations Commission. This action was taken at the end of the year, too late to be included in our 1960-61 summary.

Massachusetts, in 1962, gave statutory basis for its Division of Civil Rights and Liberties in the office of the State Attorney General. The Division had been established by executive action in 1958.

Three states, Arizona, Nebraska and Utah, repealed their laws prohibiting interracial marriage.

Finally, it should be noted that the proposed amendment to the Federal Constitution prohibiting making payment of a poll tax a prerequisite to voting in federal elections was submitted to the states by Congress in 1962. By the end of 1963, it has been ratified by the legislatures of 36 states.

Joseph B. Robison

December 23, 1963

TABLE I

NEGRO, OTHER NON-WHITE AND JEWISH POPULATION IN STATES HAVING ANTI-DISCRIMINATION LAWS

State	Laws (1)				Total Pop. (2) 1960	Negro (2)	Other Non-White (3)	Jewish (3)
	E	S	H	A				
Alaska	X		X	X	226,167	6,771	44,850	300
Cal.	X		X	X	15,717,204	883,861	378,113	530,300
Colo.				X	1,753,947	39,992	13,255	21,300
Conn.	X		X	X	2,535,234	107,449	3,969	101,300
Del.	X			X	446,292	60,688	1,277	8,500
D.C.	--			X	763,956	411,737	6,956	40,300
Haw.	X				632,772	4,943	425,599	700
Ida.	X				667,191	1,502	8,306	500
Ill.	X			X	10,081,158	1,037,470	33,436	297,300
Ind.	X	X		X	4,662,498	269,275	4,669	24,700
Iowa	X			X	2,757,537	25,354	3,474	9,100
Kan.	X			X	2,178,611	91,445	8,500	3,200
Me.				X	969,265	3,318	2,656	8,100
Md.				X	3,100,000	518,410	8,360	118,100
Mass.	X	X	X	X	5,148,578	111,842	13,592	226,100
Mich.	X	X	X	X	7,823,194	717,581	19,748	102,700
Minn.	X		X	X	3,413,864	22,263	19,998	34,900
Mo.	X			X	4,319,813	390,853	5,993	80,900
Mont.				X	674,767	1,467	22,562	600
Nebr.				X	1,411,330	29,262	7,304	9,000
N.H.			X	X	606,921	1,903	684	5,200
N.J.	X	X	X	X	6,066,782	514,875	12,904	326,300
N.M.	X			X	951,023	17,063	58,197	2,700
N.Y.	X	X	X	X	16,782,304	1,417,511	77,722	2,533,900
N.D.				X	632,446	777	12,131	1,400
Oh.	X			X	9,706,397	786,097	10,602	162,200
Ore.	X		X	X	1,768,687	18,133	18,517	8,800
Pa.	X	X	X	X	11,319,366	852,750	12,612	454,600
R.I.	X			X	859,488	18,332	2,444	24,700
S.D.				X	680,514	1,114	26,302	900
Utah	X				890,627	4,148	12,651	1,500
Vt.				X	389,881	519	270	2,500
Wash.	X		X	X	2,853,214	48,738	52,801	13,200
Wis.	X			X	3,951,777	74,546	18,328	38,400
Wyo.				X	330,066	2,183	4,961	800
Total					127,072,871	8,494,172	1,353,743	5,195,000
Total U. S.					179,323,175	18,871,831	1,619,612	5,531,500

(1) This column shows whether the state has a law against discrimination in employment (E), provide schools and colleges (S), housing not receiving public assistance (H), and places of public accommodations (A).

(2) The figures for Negro, other non-white and total population come from the 1960 Census.

(3) The Jewish population figures are the most widely used estimates, appearing in the American Jewish Yearbook: 1961.

TABLE II

PROPORTION OF NEGRO, OTHER NON-WHITE AND JEWISH POPULATION IN STATES HAVING ANTI-DISCRIMINATION LAWS

States having		Total	Negro	Other Non-White	Jewish
Fair Employment Laws	Population	115,759,778	7,483,490	1,248,302	4,986,800
	% of U.S. Total	64.6	41.6	77.0	90.2
Fair Education Laws	Population	51,802,722	3,883,834	141,247	3,668,300
	% of U.S. Total	28.9	20.6	8.7	66.3
Fair Housing Laws	Population	74,261,515	4,703,677	655,510	4,337,600
	% of U.S. Total	41.4	24.9	40.5	78.4
Public Accommodations Laws	Population	124,882,281	8,483,579	907,187	5,192,300
	% of U.S. Total	69.6	45.0	56.0	93.9

NEWS from the AFL-CIO

NA. 8-3870

FOR AUTOMATIC RELEASE WHEN PRESIDENT JOHNSON SIGNS THE CIVIL RIGHTS BILL

AFL-CIO President George Meany today issued the following statement immediately following President Johnson's signing of the Civil Rights Bill of 1964:

The signing of the Civil Rights Bill is, of course, a great historic occasion, the culmination of a remarkable legislative achievement. But far more than that, this signing represents a challenge to American society -- a challenge that calls for the full realization in fact of the rights now established by law.

The trade union movement, like every other segment of American life, must do its part in meeting that challenge.

More than a year ago I called upon all state and local central bodies of the AFL-CIO to set up community-wide programs on civil rights, in keeping with a policy unanimously adopted by the 1961 AFL-CIO convention. We have established a top-level task force to assist in this job. A considerable number of these programs have been established in concert with civil rights organizations, church and civic groups and local government officials.

The results have been encouraging, but the effort must be broadened. Therefore, I have today urged all the state and local central bodies to intensify existing programs and to initiate them where they do not yet exist. In particular, I proposed a greater involvement of employers in every community.

The rights set forth in the new law -- such as the rights to register and vote -- will not be automatically bestowed upon those who have hitherto been denied them. Nor should they lie in abeyance until enforced by federal prosecution, while the rest of the community sits back. This would flout the national consensus which the civil rights law represents.

The basic rights of all Americans which this law confirms are also the responsibility of all Americans, in their own communities. I expect the trade union movement to do its part in seeing that the responsibility is fulfilled.

In addition, the labor movement has a special responsibility. Title VII of the law, covering fair employment practices, will not take effect until a year from today, but we cannot wait.

The labor movement has fought for fair employment practices legislation for many years. We have worked hard and effectively to bring equal opportunity closer to reality in unionized establishments and within union organizations. We have never claimed total success; that is why we asked the support of law. But it is undeniable that racial discrimination is worst where there are no unions.

Now we must prepare to go further. I will ask the AFL-CIO Executive Council, at its meeting on August 3, to call a national conference of affiliated unions and state central bodies to work out a program through which the AFL-CIO can best help to implement the terms of the civil rights law.

One important phase of such a program will deal with Title VII. It seems obvious to me that the AFL-CIO, which serves as spokesman and champion of all workers in so many other respects, should also take the lead in assuring fair employment practices. We have already established machinery to process and resolve civil rights complaints by union members; it is my hope that means can also be devised through which the affiliated unions of the AFL-CIO can process grievances of workers against employers -- organized and unorganized -- as well.

By the time Title VII takes legal effect, voluntary compliance would be widespread. To this end, we now look for the full cooperation of employers and employer organizations.

We in the AFL-CIO are proud of our part in helping to bring about the measure that today has become law. Just as we did everything in our power to support its enactment, so will we exert every possible effort to clothe it with full reality.

As we have said many times, this requires more than full enforcement and even more than full community efforts; it requires a full employment economy But until that end is achieved, we and all other Americans have a deep obligation to make the spirit which this signing represents become an inherent part of the life of our nation.

* * *

Following is the text of Mr. Meany s letter to all of the state and city central bodies of the AFL-CIO:

You will recall that in June 1963 I wrote to you, urging the prompt establishment of bi-racial committees or councils in every community to accelerate the destruction of racial barriers at every level

My letter was prompted by a request from President Kennedy. However as I pointed out what the late President asked was no more than the policy adopted by the 1961 AFL-CIO convention.

Now the Civil Rights Bill is not just an objective; it has been signed into law by President Johnson. The "continental divide" has been crossed The full achievement of civil rights for all Americans is no longer a matter of good will, it is a matter of law.

It would be tragic for America, and for the labor movement, if law were the only reliance now. Enlightened self-interest, as well as abstract justice, demands that we in the AFL-CIO exert maximum leadership to bring about massive compliance in every phase of community life.

Therefore I call upon those of you who have set up and joined in community civil rights programs to intensify your efforts. And I call upon those of you who have thus far failed to act to delay no longer.

In particular, I urge you bring about the fullest possible involvement of the employers in your community, both organized and unorganized. Employers as a whole have stood aloof from the civil rights struggle; they cannot remain aloof from the law.

In every sinse, we in the AFL-CIO have a special obligation to implement the law we supported and the principles it represents. This can best be carried out in the states and communities. I urge you to move promptly and vigorously; and I again remind you that my office stands ready to provide whatever advice, counsel or technical assistance you may need.

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July 2, 1964

NEWS from the AFL-CIO

NA. 8-3870

FOR IMMEDIATE RELEASE, MONDAY, JUNE 22, 1964

AFL-CIO President George Meany today hailed Senate passage of the civil rights bill as "a truly historic legislative victory -- a victory, not just for Negro Americans, not just for oppressed minorities, but for the nation."

In a letter of greeting to the National Association for the Advancement of Colored People, opening its convention in Washington's Statler-Hilton Hotel today, Meany extended credit to the leadership of both parties in the Senate saying that America could be "proud that this was not a partisan victory."

He added "but let us recognize that a law is the beginning of justice not its fulfillment."

To translate the principles of the civil rights bill "into the daily life of the nation more than a law is needed," he said. "There must be from this point on a far more intensive effort, in every phase of community life, to build new bridges of understanding, so that the law reflects the affirmative will even of those who feared it.

"If this effort is to succeed, other steps must be taken. We in the AFL-CIO have repeatedly insisted that for equal opportunity to be realized we must have full opportunity. And full opportunity means jobs at good wages for all.

"The principles and purposes of the bill, now so close to final enactment will not otherwise be realized. This battle was not waged to win equal rights to unemployment, or an equal distribution of poverty."

Meany concluded, "One battle is all but won; the even greater one lies ahead. All of us must enlist for the duration and I pledge to you that the AFL-CIO will never abandon this fight."

The full text of Meany's letter follows:

You meet on the threshold of a truly historic legislative victory -- a victory, not just for Negro Americans, not just for oppressed minorities, but for the nation.

As Americans we can all be proud that this was not a partisan victory. An overwhelming majority in both political parties united to make it possible, expressing, through their votes, the overwhelming consensus of the American people.

It seems to me entirely right that the credit is shared by Senators Mansfield and Humphrey, on one side of the aisle, and Senators Dirksen and Kuchel, on the other; and not only by them, but by the many others who steadfastly supported them. And while the Senate victory is fresh in our mind, we must never forget the great leadership of Congressman Celler and Congressman McCullough in the House of Representatives who rose above party rivalry in order to serve the national interest.

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This broad-based unity in Congress came about, in turn, from unity on another front -- the unity represented by the Leadership Conference on Civil Rights, of which we of the AFL-CIO are proud to be a part. Through this Conference the veterans of the fight for freedom -- your own NAACP, the other civil rights organizations and the labor movement -- enlisted the invaluable support of the church groups and others, welding a force for progress which has few parallels in the annals of our country. In particular, you in the NAACP can take pride in the indispensable role of Roy Wilkins, who as chairman of the conference did so much to strengthen the bonds of unity. And thus the cause of justice has prevailed.

The cause has prevailed -- or will shortly prevail -- as a matter of law. This is right; this was necessary. But let all of us recognize that a law is the beginning of justice, not its fulfillment.

A law is written in words. A law can reinforce a principle. But for that principle to be translated into the daily life of the nation, more than a law is needed. There must be from this point on a far more intensive effort, in every phase of community life, to build new bridges of understanding, so that the law reflects the affirmative will even of those who feared it.

If this effort is to succeed, other steps must be taken. We in the AFL-CIO have repeatedly insisted that for equal opportunity to be realized we must have full opportunity. And full opportunity means jobs at good wages for all.

The principles and purposes of the bill, now so close to final enactment, will not otherwise be realized. This battle was not waged to win equal rights to unemployment, or an equal distribution of poverty.

The true goals of the civil rights bill will be attained only when the education and the income of Negro citizens are on a par with those of the community as a whole. These goals cannot be reached by the wave of a magic wand; they must be woven, strand by strand, throughout the fabric of American society.

To really translate this new freedom into true equality, at every level of American life, requires educational parity and economic parity in fact as well as in the law of the land.

We in the AFL-CIO are deeply dedicated to the full realization of equality in America. Therefore we call upon all who joined in the great campaign to enact the civil rights bill to join with equal fervor in a broader campaign that is essential for its final accomplishment -- the campaign to translate the bill's promises into reality; the campaign for full employment, for decent wages, for adequate housing, for assured medical care, for unlimited educational opportunities, for all Americans everywhere in America.

Only in this way can the great concepts on which this country was founded, the great concepts which will soon be reaffirmed and reinforced by law, truly become living reality in the day-to-day life of our nation.

One battle is all but won; the even greater one lies ahead. All of us must enlist for the duration and I pledge to you that the AFL-CIO will never abandon this fight.

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CIVIL RIGHTS IN THE U.S., by Tom Hayden

The Negro revolution in America is a harbinger of new times whose contours can be seen but dimly today. A democratic upsurge such as this can be announced; but it cannot quite be anticipated, planned, or described accurately. What are the origins? What is its character now? What is the prospect? These are questions of current history, and the answers are deeply tentative.

The proximate origins of the crisis were in the general post-war frustration of Negro hopes in any force not of their own making. In World War II, a vast migration to the Northern states; new employment in industries expanding for war production; a temporary Fair Employment Practices law; and overseas experience in the fight for democracy all heightened Negro expectations radically. The success of anti-colonial revolutions across the world, with their contagious "freedom now" ideology, further influenced Negro consciousness. At the same time an interest-conscious establishment was realizing the need for visible improvements in US race relations. When in 1954 the Supreme Court judged school segregation to be unconstitutional, a wide celebration occurred among civil rights advocates who believed a final victory was at least forseeable.

As with many forms of gradualism, however, the promisers were aggrandized and the promised frustrated. In the decade following the pinnacle of 1954, the Negro community was to observe a truth which just now is unfolded: that opinion and social structure in America are constituted to deny, rather than gradually realize, the Negro as an equal. Only a token integration is possible without broad social re-organization. Observe the series of failings:

--the 1954 court decision was implemented hardly at all. Even today, less than one in ten Negro children attends school with whites in the South. In the North, where segregated housing patterns are universal, neighborhood schools are 80 to 90 percent balanced towards one or the other race.

--job opportunities are shrinking as the pace of the economy is slack and automation creates structural unemployment. The government has been the chief employer of Negroes during the past ten years, a capacity it cannot continue for long. The private sector of the economy has made no increase in the numbers of Negroes hired since 1957. Only now, after the blood of Birmingham, are a few corporations making efforts to recruit Negro employees. But this recruitment will not affect the masses of Negroes, and its substance is diluted further by the fact that needs for unskilled and semi-skilled labor by corporations are nil.

--the unions were staunch supporters of civil rights throughout this period, but the leadership tended not to educate and mobilize the rank-and-file who now are threatened by the Negro movementfor the few jobs available. Furthermore, organized labor struck back defensively against Negro militance when it was revealed that many unions practice discrimination themselves. The refusal of the American Federation of Labor-Congress of Industrial Organizations to officially endorse the March on Washington for Jobs and Freedom was characteristic of labor's conservatism in this period.

--the federal government, although the chief employer and defender of Negroes in the Fifties and early Sixties, was also the chief financial contributor in the building of segregated schools and neighborhoods everywhere in America.

--the liberal community, joyously prepared to denounce the South, were not so willing to force the issue in Northern cities and, in fact, often presided in seats of political power above hopelessly segregated cities such as New York.

--the courts, while perhaps being the most consistently anti-racist force during the period, proved slow in moving and relatively useless in enforcement.

--much of Negro leadership itself, at local and national levels, was soft-spoken, on the defensive and unable to muster an effective constituency.

Under these conditions, still prevailing to a substantial extent today, it was inevitable and crucial that the Negro communities create their own power with which to challenge, modify and if necessary destroy a system of organized guile. The Montgomery Bus Boycott of 1956 was the forerunner of the revolution and Martin Luther King its gentle prophet. But the real momentum has gathered in the years since 1960; the real agents of change are the new radicals in the Student Nonviolent Coordinating Committee; and the real source of power is the masses of supportive Negro people who are making demands beyond the apparent capacity of the system to absorb.

The current progression of events is fantastic not merely in its bloodiness--as the press would depict it--but in the explosive character of changing ambitions and frustrated middle class rebels. From there came a broadening of goals to include: lunch counters, all public facilities, the right to vote, and now full employment as a demand of the August March. There has been a change in tactics: from the sit-in to a differentiated assault consisting in political action, economic boycotts, and paralysing civil disobedience. The site of action has changed: from Southern cities to rural Deep South country to a nationwide crisis coming to a showdown in Northern industrial centers. Ideology has become more secular and pragmatic, no longer tightly Christian and non-violent. Most importantly, there has been a change in the composition of the movement: from middle-class Negroes and whites to an increasingly Negro-led movement encompassing all black classes, the working class being naturally the largest. All polls show the massive majority of Negro Americans support the pace and tactics of the integration movement, with much less sympathy for the Muslim alternative of "separation". Few whites support the pace, and their support of goals stops at integration of their neighborhood, while most think that the Negro protest is legitimately rooted and justifieable. There is reason to believe that the conservative southern and rural-dominated Congress is not a reflection of genuine sentiment on civil rights, but that even if Congress were to become more liberal the great majority of Negroes would remain unsatisfied.

The late President Kennedy was widely regarded as a great sponsor of the civil rights movement. But this was at best a promising possibility in a complex character whose growth was prevented by an assassin's bullet November 22. It is more accurate to say that Kennedy's sure rationality dictated that he respond actively to world and national pressures for racial justice, to the extent possible without ripping asunder the fabric of established interests in the United States. His actions, while always bearing the flickering hint of brilliant humanism, were essentially a mixture of sophisticated urbanity, managerial adaptiveness, the conscience of liberal tokenism, and a concealed helplessness before the spreading clamor for change.

The Administration under Kennedy did not produce more than ambivalent and fitful programs in every area: protection of the right to vote, to live where one chooses, to be treated equally in consideration for employment, to have work and home and medical treatment secured. More subtly, the New Frontier has been obscene. Take, for instance, the responses to this spring rioting in Birmingham, as reported in the New York *Times*:

"President is Placing His Hopes in the People of Birmingham"--while actively

> discouraging Negroes from further demonstrations, the New Frontiersmen brought in U.S. Steel, among others, to urge city-wide moderation. An uneasy truce was effected quite liberally by members of the U.S. power elite.
>
> "Birmingham Now: a City with Renewed Hope"--so read the headline of a July 21 interpretation which noted, however, "the millenium has not yet arrived in Birmingham".

On September 15, after weeks without progress in the negotiations which the New Frontiersmen have banked one, six children were killed in the 21st bombing since 1960. Three days later the headline announced, "Kennedy Says Birmingham Can Solve Problem Alone". The President was not sending troops, as he would to Viet Nam, but an ex-Army football coach and an industrial lawyer, both whites, to "make peace". The team spent the first several days of its tour with whites only, although more than 30 percent of the people in this officially-segregated city are Negro.

Now Lyndon Baines Johnson is the President. A Southerner with a background of conservatism, compromise and oft-alleged corruption, he is making a notably strong effort to pass Kennedy's civil rights bill, undoubtedly in order to secure Northern urban support for the run in 1964. Should Johnson succeed in this, he will occupy, paradoxically, a more consolidated power position than did Kennedy. Where the late President was inevitably losing friends in the Southern conservative Democratic States--his name, pronounced venomously, had come to symbolize all the alien forces threatening the South--Johnson probably can win both the Norther liberals and retain the allegiance of his long-standing comrades in the South, at least until the 1966 Congressional elections. By the weird mechanics of U.S. politics, this would mean a perpetuation of the present conservative grip on the Congress. It would last until the pressure from angered Negroes, and their few allies, forced Democratic Party liberals and moderates to split away from their Southern colleagues or face defeat at the polls in northern cities.

Amidst all this foolish and murdering waste, the crisis emerging is this: though the demands of the civil rights movement are not at present for serious structural changes, they are accelerating more rapidly than the pace of concessions by the establishment. For instance, it is possible that even the modest civil rights bill will not pass the present Congress; and, as one anxious New York Times reporter notes, a "failure in Congress can only lead to bitter disillusionment on the part of the Negro, with increased separation from the hope that characterizes the American dream." This is unthinkable to good and innocent Americans; perhaps fortunately for their psyche, they do not realize that the actual challenge is far deeper. No matter if Congress passes the present bill, the great majority of Negroes want more palpable gains than legal guarantees. Most of all they want, programmatically, full employment, and full employment is not conceivable without a different Congress and the completion of the welfare and governmental economic initiatives begun in the New Deal and ended after World War II.

In the absence of such major changes, a burning stalemate will go on, as it must where bargaining is empty because the grievances of the people cannot be redressed.

But nothing is predictable with certainty in this phase, and it is very unlikely that the stirrings will abate soon, as has been the case with the industrial unions movement which was born in a similarly beautiful fury in the Thirties. By next summer, if the Negroes win no new allies, their movement could turn into an outpouring of riot in our urban complexes. Whether this would be accompanied by a radical ideology is impossible to predict--but a radical program is more certain.

Whether a second Civil War will be averted in favor of more effective forms of change seems to depend in large measure on the response of white Americans, especially the liberal community whose politics have so decayed in the present period. The churches were the most vital in responding this summer to the movement--but for this numerous ministers are facing a counter-reaction by hostile whites in their congregations. The labor movement was too weak to give official endorsement to the March, although the industrial were active in the ambivalent sense of supporting the March while watering down its policy demands. A few liberal politicians are calling for more than the President's bill, but they are isolated and without constituency. The liberal suburbanites, where they exist, are not touched deeply enough to become powerfully active. Clearly not enough realignment is occurring within American liberalism--and a more radical political alternative finds no support.

We may soon find, however, that a greater polarization may occur of necessity. For as the Negro revolt becomes more battering in its demands, the traditional basis of Democratic Party support in the South is fast being lost to a new conservative Republicanism. If this process meshes with the explosion of mass demonstrations in Northern cities, the possibilities of a political transformation would exist. One likely outcome would leave the Kennedy Democratics in monarchic control of a partyboth purged of right-wing Southerners and fighting for a majority with a moreempowerful Republican Party. Whether the civil rights movement, especially as it raises the issue of automation and employment, could carry organized liberalism into a new radical movement remains an open question.

This speculation has a main theme: that America is passing into a new era of social conflict, of debate over what has happened and what will happen to our society. This comes after two decades of artificial prosperity and corrupting silence at home while the Cold War was pursued abroad. Now that time is fading, and the harder task of facing ourselves is upon the nation. What will happen is unknown, but close by now.

C. R. Dept.

SOUTHERN INTERAGENCY COUNCIL

This brief report is divided into sections according to those problems in human rights to which CORE devotes most of its time.

Public Accommodations - It was mentioned in the last meeting of this body that CORE and NAACP had collaborated in opening 83 motels in Florida. This work has continued; there has been a concentration of activity in North Carolina, and there is an expected opening of Howard Johnson facilities in all of Texas except the eastern part within a short time. A correction must be made here however. This program was directed toward restaurants, not motels.

Recently, in New Orleans, James McCain, Director of Field Services for CORE, was refused the use of a room which he had previously reserved in a downtown hotel. As a result a civil suit has been filed in his behalf. The suit is aimed primarily at the state law which forbids "mixing" of guests in a commercial establishment.

Administration of justice - Local courts in the Baton Rouge area have begun to require an "interim" bond. That is, original bond expires after the first court case; another bond must be obtained for the appeal of that case. Between these two, however, the court requires an additional bond. This judicial practice is currently being studied in an effort to determine how best to attack it.

Two injunctions barring CORE from activity of any kind in the state of Alabama are scheduled for hearings early in 1963. We hope.

CORE's work in Voter Registration will undoubtedly be explained by Mr. Branton.

Some other matters not definitely connected with any of the above general areas, deserve mention. Recently CORE requested that the Attorney General of the state of New York halt the sale of southern school bonds. The reasoning behind this move is that these school bonds will support the building and operation of more segregated schools; the segregation itself is unconstitutional; hence the bonds do not meet the minimum requirements for placement on the open market. While the Attorney General has not yet acceded to our request, the possibility that this or some other legal development will impair the value of the bonds seems to be slowing their sale and distribution in the Wall Street area.

Another interesting development is controlled desegregation under the direction of the community's business interests. This method has been used in Dallas, Texas and, to an extent that cannot be determined, also in Houston. It has been reliably reported that a consultant from Dallas spent considerable time in Birmingham several months ago, discussing this approach with Birmingham businessmen. It seems to me important that social agencies take a prominent part in such procedures, and with a deeply analytical attitude. This is necessary because of the fairly safe assumption that the business community defines peace primarily as the absence of conflict --- not necessarily the presence of justice.

One of our Field staff recently wrote to us of the need to correct the balance between urban activity and rural activity. Her point was that small towns such as Lebanon, Tennessee not only have great need in the area of desegregation, but also a readiness to act on their own problems. This point is probably borne out also by the experiences of many of the people who are working in the Voters Registration Campaign.

CORE has been active in employment and Houseing in the north. And in both cases we try more and more to direct our attact to corporate enterprise: chain stores, manufacturers of nationally distributed products, builders and mortgage institutions that deal with housing developments rather than isolated instances of single dwellings.

Concurrent with the plans for action on the Howard Johnson front in North Carolina, CORE conceived the idea of a task force, so to speak. We have already accepted, trained and placed several such volunteer workers in different areas of the country, usually assisting a Field Secretary. These are dedicated young people who volunteered to serve for a specified length at a subsistance allowance. The resulting expansion of our small staff may make it possible for CORE to substantially increase the area of its direct impact.

The lessons learned and results gained should provide effective examples for work in employment and housing in the south --- the sooner the better.

AFL-CIO Legislative Department **1961 Fact Sheet No. 5**

CIVIL RIGHTS

The Need:

The need for more action to assure civil rights for all Americans was clearly summed up in a statement adopted by the AFL-CIO Executive Council on February 28, 1961. That statement said, in part:

> "The overwhelming concern of this Executive Council for the plight of our fellow Americans trapped in this recession must not be construed as evidence that we consider this America's only major problem. In fact, this recession serves to spotlight one of the nation's most grievous problems and certainly its No. 1 moral problem—the denial of full civil rights to all of its people.
>
> "Negroes constitute 10 per cent of our labor force but they constitute 20 per cent of the unemployed.
>
> "Daily, the conscience of America is disturbed by the facts of civil rights violations and by the evidences of continued existence of discrimination and segregation which blot the bright banner of democracy. Despite the Supreme Court decisions, segregated schools still exist. Despite the force of public opinion, Americans are still denied equal service, equal opportunity, equal rights, equal housing, and, in some areas, equal justice—solely because of their color, religion or national origin."

Administration Position:

The Kennedy Administration is clearly committed to a bold and comprehensive program to act on every aspect of the civil rights issue. The Democratic platform, on which it ran and was elected, is the clearest and strongest in history. In the first weeks of the Administration, it has become quite clear that it intends to implement its commitment—at least for the present—on the Executive rather than the legislative front. It has stated its convictions, and this has been shared by many students of the subject, that much can be accomplished under existing Constitutional and statutory authority. This conviction, plus the realistic appraisal of the legislative outlook, has led to stress on the Executive front.

On March 6, this executive branch approach was demonstrated by the issuance of an Executive Order creating the President's Committee on Equal Employment Opportunity. The committee takes over the functions of two existing committees, one dealing with government employment policy and the other with employment practices of government contractors. Much stronger enforcement powers, including the right to cancel government contracts, is included. This is a recommendation long advocated by the AFL-CIO.

The President has already spoken out clearly in support of the Supreme Court decision on school desegregation. This, plus the active intervention of the Department of Justice, can do much to speed up school desegregation. There have been appointments of Negroes to a variety of posts in the Executive branch and these can serve as a model to private employers. In addition, the President has told a news conference that he is studying the broad area of executive action in other fields, including housing.

The Legislative Outlook:

Because of the emphasis on executive action, there have not as yet been any Administration recommendations on legislation. It is generally understood that the Administration wishes to see first how much progress is possible without additional legislation, and that it wishes to see the bulk of its economic and anti-recession program enacted first. However, numerous bills have been introduced, and will be introduced by leading civil rights advocates in the Congress. Senator Clark (Pa.) and Rep. Celler (N. Y.) are prepared to submit a package of bills to carry out the Democratic platform pledges. These two were designated by Mr. Kennedy, during the campaign, to develop such legislation. It is believed that the package will include the following:

1. Abolition of poll taxes.
2. Abolition of literacy tests as a voting requirement.
3. Requirement for submission of desegregation plans for every school district to be effective by 1963-1964.

4. **Technical and financial assistance to school systems aiming to desegregate.**
5. **Authority for Attorney General to institute civil suits to enforce equal rights (Part III).**
6. **Fair Employment Practices Legislation.**
7. **Extension and strengthening of Civil Rights Commission.**

On March 8, Democratic Whip Hubert Humphrey, joined by a number of Senators in both parties, submitted a set of civil rights bills (S. 1253 through S. 1258) that covered interstate travel facilities, discrimination in employment, poll taxes, civil suits to protect rights, lynching, and the Civil Rights Commission.

On March 24, 1961, Senator Douglas (joined by Senators Humphrey, Javits, Case, Morse, Kuchel, Carroll, Hart, McCarthy, Allott, Gruening, Moss, Young, Engle, Williams, Neuberger, Long, and Pell) introduced S. 1634, which is very similar to S. 810 of the 86th Congress—the bill which received broad backing by all civil rights groups. It includes provisions for technical and financial support to school districts seeking to desegregate, and for authority for civil suits to protect constitutional rights. Sen. Javits (R-N. Y.) has also introduced a number of bills to provide strong civil rights protection.

All of the above bills would be consistent with the legislative recommendations of the labor movement and would be strongly supported by the AFL-CIO. To the extent that the Kennedy Administration may find executive remedies for the objectives of this legislation, of course, the legislative program could be modified.

Labor representatives should use every opportunity to indicate their support for civil rights legislation. As the legislative situation becomes clear, the AFL-CIO will make available to all its affiliates specific information on the kind of follow-up that is needed.

On the House side, the chairman of the House Judiciary Committee is Emanuel Celler. He has always been a staunch supporter of civil rights, and, as indicated above, he will be introducing bills to implement the Democratic platform. On the Senate side, civil rights forces sustained a serious loss in the death of Senator Hennings of Missouri who for years headed the Constitutional Rights Subcommittee of the Judiciary Committee. This post is now held by North Carolina's Senator Ervin, one of the most active *opponents* of meaningful civil rights legislation. Principal backers of civil rights in the Senate Judiciary Committee are Democrats Carroll, Hart and Dodd, and Republican Keating.

Prepared by AFL-CIO Legislative Department.

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Leg — Civil Rights

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Political Action

ACTION! ACTION!

The Leadership Conference on Civil Rights is backing rules changes in the Senate (to shut off filibusters) and in the House (to loosen the grip of the Rules Committee) so that the new Congress convening in January will be able to enact meaningful civil rights legislation. The attached Memorandum explains the changes in the rules of the Senate and House being pushed by the Leadership Conference on Civil Rights.

The organizations in the Leadership Conference, including our own, are working hard to get these rules changes adopted when Congress opens on January 9, 1963. The local groups of all the Leadership Conference constituent organizations are being asked to contact the Senators and Congressmen from their state right now and most vigorously urge them to support these rules changes.

Your Senators and Congressmen are likely to be at home now, or they almost certainly will be home at some time before the first of the year. Please ask

- * Your Senator to support a change in the Senate rules to stop filibusters;
- * Your Congressmen to support a change in the House rules so the Rules Committee cannot block legislation;
- * Your newspapers to support both these rules changes.

Contact your Senators and Congressmen now and work with the other civil rights organizations in your community to persuade them to support the principles in the attached Memorandum.

MEMORANDUM OF LEADERSHIP CONFERENCE ON CIVIL RIGHTS ON CONGRESSIONAL RULES CHANGES NEEDED TO ACHIEVE MAJORITY RULE AND OBTAIN CIVIL RIGHTS LEGISLATION IN THE 88TH CONGRESS

Rule 22 in the Senate and the Rules Committee of the House have long been impassable roadblocks to meaningful civil rights legislation. If the 88th Congress is to redeem the pledges for civil rights legislation which the two parties made in their 1960 party platforms and their 1960 and 1962 campaign documents, something has to be done about both Senate Rule 22 and the House Rules Committee when Congress meets in January.

There is a historic opportunity in the upcoming 88th Congress to pass strong civil rights legislation. Bills will be promptly introduced in the new Congress providing for immediate school desegregation, empowering the Attorney General to enforce civil rights in federal courts (Part III), providing an effective Federal Fair Employment Practices agency, abolishing literacy tests for voting and other measures. The fate of these various bills may well depend upon what can be done at the opening of Congress on Senate Rule 22 and on the House Rules Committee. The filibuster rule and the House Rules Committee are a legislative morgue awaiting these civil rights bills; action now on both items can give these bills real life.

To this end, the Leadership Conference on Civil Rights is making an all-out drive:

(i) To change Rule 22 of the Senate to permit a majority of the total Senate (i.e., 51 Senators) to close debate and get to a vote after an adequate period of full and fair debate, and

(ii) To permit any Committee of the House, after the Rules Committee has refused a rule for a period of 21 or more days, to call up legislation on the floor of the House for debate and vote.

Majority Rule in the Senate

At the present time, it takes two-thirds of the Senators present and voting to close debate and get to a vote. The Southerners and their allies have always been able to muster more than a third of the votes in opposition to closing debate on civil rights bills, so they have been able to defeat entirely or hopelessly water down civil rights legislation. King Filibuster is a Berlin Wall against meaningful civil rights legislation.

Because of this, Senators Humphrey and Hart on the Democratic side, and Senators Javits, Kuchel, Case and Scott on the Republican side, have already announced that they will move on January 9, the opening day of the new Congress, to obtain a new Rule 22 providing that a majority of the total Senate can close debate and get to a vote.

At the opening of the Senate of a new Congress, a majority can determine the rules of the Senate for that Congress before the old rules are fastened upon the body. We now have a majority of the Senate ready to enact a new Rule 22 -- counting those who have supported the fight to change Rule 22 at the opening of the Senate in earlier years and those who have committed themselves directly to the Leadership Conference or to one of its constituent organizations earlier this year. What is needed now is to build up as large a majority as possible for some change in Rule 22 and to get as many of those who believe in some change to agree to support majority rule.

Some Senators have indicated that they are willing to go for a new Rule 22 providing that three-fifths of those present and voting can close debate (rather than two-thirds as at present), but are not prepared to go for cloture by a majority of the total Senate (51 votes). A change to three-fifths is certainly better than nothing, but it is not nearly as good as majority cloture. Assuming that 96 of the 100 Senators vote on cloture (and votes on important issues do run that high), three-fifths of those present and voting will be 58 Senators or 7 more than a majority of the total Senate. These 7 votes are the hardest to get for they will have to come from Senators not particularly committed to the cause of civil rights. Every effort should be made to persuade the Senators who are willing to go for three-fifths cloture to take the really significant step and go for cloture by 51 Senators. They should be told that the difference between majority cloture and three-fifths cloture may spell the difference between cloture and no cloture and thus between civil rights legislation and no civil rights legislation. President Kennedy supported majority cloture as a Senator.

Some opponents of the Leadership Conference position argue that there is no real benefit in changing Rule 22 because it will not be possible to get three-fifths or even a majority to vote for cloture. This is in part predicated upon the fact that it was not possible to obtain a majority for cloture on the Administration's literacy test bill last year. But this was due largely to the lack of any real drive for the literacy test bill, to the half-hearted way in which the effort at cloture on the bill was handled, and to the hopelessness in getting the required two-thirds vote.

There is every reason to believe that 51 Senators would back cloture on a bill that the Administration, the Senate leadership and the civil rights organizations were vigorously supporting.

There are also those who make the exact opposite argument that the Senate does not need a change in Rule 22 in order to stop a filibuster and they point to the cloture vote last year on the Communications Satellite bill. But this was not a civil rights bill and enough Southerners stayed away to permit a successful cloture vote. What the Communications Satellite episode really proves is (i) that there are a number of Senators who will vote for cloture to help economic interests but not minority groups, and (ii) the Southerners' so-called "principled" argument against cloture based on the idea of "free speech in the Senate" was finally destroyed by their cooperation in permitting cloture on the Satellite bill.

Majority cloture will make it possible to pass meaningful civil rights legislation in the Senate. Every effort must be made to get the President, the leadership in the Senate and the individual Senators to support majority rule.

Rules Committee in the House

After a bill is approved by a regular legislative committee, it goes to the Rules Committee for a rule -- i.e., for permission to take the bill to the floor of the House. If the Rules Committee refuses to give its approval, there is no real way of getting a civil rights bill to the floor except by a discharge petition requiring 218 signatures (which is almost impossible to obtain and in any event takes many, many months' time). The Leadership Conference is therefore supporting a change in the rules of the House to permit a regular legislative committee to call up a bill on the floor of the House if the Rules Committee has failed to act in 21 days. This will insure House consideration of meaningful civil rights legislation.

This so-called "21-day rule" is not new. That rule was adopted at the opening of the 81st Congress and was in effect during that Congress (1949-1950). Unfortunately, it was dropped by the 82nd Congress. Congressman (now President) Kennedy supported the 21-day rule as a Congressman.

Last year the Democratic leadership tried to get at the Rules Committee a different way. They expanded the size of the Rules Committee from 12 to 15 members. The idea was to put enough liberals or moderates on the Rules Committee to get bills through the Committee and to the floor. Whatever this may have done or may do to facilitate economic and other legislation (and in the last Congress it didn't do too much), it is worthless as far as meaningful civil rights legislation is concerned. All 15 members of last year's Rules Committee were returned to Congress in the 1962 elections. Of these, 5 are Northern Democrats, 5 are Southern Democrats and 5 are Republicans, many of whom have refused rules on civil rights legislation in the past. What this means is that a strong civil rights bill would almost certainly lose in the Rules Committee.

Therefore, the Leadership Conference cannot accept the 15-man Rules Committee proposal as adequate to the needs of civil rights. If a Congressman really believes in civil rights, he will vote for the 21-day rule on opening day of the new Congress.

The Congress of Racial Equality feels strongly that the H. J. Company should and must find a way of ending segregation in its franchised restaurants. CORE feels that a clause prohibiting ~~any~~ discrimination should be inserted in each franchise. While CORE is pleased with the progress the Howard Johnson Company has been making, we do disagree with them on their position in this regard

CORE will continue ~~to~~ action-oriened len at Franchised Howard Johnson restaurants ~~and~~ and will make every effort to convince the national company that they must take stronger action to desegregate their franchised ~~restaurants~~ places

We have been assured by the H. J. Company that ~~already that~~ they are already using their influence to achieve desegregation in the franchised restaurants.

MEMORANDUM OF LAW

THE PROBLEM OF THE ALABAMA ANTI-BOYCOTT STATUTE

M. SILBERBERG

Perhaps the most effective method of focusing attention on the civil rights struggle has been the sit-in. Many of these demonstrations in Southern cities wound up in arrest and convictions under trespass statutes. In May of 1963, Peterson v. City of Greenville, 373 US 244 (1963), invalidated many of these convictions and was hailed as a landmark in the fight for equality. Some demanded that in light of the success of the sit-in, other types of demonstrations be utilized. One such type is the economic boycott utilized against merchants who practiced segregationist policies or who supported those who did.

The major legal obstacle up until the Peterson decision with regard to sit-ins, was the trespass statute. With regard to the economic boycott, we must be aware of the existence of anti-boycott statutes which are on the books of many states as a weapon against unfair labor practices. These statutes can be construed to present a formidable obstacle, to the plans of boycotts in support of civil rights. The state of Alabama has such an anti-boycott statute. In looking ahead as to possible convictions under it, I feel that we should be careful to distinguish the Court's holding in the Peterson case and show how this decision would be of little use in a case involving a boycott conviction.

Let us imagine the following hypothetical case. The S. H. Kress Co. has five branches in the city of Birmingham. In accordance with a Birmingham city ordinance, no Negroes are served at the lunch counters in any of the five branches. Three ministers from the Negro community in and around Birmingham call a meeting of the leadership of various civil rights and Negro organizations to protest this indignity, both to the management of Kress and to the city of Birmingham. Neither the city nor Kress take any action. The three ministers put forth a plan to organize a mass boycott by the entire Birmingham Negro community of the five branches of the S. H. Kress Co. A committee is organized under their leadership to direct the boycott and literature is distributed concerning objectives and tactics and urging total cooperation. The boycott is instituted on September 1, 1964 and at the end of the first month is over 90% effective. The Christmas season passes with a great loss of revenue and the desperate Kress management appeals to the city of Birmingham to do something. Soon thereafter, the three ministers are taken into custody for conspiracy to violate the anti-boycott statute.

The statute Tit. 14 sec. 54 (3447) says, "Two or more persons who without just cause or legal excuse for so doing, enter into any combination, conspiracy, agreement, arrangement, or understanding for the purpose of hindering, delaying, or preventing any other persons, firms, corporation or association of persons from carrying on any lawful business shall be guilty of a misdemeanor." Under sec. 56 (3449) printing or circulating notices of the boycott is forbidden, and under sec. 61 (3454) teaching, printing books or papers or organizing persons to violate the above statute is forbidden. Charges are filed against the three ministers under all of the above named sections.

The leading case under the Statute is Lash v. State, 31 Ala. App. 121, 14 So.2d 235 (1943). It was a labor case involving a boycott but unfortunately, no facts were given in the reporters. The case held that the statute was a valid exercise of the state police power for protecting "property", which a man's business was said to be. The Court also held that the phrase, "without a just cause or legal excuse", meant "unlawfully."

At this point, it is a temptation to argue that the rationale of the sit-in cases applies and that the city of Birmingham, an agency of the State of Alabama is enforcing discrimination. "If discrimination in a private establishment catering to the white public is legally permissable under the Constitution, the Court had made it clear that it can survive only where it is established that the state has not coerced or unduly influenced the choice.[1]

The fact that the management of Kress would have wanted to enforce segregation at their lunch counters absent the city ordinance or an "official command" would therefore make no difference. See Lombard v. Louisiana.[2] In Peterson The Supreme Court stated:

> When the State has commanded a particular result, it has saved to itself the power to determine that result and thereby to a "significant extent" has "become involved" in it and in fact has removed that decision from the sphere of private choice . . . . Consequently, these convictions cannot stand even . . . The convictions had the effect, which the state cannot deny of enforcing the ordinance passed by the City of Greenville, the agency of the State. When a state agency passes a law compelling persons to discriminate against other persons because of race, and the state's processes are employed in a way which enforces the discrimination mandated by that law, such a palpable violation of the Fourteenth Amendment cannot be saved by attempting to separate the mental urges of the discriminators.[3]

The question is whether a boycott is like a sit-in, i.e., a protest against laws depriving one of the rights guaranteed under the 14th Amendment, and whether the court having struck down convictions under the trespass laws, would do so under the anti-boycott laws.

The main thrust should be against the phrase, "just cause or legal excuse." As previously noted, this phrase has been held to mean "unlawfully". It should be argued that the effort to obtain rights guaranteed by the 14th Amendment are a "just cause or legal excuse."

But it must also be remembered that even if this were to be accepted, it could only be used successfully at this point where the state or one of its agencies has forced the segregation law upon the merchant. For, the Court has not to this date extended the right to protest the segregation policies of a private restaurant, absent a state enforced law or official statements analogous to such a law.

FOOTNOTES

1. 1963 Sup. Ct. Rev. 101, Lewis, The Sit-In Cases at 103.
2. 373 US 249 (1963)
3. 373 U.S. 244 at 248 (1963)

MEMORANDUM OF LAW

BUSINESS TORTS AND SIT-INS

By A. Saltzman

A recent bar journal article[1] suggests that a civil action other than trespass, an action for "Business Tort", is available to proprietors of stores in their efforts to deter sit-in demonstrations. This action would consist of proving that the demonstrators had intentionally caused the proprietor loss of receipts and good will; that is, that the sit-ins by their presence intended to and did cause financial detriment to the proprietor. This action, intentional interference with business relations and expectations, is a generally recognized tort.[2]

It is claimed that such an action would be an effective deterrent where neither civil nor criminal trespass actions are now sufficiently effective. The greater deterrence would arise from the fact that relatively large judgments for damages might be realized, which factor is not present in other actions, since damages for civil trespass are limited to the amount of the harm done to property, and criminal trespass statutes involve only relatively small fines.

The elements involved in a business tort, as in other intentional torts, are as follows. The plaintiff must prove that (1) he has been injured, (2) the defendant's conduct caused the injury, and (3) the defendant intended the injury to occur. The defendant, however, has available the defense of privilege. Thus, just as self-defense justifies otherwise tortious conduct, a motive such as competition may justify what would otherwise be a business tort. In order to determine if a privilege exists the courts will have to examine the nature of the defendant's conduct, motive, and interest, as well as the interest of the plaintiff whose business is being interfered with.[3]

A defense need not be shown unless the plaintiff establishes a prima facie case. Therefore, it is necessary to first analzye the application of the three elements--cause, damage and intent--to the present sit-in demonstrations.

CAUSATION

The plaintiff must show that the defendant's conduct caused the loss. The most obvious line of proof would be a demonstration of a decline in patronage when the demonstrators were present. If the loss were caused by the fact that the proprietor discriminates, rather than directly because of the presence of the defendants, there would be a first amendment barrier to the action.[4] At least in the South, the cause of any loss would appear to be the actual presence and conduct of the demonstrators. Would-be patrons may refuse to trade because Negroes are present or because there is no space at which to be served. It may be argued in the latter case, however, that the demonstrators would be paying customers if the proprietor would serve them.

The amount of damages depends of course on what loss can be attributed to the defendant's conduct. Assuming the requisite causal relationship is shown, damages will be computed as in a suit for breach of contract.[5] Thus damages would be the income not received less the amount not expended because of the reduced patronage.

INTENTION

The intention of the defendant is relevant both to establishing a prima facie case and to the defense of privilege. If the defendant did not intend to cause loss to the plaintiff there is no liability. That is, if the loss was not the object of the defendants' conduct no tort has been committed. The intention to harm need not, however, be the sole intention of the defendants to support this action. But if it is, they will not be heard to claim that their conduct was privileged.

It is clear that the conduct of the sitters-in is neither solely intended to injure the merchant's business nor done without consciousness of the effect it will have on his business. The defendant sit-ins act at least in part for the purpose of protecting a legitimate interest which conflicts with that of the plaintiff. In this situation it is up to the court to determine whether or not a privilege exists by balancing the conflicting interests of the plaintiff and the defendants.

Thus, assuming the plaintiff has shown: (1) his business has suffered harm; (2) the defendants' conduct caused the harm; and (3) the defendants were aware that their conduct would result in the harm, is there some justification for the defendants' conduct which will relieve them of liability?

PRIVILEGE

The basis of a claim of privilege is that even though the defendant has injured the plaintiff's business interest, the harm was incidental to the achievement of a different objective which the law regards as justifying an invasion of the plaintiff's interest. Thus in Mogul Steamship Co. Ltd. v. McGregor Gow & Co.,[6] the English court could say that the defendants "have done nothing more against the plaintiff than pursue to the bitter end a war of competition waged in the interest of their own trade." Conversely, the courts will hold the defendant liable where he is not advancing any legitimate interest of his own. Thus in Tuttle v. Buck[7] the court said: "When a man starts an opposition place of business, not for the sake of profit to himself, but regardless of the loss to himself, and for the sole purpose of driving his competitor out of business...he is guilty of a wanton and actionable tort."

Privilege is also unavailable as a defense when the conduct of the defendant is independently unlawful. This is, if the defendant has intentionally interfered with the plaintiff's business relations by means of force, fraud, etc., the courts will not recognize an assertion that the conduct was in furtherance of an interest superior to the plaintiff's.[8]

In the usual lunch counter sit-in case it does not appear that the sole purpose of the demonstrators would be to cause loss to the proprietor, and they would thus not be barred from asserting privilege.

A more difficult problem is the claim that the demonstrator's conduct is independently unlawful on the grounds that they are trespassers. If they are found to be trespassing and therefore engaged in unlawful activity, no privilege will exist and the plaintiff will prevail if he can establish a prima facie case.

The Supreme Court of the United States has recently heard argument on whether or not the 14th Amendment forbids discrimination on the basis of race by the proprietor of an establishment open to the public.[9] If it is held that the Constitution does not forbid such exclusion, then, absent a state anti-discrimination law, the demonstrators would be trespassers and the defense of privilege would not be available to them.

If the Supreme Court holds that such discrimination is forbidden by the Constitution (or if there is a state law which prohibits it), then the presence of the sit-ins at the place of business of the plaintiff is lawful. Thus the demonstrators have not used independently unlawful means to injure the plaintiff, and therefore the defense of privilege is available. If the demonstrators had entered the plaintiff's establishment to receive service, it is difficult to imagine how the plaintiff can be asserting that the demonstrators have injured his business. Nor could he claim that his customers refuse to trade where Negroes are present since there would be a legal obligation to serve Negroes whether or not others stayed away.

In the usual sit-in demonstration the participants are asserting their right to receive equal treatment regardless of race. Assuming that such right has been recognized by the relevant law, it is difficult to imagine that the exercise and assertion of that right would not be considered a superior objective to whatever business interest it might injure.

1. 24 Georgia Bar Journal 20 (1961).
2. Restatement of Torts Sec. 766; Harper & James Sec. 6.11, 52 Am. Jur. Torts Sec. 42, p. 386-7
3. Harper & James, Sec. 6.12; Restatement of Torts Sec. 767.
4. Thornhill v. Alabama, 310 US 88 (1940), which holds that no sanctions may be applied against the peaceful and truthful discussion of matters of public interest.
5. Harper & James, Sec 6.11.
6. 23 Q.B.D. 598 (C.A. 1889), 1892 A.C. 25.
7. 107 Minn. 145, 119 N.W. 946 (1909).
8. Harper & James, The Law of Torts, Vol 1 §6.11, p. 513, text acc. and F.N. 13.
9. Griffin v. Maryland No. 6 Supreme Court Docket, Robinson v. Florida No. 60, Supreme Ct. Docket, ordered reargued 373 US 920 (May 1963).

a national organization with affiliated local groups working

CONGRESS OF CORE RACIAL EQUALITY

to abolish racial discrimination by direct, nonviolent methods

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Gentlemen:

The Congress of Racial Equality would like to be kept up-to-date regarding Civil Rights progress in your area. Please send to my attention single copies and bulk rates for:

1. Current reports on housing, schools, and employment

2. State laws and city ordinances which pertain to equal opportunity

3. List of agencies which handle complaints along these lines

Thank you very much for your cooperation.

Sincerely yours,

Jo Adler
Program Department

JO/ss

DETAILED ANALYSIS

OF

THE CIVIL RIGHTS ACT OF 1964

Prepared by:

WASHINGTON HUMAN RIGHTS PROJECT

PREFACE

This analysis was prepared rather quickly so as to be of maximum value to those Civil Rights Attorneys actively engaged in litigation and advising Civil Rights leaders immediately upon passage of the Act. It should go without saying that this analysis is primarily designed for the Civil Rights attorney and the Civil Rights leader in the movement.

There may be some errors, both legal and technical; the style and arrangement of material may not be perhaps as it should. However, it is sincerely hoped that this analysis will be of some value to those who might use it.

Any suggestions and directions in regard to a revised edition will be gratefully received.

The analysis was primarily written by six law students working under my general direction - John Denneen, Carolyn Heft, Miles Jaffe, Jeff Lamson, Chris Schwabacher, and Robert Turtz.

July 4, 1964

William Higgs
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TITLE I - VOTING

Title I of the Act is a strengthening amendment to the federal statutes on the right to vote which was the principal subject of the Civil Rights Acts of 1957 and 1960 (U2 U.S.C. 1971). The 1964 legislation adds to existing law but does not change it. The new provisions are aimed at eliminating the discriminatory administration of existing law which has long been the means of perpetuating racial discrimination.

Section 101 (a)

This section adds two new paragraphs to Section 1971 (a) of Title 42 of the U.S. Code. The first, paragraph 1971 (a) (2), limits the powers of voting officials, and any other persons acting under color of law, to process voting applications.

Under subparagraph (A), voter registration applications must be evaluated, in "any Federal election", according to uniform standards, practices and procedures. The wording is very specific. The standards applied must be identical to those applied to other individuals, in the same or a similar political subdivision, "who have been found by State officials to be qualified to vote." This represents another statutory approval (see also 42 U.S.C. 1971 (e)) of the type of mandatory relief which has recently been used effectively in several cases, including the Panola County case (United States v. Duke, 5th cir., May 22, 1964). In this instance, the court ordered the county to keep temporarily in effect the same less stringent voter requirements which were used to qualify the already registered white voters during a period when the Negroes were being prevented, pursuant to a pattern or practice of discrimination, from qualifying. Such relief is necessitated by the imposition by the State of new and stricter requirements which, even if theoretically applicable to all citizens, primarily affect the disadvantaged minority who, because of past discrimination, have been unable to register. The new requirements, while constitutional on their face, tend only to perpetuate racial discrimination in the voting rights field. Judge Tuttle, speaking about this program for the Fifth circuit in the Panola County Case, stated:

> It may be said that when illegal discrimination or other practices have worked inequality on a class of citizens and the court puts an end to such a practice but a new and more onerous standard is adopted before the disadvantaged class may enjoy their rights, already fully enjoyed by the rest of the citizens, this amounts to "freezing" the privileged status for those who acquired it during the period of discrimination, and "freezing out" the group discriminated against. (at pp. 20-21 of his opinion.)

Because of the favorable effect this "freezing principle" could have upon the effective enforcement of the voting rights provisions, relief similar to that granted in the Panola County Case should be requested in all cases where a pattern or practice of discrimination exists.

Subparagraph (B) prohibits voting officials from denying any individual the right to vote, in "any Federal election," solely because of an error or omission which is immaterial in determining voting qualifications. This provision is limited to "an error or omission on any record or paper." It may be argued, then, that the prohibition does not apply to an immaterial error or omission in the registration process which is unrecorded by the Registrar and for which the applicant is denied access to the polls. In order to thwart any possible attempts to avoid in such a manner the impact of this provision, it is advisable to request that any court order, issued to enforce the voting rights provisions, direct the voting official to record each and every aspect of the qualification process.

Subparagraph (3) requires that any literacy test, which is a voting qualification in "any Federal election," be administered to all applicants and that it be conducted wholly in writing. These tests are to be retained and preserved along with all other required records and papers relating to the State voting requirements. Pursuant to 42 U.S.C. 1974, the tests are to be preserved and retained for twenty-two months from the date of the election to which they relate. Where there is permanent voter registration, these records and papers must, therefore, be permanently retained and preserved because they relate to all elections. It is further required that a certified copy of the literacy test and ot the applicant's answers to it must be available to him, upon request, within twenty-five days, so long as such request is made before the expiration of the period for which the records are to be kept. It would be advisable to request such a certified copy of all tests and to attach it to any complaint filed to enforce the rights protected by this title. This may serve to discourage registrars from administering and grading the tests of Negro applicants in an arbitrary and capricious manner. There are also other benefits which stem from the retention requirement. Whenever there is an issue about an applicant's literacy, the fact that the tests are available means that the issue can readily be solved de nove either upon judicial or administrative review. Moreover, both the Attorney General and the court can review the tests when necessary to ensure that they are being conducted in a fair and impartial manner.

All of subparagraph (C) is qualified by a proviso which gives the Attorney General an unlimited discretion to enter into agreements, with state or local authorities, that compliance with the applicable state or local law would be deemed compliance with the requirements relating to the preparation, conduct and maintenance of literacy tests. This clause is designed to provide relief for those states "where there is no problem whatsoever about discrimination by manipulating literacy tests." (Congressional Record, June 4, 1964, p. 12283.) It is thought that it would be an unnecessary burden to require auch states to retain and preserve such written records. Another purpose of the proviso is the solution of the special problems which blind persons, or those with other physical handicaps, have with written tests. It is important, however, to be alert to any attempt by the Attorney General to abuse this discretion and frustrate the legislative attempt of this subparagraph. Any such abuse should be promptly blocked by judicial action.

The second additional paragraph of subparagraph (C) contains two definitions. Under (3) (A), the term vote, whenever used anywhere in Section 1971, is to carry the same meaning as it previously did in subsection (e). In that subsection (e) of Section 1971 vote is defined as "all action necessary to make a vote effective including, but not limited to, registration or other action required by State law as a prerequisite to voting, casting a ballot, and having such ballot counted and included in the appropriate totals of votes cast with respect to candidates for public office and propositions for which votes are received in an election."

Although this definition has not been specifically construed in any case, it is couched in such general terms that it probably will have a very wide and all-inclusive scope. In fact, it may be argued that any stratagem, however devious it may be, so long as it bars an individual from effective participation in the electoral process, can now be reached by any provision of the entire voting rights section. Thus,for example, in some states and localities the nomination of a candidate at a political party's convention (as distinct from a primary) often leads to his eventual election, it can be argued that exclusion from that party's conventions, for reasons of racial discrimination, is now illegal and may be prevented pursuant to the provisions of Section 1971 of Title 42 of the U.S. Code.

In (3) (B) of subparagraph (C) the definition of literacy test is set out so there will be no doubt about the scope of subparagraph (C). Since it includes any test of an applicant's ability to read, write, understand or interpret any matter, it will be very difficult for a voting official to administer any test that would escape the requiremtns of subsectionph (C). Even a test of objective knowledge, unless it is orally administered, would seem to be encompassed by the definition. Oral tests may be enjoined as outlined in the discussion on subparagraph (B).

THE EFFECT OF TITLE I ON PRIVATE SUITS

A primary goal of Title I of the Act is to supplement the Attorney General's authority to institute, for or in the name of the Unitted States, a civil action or other proper proceeding for preventive relief. However, its effect reaches beyond such proceedings to private lawsuits. Its substantive provisions secure voting rights and privileges to all individuals and may be inforced by any injured party in an action at law, suit in equity, or other proper proceeding for redress (42 U.S.C. 1983). Such private lawsuits are extremely useful. In fact, it is anticipated that complete and unhindered participation in the electoral process, as guaranteed by the Constitution and laws of the United States, will be more quickly realized if there is a joint federal and private enforcement effort.

It should be noted that subsection (e) of Section 1971 of Title 42 provides for voting referees only in actions brought by the Attorney General. However, by imaginative fashioning of orders and by exercise of the appointment powers in equity (masters, itc), nearly the same result could be achieved in an action brought by a citizens.

Section 101 (b)

This section amends Section 1971 (c) of Title 42 which empowers the Attorney General to bring an action to enforce voting rights. It adds a statutory rule of evidence which is applicable whenever literacy is a relevant fact in any such proceeding. The rule creates a rebuttable presumption that any person, who had completed the sixth grade an any public school or, any accredited private school, in which instruction is carried on predominantly in the English language, "possesses sufficient literacy, comprehension and intelligence to vote in any Federal election," so long as that person has not been adjudged an incompetent. The reference to "any public school" means that Negro public schools which have not been accredited by the state are included. Anyone who would rebut this presumption of literacy must do so by a preponderance of the credible evidence. It would then become a question to be determined by the trier of fact. It would then become a question issue may be seized upon by recalcitrant officials as a means of dragging our proceedings. Therefore an attorney should always be prepared to conclusively establish an applicant's literacy so they can dispose of the issue as expeditiously as possible.

Although this rule of evidence applies only to those actions brought by the Attorney General to enforce any right or privilege secured by subsections (a) or (b) of Section 1971, it may possible be employed with great effectiveness in other ways. The court should be encouraged to draw upon the presumption as a basis for an argument by analogy. It should be argued that this is a legislative judgment of a desireable rule of evidence and, therefore, it should be used as a guideline in any case where literacy of any person is an issue. It may also be useful for registration applicants to present the local officials with certified proof of their educational background. This could possibly serve to make such officials hesitant in disqualifying applicants on the basis of literacy since they will undoubtedly be aware of the effect of such a certificate in a legal proceeding.

Section 101 (C)

Section 101 (C) is the new section of 1071 (f). It makes it plain that the words "Federal election," when used in subsections (a) or (c) of Section 1971, apply equally to general, spedial, and primary elections. Moreover, the provisions apply not only to those elections which are exclusively federal, but also to those which are federal in part (i.e., to any state or local election which is held in conjunction with a federal election.)

Although the provisions of title I are consistently restricted to federal elections as defined in this paragraph of the section, it is believed that they may also be collaterally applicable to elections held solely for the purpose of selecting state or local officials. 42 U.S.C. 1971 (a) (1) applies to all elections and to all persons acting under color of law (U.S. v. McElveen, 177 F. Supp. 355, 358; D.C. La. 1959); it provides that all citizens "qualified by law to vote at any election by the people" in any territorial subdivision, shall be allowed to vote at all such elections. Therefore, it would seem to follow that once such a citizen has been qualified under State law to vote in any Federal election, he may not be denied the right to vote in any other election. Moreover, subsection (e) of the existing law (42 U.S.C. 1971) provides another means of filtering the provisions of title I through to state or local elections. Any voting referees appointed by the courts pursuant to subsection (e) of Section 1971 have the power to make findings applicable to any election and the court may then order the registration for all elections of the persons encompassed by these findings.

THE SCOPE OF THE THREE JUDGE COURT PROVISION

The first paragraph of Subsection 101 (d) (42 U.S.C. 1971 (h)) is perhaps the most significant addition to the federal voting rights provisions. It authorizes the Attorney General, or any defendent in a suit brought by the Attorney General, to request that certain cases be tried and determined before a court of three judges. Heretofore, this procedure had been used primarily in cases challenging the constitutionality of state or federal statutes and enjoining the enforcement of such statutes, or of administrative orders issued pursuant to such statutes (28 U.S.C. 2281, 2282, 2284). Past performance has shown that the three judge court device is tremendously effective and that there is a great advantage to be gained by using it. Its use in voting rights cases should effectively insure speedy and just litigation of these controversies.

However, because the wording of the subsection is somewhat confusing, in several areas, its scope may be somewhat limited.

First of all, the use of the courts is limited to any proceeding instituted under this section. It is possible that this has reference only to section 101 of the Civil Rights Act of 1964. This would narrow the scope of this subsection considerably. However, since section 101 contains no express authority to institute suits, it is more probable that it refers to any suit instituted under 42 U.S.C. 1971.

Secondly, the authority of Subsection 101 (d) is limited to cases in which the Attorney General requests a finding of a pattern or practice of discrimination pursuant to subsection (e) of U.S.C. 1971. This is confusing because the Attorney General, technically, does not request such a finding pursuant to subsection (e). On its terms, that subsection does not limit or expand the Attorney General's discretion to ask the court to make such a finding - presumably, he could request such a finding in any action brought to end voter discrimination and, to be consistant, also request the three judge court in any such action. However, this is a broad interpretation of the statutory language and it is more probable that the courts will limit the use of three judge courts to actions instituted under subsection (c) of 1971 because of a deprivation of any right or privilege secured by subsection (a) of 1971. This would mean that a court of three judges would not be available, under Title I, in any action instituted under subsection (c) solely to enforce subsection (b) of 1971, (Intimidation, threats, coercion). This is especially probable in view of the single-judge designation provision of this subsection which specifically refers to "any proceedings brought under subsection (c) of this section to enforce subsection (b) of this section."

However, even a narrow construction of subsection 101 (d) may not have any practical effect on the availability of the three-judge court. Subsection 101 specifically provides that such a court is to be convened to hear and determine the entire case. This means that the three judge court will decide not only the outcome of the case but also the pattern or practice question and every other question involved in the case. Therefore, it will not be necessary for the court to find that "any person who has been deprived on account of race or color of any right or privilege secured by subsection (a) of this section" (42 U. S. C. 1971 (e)) before it convenes the three judge court. With this in mind, whenever the Attorney General wishes to have a three-judge court hear and determine an action instituted to enforce subsection (b) of 1971, he should also allege that the injured party has been deprived of a right or privilege secured by subsection (a) of 1971.

In view of all this, any person complaining to the Justice Department under subsection (b) of 1971 should also complain under subsection (a) of 1971. The Attorney General should be encouraged to use this three-judge court power as frequently as possible. Also, if the issue of the scope of the Attorney General's discretion under this paragraph of subsection 101 (d) is ever raised, it would be helpful for interested parties to file amicus curiae briefs in support of his discretion to request a three-judge court in any proceeding instituted under 42 U. S. C. 1971.

THE DESIGNATION AND EXPEDITION OF PROCEEDINGS IN WHICH A THREE JUDGE COURT HAS BEEN REQUESTED

When such a proceeding is begun in a Federal District Court, the clerk of that court is required to immediately refer the request to the chief judge of the circuit or, in his absence, the presiding circuit judge, It is then his duty to immediately designate a panel of three judges composed of:

1) a district judge of the court in which the proceeding was instituted;
2) a circuit judge of that circuit (or assigned to that circuit); and
3) any other judge of that circuit (or assigned thereto).

It is hoped that these panels will be so well balanced and will reflect such a broad range of views that they will quickly be able to effect the judicial elimination of patterns or practices of voter discrimination. The Act requires a proceeding before such a court to be assigned for a hearing at the earliest practicable date and expedited in every way possible. Moreover, an appeal from the final judgment of such a court will lie directly to the Supreme Court. In cases where even such expeditious handling of the proceeding will not prevent specified irreperable damage from happening, the district judge, to whom the application is made, may grant a temporary restraining order to prevent that damage. (28 U. S. C. 2284(3)).

THE INDIVIDUAL CLAIM TO THE BENEFIT OF A THREE-JUDGE COURT CONVENED PURSUANT TO SUBSECTION 101 (d)

It would be tremendously advantageous for individuals, upon whose complaint the Attorney General has instituted a civil action and requested a three-judge court, to be made parties to that action. As parties to an action before an impartial three-judge court they would have a better chance to secure redress (including money damages). This might prove to be an effective deterent to offending registrars.

Section 101 (d) does not on its face authorize the injured party to participate in the three-judge court proceeding, and, therefore, authority must be found outside of its provisions. There are two possibilities:

a) Any person desiring to intervene with the court's permission must serve a motion for intervention upon all parties (stating the grounds on which he relies) together with a pleading containing a claim for relief. It is clear that the court could, in its discretion, permit the party to intervene if his intervention would not unduly delay or prejudice the adjudiciation of the rights of the parties.

Rule 24 (b) of the Federal Rules of Civil Procedure states:

> Upon timely application anyone may be permitted to intervene in an action: (1) when a statute of the United States confers a conditional right to intervene; or (2) when the applicant's claim or defense and the main action have a question of law or fact in common.

(b) Even though there is an excellent chance that a three-judge court would grant a motion under Rule 24 (b), it would be better if the movant could avoid the risk of judicial discretion and bring himself within the terms of Rule 24 (a), providing for intervention of right:

> Upon timely application anyone shall be permitted to intervene in an action: (1) when a statute of the United States confers an unconditional right to intervene; or (2) when the representation of the applicant's interest by existing parties is or may be inadequate and the applicant is or may be bound by a judgment in the action; or (3) when the applicant is so situated as to be adversely affected by a distribution or other disposition of property which is in the custody or subject to the control or disposition of the court or an officer thereof.

Rule 24 (a) (2) seems most appropriate. The use of the words "is or may be" demonstrates that a mere possibility that these conditions will result is sufficient to permit intervention.

Two of the key words and phrases of Rule 24 are:

a) representation is or may be inadequate: This is a factual question and doubt is often resolved in favor of allowing the applicant to intervene if he asserts that he may not be adequately represented. Grounds for such an assertion may be easily found: eg., the possible failure of his representative to take an appeal if he loses, or, that fact that the would-be intervenor is not on friendly terms with the attorney who represents his interests. The individual has a unique interest in his voting rights which may not be adequately represented by the Attorney General.

b) is or may be bound: There is considerable disagreement in the courts over the interpretation of this phrase. Some courts have taken the realistic approach and claimed that it means only that the applicant may be put to a practical disadvantage if he is not allowed to intervene (eg., because of the effect of stare decisis). But the Supreme Court, in Sam Fox Publishing Co. v. U.S., 366 U.S. 683 (1961), said that a party is or may be bound only when he would be legally bound by the judgment. The result of this construction is to create a dilemma which completely emasculates the effect of Rule 24 (a) (2). If the representation of an absent party is inadequate, he will not be bound by the judgment in the proceeding, and, if he is adequately represented, he does not satisfy the other requirement of the rule. In either event, he cannot intervene. Because of this dilemma some circuit courts have tended to construe narrowly the Fox case in order that this part of the rule not be rendered worthless. Thus the

Second Circuit has strictly limited Fox to the very special circumstances of a government anti-trust action (International Mortgage & Investment Corporation v. Von Clemm, 301 F. 2d 857 (2nd cir. 1962)).

In any event, a valid argument for intervention by a private person in a suit instituted by the Attorney General to enforce the voting rights provisions may be made. Any motion for intervention should, of course, point out the possible harmful effects of not being allowed to intervene. The movant should stress that he may be denied complete relief unless he is allowed to combine his claim for relief with the Attorney General's.

DESIGNATION IN SINGLE - JUDGE COURTS

The second paragraph of subsection 101(d) concerns the designation of a district judge (or, if unavailable, a circuit judge) in all proceedings authorized by this subsection in which neither the Attorney General nor any defendent requests a three-judge court and in any proceeding brought under subsection (c) of Section 1971 of Title 42 to enforce subsection (b) of section 1971. Such a judge must be designated immediately -- his designation taking precedence over the designation of judges for cases of other types already on the docket. Such preferential designation is unavailable in private actions and this is one more reason why it is desirable to allow an individual plaintiff to intervene in a proceeding instituted by the Attorney General.

THE EXPEDITING PROVISIONS

The third and final paragraph of subsection 101 (d) contains an expediting provision very similar to the one for the three-judge courts which was alluded to above. It has reference to the duty of the judge designated pursuant to this section. The meaning of this wording is not entirely plain and may be the subject of judicial interpretation.

If it is narrowly interpreted, the expediting provision might apply only to those cases in which the judge is appointed pursuant to the designating provisions of this subsection (designated pursuant to this section). These provisions are limited to suits instituted by the Attorney General and, therefore, such a restricted interpretation would be highly undesirable.

The broader and more desirable interpretation would apply the provision to any judge designated to hear and determine any case arising under section 1971 of Title 42. This would mean that any case, whether brought by the Attorney General or by a private individual must be assigned for hearing at the earliest practicable date and in every way expedited.

THE CONTEMPT POWERS OF THE COURTS UNDER TITLE I.

Every court, in which a suit is instituted pursuant to 42 U.S.C. 1971, may use its civil contempt powers to compel obedience to its orders.

The same courts may also punish disobedience through its criminal contempt powers without a jury trial. Since Title I was specifically excluded from the jury trial provisions of section 1101 of Title XI, the criminal contempt powers of the court are governed by existing law.

Under the Civil Rights Act of 1957 criminal contempt is punishable by a fine of up to $1000 and/or imprisonment of up to six months in jail. The judge may, in his discretion, try the defendant with or without a jury. But if the court, acting without a jury, adjudges a fine of more than $300 or imprisonment in excess of 45 days, the defendant may request a new trial before a jury. Arguably, these provisions would still apply to trials for criminal contempt arising under Title I.

However, it must be noted that Title I is an amendment to "Section 2004 of the Revised Statutes as amended by section 131 of the Civil Rights Act of 1960." Since section 151 (42 U.S.C. 1995) of the Civil Rights Act of 1957, which contains the provisions concerning criminal contempts, it is specifically limited to criminal contempt proceedings arising under that Act, it may be argued that Section 151 of the Civil Rights Act of 1957 will not apply to Title I of the Civil Rights Act of 1964. If this is the case, the only limitation on the power of the court to punish criminal contempts, arising under the provisions of Title I, without a jury, is the dictum of the Supreme Court in the recent case of U.S. v. Barnett. There it was said that there must be a jury trial in criminal contempt cases where the punishment is more than that provided for "petty offenses".

However this point might be interpreted, it is clear that a judge may punish to some extent criminal contempts, arising under the provisions of Title I, summarily without a jury.

CONSTITUTIONAL BASIS OF TITLE I

The legislation may be attacked constitutionally because of the fact that the establishment of voter qualifications, even for federal elections, is typically a matter subject to the regulatory powers of the State. Although there is little danger that such an attack will succeed, lawyers should be prepared to argue the point. An excellent discussion in the Congressional Record, March 30, 1964, at p. 6310, covers the pertinent points.

It is interesting to note that if the defendant in a voting rights action seeks to enjoin enforcement of the provision on the basis of its alleged unconstitutionality, the plaintiff may move to have the issue decided by a three-judge court (28 U.S.C. 2282, 2284) even though such a court would otherwise be unavailable.

TITLE II - INJUNCTIVE RELIEF AGAINST DISCRIMINATION IN PLACES OF PUBLIC ACCOMODATION

ESTABLISHMENTS COVERED BY TITLE II

Section 201 (b) and 201 (c) - BASIC COVERAGE

For an establishment to be covered by title II, it must be one of the establishments contemplated by subparagraphs (1) through (4) of Section 201 (b). In addition, either its operations must affect commerce or discrimination by it must be supported by state action.

Subparagraph (1): The Attorney General, at a Congressional hearing, (see Congressional Record, March 10, 1964, p. 4656), stated that lodgings open to transients are covered by the Commerce Clause of the Constitution. There is thus a presumption that lodging open to transients serve interstate travelers. The establishment need not be open solely to transients; it is enough if the establishment has some transient customers. One probably need not argue that the number of transients is "substantial". However, if there are no transients in the establishment when the abuse complained of occurs, it may be necessary to show that transients are "customary" guests.

Subparagraph (2): The Senate manager of this title of the bill stated (Congressional Record, April 9, 1964, p. 7179), that taverns and nightclubs are not intended to be within the scope of this subparagraph. However, nightclubs which provide entertainment can be included under subparagraph (3). Perhaps, taverns or bars which have an operating television for customers can also be included under (3). In any case, the language of subparagraph (2) does not exclude taverns or nightclubs. Since there is no rationale for excluding these establishments - virtually all hard liquor is shipped interstate - the legislative history whould be challenged. Of course, no facility under (2) is covered, unless it meets the requirements of Section 201 (c) (2).

Subparagraph (3): The legislative history, (Congressional Record, April 9, 1964, p. 7179), on this subsection indicates that only "spectator" events are intended. But the language of the statute does not exclude such places of entertainment as bowling alleys, billiard halls, golf courses, swimming pools, and dance studios. If one of these "active" or "customer participation" places of entertainment is physically located within an amusement park which has a sports arena, circus, or other "spectator" entertainment, then it is covered by the title. This conclusion is reached under subparagraph (4): the amusement park is covered because there is a "spectator" event within its premises (subparagraph (4) (A) (ii)), and the "customer participation" entertainment is covered because it is physically within the amusement park (subparagraph (4) (A) (i)).

Note that under Section 201 (c) the particular entertainment which has segregated audiences need not be one which"moves in commerce" to be covered. It is sufficient that the exhibiting establishment "customarily" presents entertainment which moves in commerece. The entertainment in question need not charge admission to affect commerce. For the purposes of Section 201 (b) (3), commerce may mean simply interstate travel. A free concert series, for instance, is covered, if it is performed in more than one state. If "customer participation" entertainment is covered by Section 201 (b) (3), then bowling alley, etc., which customarily serves out-of-state customers is covered by Section 201 (c) (3). This coverage would result if the customers themselves can be properly regarded as sources of entertainment and if they travel interstate.

Subparagraph (4): Legislative history indicates that (4)(A)(ii) is not designed to include an office building which, for example, has a restaurant on the street level; neither offices in the building nor an adjacent shop facing the street is covered. This non-coverage is expressed by the language of Section 201 (b) (4) (B) which provides the additional requirement that the establishment within which is a covered establishment must hold itself out as serving patrons of the covered establishment. However, a department store which has a restaurant physically within its premises would be covered since the department store would hold itself out as serving patrons of the restaurant. Furthermore, since the department store is covered, an independent shop within it would be covered because such a shop would fall under subparagraph (4) (A)(i).

Section 201 (d) STATE ACTION

This subsection (d) is both more broad and more narrow than Section 202 of title II. It is more broad because its definition of government action goes beyond statutes and regulations to enforcement activities of state officials or simply actions of the state.. It is nareover because it refers to only establishments listed under Section 201 (b).

Apropos the definitions of state action in Sec. 201 (d) and Sec. 202, the Supreme Court in a recent decision - Bell v. Maryland, June 22, 1964, - split three ways on the question whether the 13th Amendment forbids discrimination in public accomodations. More specifically, the issue was whether the state court's enforcement of trespass laws which were used to effect segregated public accomodations is state action within the scope of the 14th Amendment. Three judges did not pass on the issue. Three said that it is such state action, and three claimed that it is not and that the Supreme Court had never in the past held so. Mr. Justice Black, speaking for the last three denied that the 14th Amendment applied generally to all public accomodations, but made it as clear as is proper in such circumstances that nevertheless title II of this bill is constitutionally sound. The legislature can declare certain activities of private persons or of the states illegal, even though those activities are not unconstitutional.

Section 201 (e) - PRIVATE CLUBS

Comments in the Congressional Record indicate the intent not to allow this subsection to be a loophole for public accomodations seeking to avoid desegregation. The words "bona fide" before "private club" were deleted from this section by a Senate floor amendment. This change will have little effect since the question in the courts will be not whether the club calls itself private but whether it in fact serves the public. For example, the manager of title II in the Senate said, (Congressional Record, April 9, 1964, p. 2178) that a motel could not create a "club" for its recreational facilities by charging a small membership fee to white guests. Even if this "club" were found to be private by the courts, it would be covered by Section 201 (b) (4); since its facilities are available to the patrons of an establishment covered by Section 201 (b) (1).

Section 202 - STATE ACTION IN SUPPORT OF DISCRIMINATION

This section applies to any establishment or place, and is thus not limited to public accomodations as defined in Section 201. In this respect it is much broader than Section 201, but the type of state action requisite for coverage by Section 202 must be much more direct than is required for coverage by Section 201. To fall within Section 201 (e) it is sufficient that the discrimination be "carried on under color of any custom or usage required or enforced by officials of the State or political subdivision;" to fall within Section 202 the discrimination must be purported to be required by law, statute, ordinance, regulation, rule, or order of the state or political subdivision.

Section 204 (a) - INTERVENTION BY THE ATTORNEY GENERAL

This subsection provides that the court "may, in its discretion," permit the Attorney General to intervene in an action brought by an aggrieved person. By refusing to allow such intervention, a district court judge could frustrate effective desegregation in instances where it is impracticable for the aggrieved person to sustain a suit. For example, an interstate traveller refused lodging at a motel will be able to bring an action but will be unable to sustain it effectively unless intervention is allowed. In such an instance, the Attorney General should be urged by interested persons and groups to intervene.

These difficulties in Section 204 (a) may be avoided by recourse to Section 206. Under that section the Attorney General may sue directly if certain requisites are met. Pressure should be put on the Attorney General to exercise this power given him under Section 206.

It should be noted that Section 204 (a) ostensibly provides only civil injunctive relief. If the defendant is tried for criminal contempt, he has a right to trial by jury as provided in title XI of this bill.

Section 204 (b) - ATTORNEY'S FEES

This section provides that the prevailing party in an action may be awarded reasonable attorney's fees. Frequently making such awards would serve as a deterrent to delay.

Section 204 (c) - THE RES JUDICATA EFFECT OF STATE DETERMINATIONS

Southern states seeking to delay and thwart desegregation will undoubtedly pass laws prohibiting segregation and authorizing a state commission to enforce the laws. This will delay action 30 days under the terms of this subsection. A key issue in this regard is the problem of res judicata as applied to the findings of such a state court or administrative body. A decisive argument can be made for the view that there is no res judicata. The important clause is "the court may stay proceedings --- pending the termination of state --- proceedings." The word "may" indicates that the District Court need wait only 30 days - even though the state court has not come to a final determination. There can be no dispute that the language of this subsection says that there is no res judicata - except at the discretion of the district court - if the state court has not come to a decision within 30 days of notice of discrimination. The same import is found in Section 207 (a) which states that the district courts "shall" (i.e., "must," rather than "may") exercise jurisdiction without regard to whether the aggrieved party shall have exhausted state remedies. Congress realized that forcing the federal courts to await the outcome of state actions would be consistent with a policy of res judicata but would subject litigants to intolerable expense and delay. Similarly, the authors of this act were aware that the findings of fact in Southern state courts in civil rights cases are often contrary to the evidence and designed to quash suits. If a res judicata effect on the federal courts were allowed to apply to these findings, the Southern states could nullify much of the effectiveness of the 1964 Civil Rights Act. Complainants could have to appeal through the state courts, rather than use the direct and expedited procedures of the act, procedures created specifically to avoid this costly process. It is, therefore, in accord with the spirit and language of this subsection to say that a district court must allow federal proceedings after 30 days, even if a state court has found against the aggrieved party.

Another question concerning this subsection is the power of the district court to grant a temporary injunction while the state agency or court is determining the issue. The policy arguments for this power are obvious; if there are demonstrations over a segregated establishment and/or threats of social unrest and violence, speedy judicial action is necessary.

Section 204 (d) - REFERRAL TO THE COMMUNITY RELATIONS SERVICE

An unfriendly district court can use this subsection to delay a case up to four months. The language gives the court broad discretionary power to refer the suit to the Community Relations Service. Such discretionary power is rarely appealable. However, the fact that the court may refer the matter only as long as it believes there is a reasonable possibility of obtaining voluntary compliance may serve as a check on gross abuses of discretion. The best technique is to get the Community Relations Service to write a letter to the court declaring that it is unable to secure voluntary complaince and that the court should proceed with injunctive process. This requires civil rights attorneys and organizations to exert pressure on the Administration to insure a liberal and cooperative Community Relations Service. Note that under this subsection the state need have only a law prohibiting the discriminatory practice in question; whereas in subsection (c) the state law had to prohibit discrimination and establish a local authority to implement its provisions. However, the full requirements should also be read into 204 (d) by implication.

Section 205 - COMMUNITY RELATIONS SERVICE

According to Section 204 (d) the Service cannot act if the state has passed a law prohibiting the discrimination in question. But Section 1102 of title X allows the Service to offer its services on its own motion or on that of an interested party, if, in its judgment, peaceful relations among citizens of the community are threatened. This is important, because disputes are quite likely to develop over public accomodations. Disputes in the past led to the present legislation. The Service, therefore, will have ample opportunity to act under Section 1102. In fact, there is no reason why it can not act concurrently with the state agency under Section 204 (c) - thus acting as a "watchdog" over bad faith proceedings (or lack of proceedings) by the state body.

Section 206 (a) - SUITS BY THE ATTORNEY GENERAL

Under this subsection the Attorney General is given power to commence actions directly, and it will be the function of civil rights groups to encourage him to use this power. He may act whenever he has reasonable cause to believe that there is a pattern or practice of resistance to the full enjoyment of the right to public accomodations. A practice can be two discriminatory acts by a single individual. It is also required that the pattern or practice be intended to deny the exercise of these rights, but the requisite intent need be only the intent to discriminate and not the intent to break the law.

The Attorney General may request any relief which "he deems necessary," but this is limited by the requirement that it be preventive relief. This may allow, for instance, an order to close a public accomodation unless the owner posts a bond which will be forfeited, if he does not comply with a desegregation ruling. Section 207 (b), however, states that "the remedies provided in this title shall be the exclusive means of enforcing the rights hereby created." But, as has been pointed out, the wording of Section 206 (a) is open-ended - not exclusive.

Actions by the Attorney General are to the advantage of both parties. The complainant who wishes to eliminate discriminatory practides is better served by an action by the Attorney General, because such an action can end a whole pattern of discriminatory practices - not just the practices of the particular establishment which is the subject of the complaint. On the other hand, the defendant establishment wshould prefer an action by the Attorney General against a pattern of non-compliance in its area because, if a single establishment is forced to desegregate by a private suit, it will be put at a disadvantage with its competitors.

Section 206 (b) - THE THREE JUDGE COURT

This subsection is highly important, because it provides a means to avoid a prejudiced district court judge. The Attorney General has the discretionary power to ask for a three-judge court chosen by the chief judge of the circuit. If the Attorney General fails to request such a court, the chief judge of the district choses the judge who will try the case. Note that the three judge court is made up of at least one circuit judge and "a district judge of the court in which the proceeding was instituted." Thus the chief of the circuit selects the district judge, hopefully assuring that the fairer ones in the district will sit on the court. The limitation on the Attorney General's right to request a three judge court is that he must certify that the case is of general public importance. This requirement should not be hard to meet. Civil rights often involve "general public importance" since demonstrations creating a possibility of public disorder and the necessity for speedy and effectige resolution of the alleged abuse are normally present.

Section 207 (a) - JURISDICTION OF DISTRICT COURTS

The directive in this subsection that the district courts "shall exercise" jurisdiction, rather than that they merely have the right to jurisdiction is rather unusual in federal statuatory law and indicates the strong congressional policy to provide impartial tribunals for civil rights complainants. The purpose of the section is to avoid state judicial or administrative tribunals under the exhaustion of administrative remedies or comity doctrines.

Section 207 (b) - REMEDIES ARE EXCLUSIVE

The "exclusive" language of this subsection weakens Title 2. Specifically, a private individual cannot sue under other Civil Rights Acts (e.g., damages under 42 USC 1983) for infractions of this title.

TITLE III - DESEGREGATION OF PUBLIC FACILITIES:

SUITS BY THE ATTORNEY GENERAL

Section 301 (a): The phrase "any public facility ... operated ... on behalf of any State" indicates that facilities that are merely licensed or regulated by the state are not included under this title - they must be licensed or regulated "on behalf of" the state. Legislative history indicates that such facilities as state and local hospitals, pools, golf courses, beaches, parks, clinics, auditoriums, stadiums, libraries, court rooms, armories, civil defense shelters, jails, and community centers are covered, but "intangibles" like a government program or activity is not. The Attorney General in a Senate hearing declared that even a Chamber of Commerce or a United Givers Fund which is supported by government funds is not within the scope of this subsection. This legislative history should be challenged. There is no rationale for making a distinction between a program-activity and a facility managed on behalf of the State. Certainly, a United Fund supported in part by the state and designed to help the needy and less fortunate should not discriminate in the allocations of its funds on the basis of race.

Note the language "the Attorney General is authorized to institute for or in the name of the United States a civil action." "For or in the name of" appears to indicate that the Attorney General may institute proceedings either "for" the government, or only "in the name of the United States," but for the individual complainant. The Attorney General would then fall within the authorizing language of Section 303 and would be able to sue for civil damages in behalf of the complainant. The language that the Attorney General may sue "for such relief as may be appropriate" reinforces this interpretation of the "for or in the name of" phrase.

Like Section 207 (a), Section 301 (a) states that the district court "shall have and shall exercise jurisdiction" — a clear directice that the federal court may not defer to a possibly hostile state court or agency. The language is itself a disciplinary device to check district judges who wish to thwart desegregation.

Section 301 (b):

Under Section 301 (a) the Attorney General may institute a suit against a segregated public facility when he decides that the individual complainant is unable to do so effectively. The present subsection gives the Attorney General broad discretion in deciding that the complainant is unable to bring suit. It is up to civil rights groups to force him to utilize this wide discretion. Note the phrase "other organizations" which refers to the anti-barrity statutes in a number of Southern jurisdictions which make it dangerous and impractical for the NAACP to give legal assistance to civil rights complainants. Such a state statute should be pointed out to the Attorney General when requesting that he institute proceedings. Section 301 (b) embodies the intent of Congress as expressed in legislative history to right the balance between the individual citizen and the manifold power of state governments by allowing the United States attorney General to represent the citizen.

TITLE IV - DESEGREGATION OF PUBLIC EDUCATION

Section 401 - DESEGREGATION, PUBLIC SCHOOLS, PUBLIC COLLEGES DEFINED

The definition of "desegregation" in Section 401 (b) regretably does not include "the assignment of students to public schools in order to remove racial imbalance." On its face the definition seems to incorporate the "neighborhood school system" into the Title. Thus in communities with racially segregated housing, the problems of de facto school segregation will not be specifically solved by this Act. However, in the South, where it is the present practice to have two school systems juxtaposed upon each other, the definition allows for the integration of the systems under the Act. Schools in the neighborhood of both whites and Negroes will have to accept all students regardless of race.

Despite the "busing" exclusion, the definition is broad enough to allow for several inroads into the racial imbalance problem in the public schools. Nothing is said about the transfer of students from school to school to prevent the development of racial imbalance. In certain areas where communities are relatively heterogeneous, more Negroes than whites or vice versa, may move into the neighborhood thereby threatening the present racial balance in the schools. Presumably transportation of students to maintain a racial balance can be considered desegregation within the meaning of the Title.

In the South, where the above situation does not exist, the problem of imbalance may be approached through the construction of new schools. New school sites should be carefully selected and, where possible, should be located within easy reach of both Negro and white communities. Where school building, maintainance, and aid is substantially financed through federal funds, means of coercing state officials to select proper building sites exist under Title VI. As empowered by Section 602 of Title VI of this Act, the Commissioner of Education should promulgate a rule requiring a state or district school board to consider the racial question along with other factors in considering building sites. The weight given to the racial question should be very substantial, and if the Commissioner felt that such a rule was being ignored, he could proceed under Section 602 to cut off federal building funds. If the school is built through the use of state and local funds in spite of the cut off of federal money, then presumably the Commissioner could withhold federal aid to that school after it is built.

A private citizen, also, who alleges that the choice of a school building site discriminates against his children may proceed against the Commission. He could bring suit under Section 601 to (1) enjoin the disbursing of federal money for building the school, and (2) to enjoin giving subsequent federal aid to that school if built with state and local funds, but his success in the second case may be questionable because of the difficulty he may have in showing how aid to the already built school personally harms him. Also under section 601 the private citizen may be able to bring suit directly to enjoin the state from building the school on the proposed site on the grounds that the site is discriminatory, and the program of building is receiving "federal financial assistance," be it ever so little. If at this point the state declines to accept any federal assistance under the program, the complaint can and should be made to read that plaintiff is now "being denied the benefits of " the particular program.

A complaint also should be directed to the Attorney General under section 407 alleging that the choice of the school site is, in effect, a denial of equal protection of the laws, since it is a means of purposely maintaining segregation. This may bring the U.S. into the picture against the state if the other requirements of section 407 are met. Thus, by (1) the Commission proceeding under Section 602, (2) a private action under Section 601, and (3) a complaint directed to the Attorney General under Section 407, the state may be effectively stopped from erecting schools in the middle of white neighborhoods far from Negro communities.

Under Section 401 (c) public schools and colleges must be either "operated by a State, subdivision of a state, or governmental agency within a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source" in order to come within this Title. The underlined portion above will be used to delineate the public from genuinely private schools or colleges when actual controversies arise.

The use of the word "predominantly" in this section presents a ready ambiguity. On one hand it can mean greater than fifty per cent of the operating funds or property are governmental. On the other, it may have a broader and still perfectly valid meaning. If the governmental funds or property form the largest single operating resource of the school or college, the school or college may well come within this Title. This latter interpretation is by far the one to be preferred. Under it the actual percentage of governmental funds or property may be quite small, yet the college or school is covered.

In order to succeed in convincing the courts of the validity of this view, cases must be selected carefully. A case involving a school which is operationally financed up to about forty per cent through government sources, the remainder through numerous and considerably smaller grants, would be a good starter since governmental predominance can be easily shown. Once the courts have accepted the position that "predominately" can mean less than fifty per cent, they will have a hard time drawing any line except that of the single greatest source of funds or property.

The distinction between funds and property may be significant. Because of this distinction a school may be getting very little monetary aid, yet qualify as "public" because its real and personal property may be predominately derived from a governmental source.

The interpretation by the courts of the words: "from," "through the use of," and " derived from a governmental source" with reference to funds or property, is also of great potential importance in defining the scope of voverage of this Title. The exact meanings of the three terms are unclear, but probable meanings are:

> "from" - direct grants of money for school construction, etc.; personal property or equiptment and real property either given or sold by the government (state or federal) to the school or college.
>
> "through the use of" - money lent by government to the school or college at zero or some rate of interest; equipment or real property on loan or leased to the school or college for some or no consideration.
>
> "derived fwom a governmental source" - money saved through tax exemptions (i.e. money which the school or college would not have but for tax exemptions of different sorts), interest dividends, or other income form direct investments in government securities or from reinvestment of government loans, governmental funds which have come to the school or college indirectly; surplus governmental personal property or equipment which has indirectly worked itself into the possession of the school or college.

Just how indirect the route from government to school or college can be is not indicated. It seems therefore, and this should be stressed by the attorney, that this phrase invites a liberal construction.

Under Section 401 (d), where a state has an official or unofficial policy of segregation within the schools of that state, it can be cogently argued that the state itself is the school board within the meaning of this section. For segregation is that state's policy of "assignment of students to or within such (school) system."

Section 402 - SURVEY AND REPORT OF EDUCATIONAL OPPORTUNITIES

The Commissioner's survey and report is the only place where a study of racial imbalance and de facto segregation is specifically provided for. The survey, to be of value, must be of a highly detailed and thorough nature. Every school district and institute of higher learning in the country should be studied with regard to each variable mentioned: race, color, religion, national origin, and the equality or lack of equality of educational opportunities. If properly carried out, such a study will provide information invaluable to Congress in future dealings with the problems of de facto segregation. Since this Act under any reading does not forbid action by state or local authorities to combat de facto segregation, public and private groups would find such a study extremely useful in campaigning against de facto segregation.

Unfortunately Section 402 calls for only the single survey and report to the President and Congress. Certainly periodic reports would be of extreme value as an indication of the effect of this Title on racial imbalance in the schools and as an indication of the increasing or decreasing need for further sweeping legislation. Educators should therefore urge House and Senate leaders to supplement Section 402 with further legislation providing for additional reports to the President and Congress.

The importance of adequate appropriations by Congress for implementing Section 402 must not be ignored. The quality of the report that comes out will depend on the quality and number of the staff personel, and these, in turn, depend on finances appropriated by Congress. Time should therefore be spent explaining the far reaching importance of the report to the various Congressmen on the Committees directly involved.

Section 403 - TECHNICAL ASSISTANCE

The Commissioner of Education is also authorized to render technical assistance, upon application of a governmental unit responsible for running a school or schools, to such applicant in coping with desegregation problems.

Such assistance can only be forthcoming at the application of the appropriate school authorities, and according to Senator Humphrey, it will be available, if requested, when desegregation is accomplished under court order rather than voluntarily (p. 6321 Congressional Record, Senate, March 30, 1964).

One problem which may arise is that a particular town or city may decide to desegregate its schools whereas the state officials remain adamantly opposed. The town or city may be more than hesitant to request technical assistance under this section for fear of reprisals in the form of cut off of state funds for school operations and perhaps for other operations. Sections 601, 407, and 902 of this Act may provide answers to this serious problem. A private citizen, either Negro or white, in the particular town will certainly be deprived of the benifits of the federal program of assistance to desegregation under Section 403. That Section 601 speaks of "Federal financial assistance" rather than technical assistance does not seem critical. The town or city without this federal technical assistance would have to get it elsewhere, which undoubtedly would involve hiring experts and spending large sums of money. So in a very real sense, federal technical assistance saves the town or city large expenditures and is therefore tantamount to the "Federal financial assistance" of Section 601. If this is so, and it is eminently reasonable that the Courts so find, then the private citizen should be able to sue to enjoin the state from interfering with such federal program. Such a suit would probably be successful because the aim of Section 601 is to end discrimination in and provide for the benefits of federally assisted programs rather than to terminate such pr9grams.

The Attorney General may also be able to proceed under Section 407 against the state as a "school board" for "such relief as may be approbate." Such relief would obviously include an injunction against the state to prevent it from cutting off funds to the town or city, attempting to close a school, or otherwise interfering with the federal program.

Such action by the Attorney General is proper since it can be shown that cutting off or threatening to cut off state funds to a city trying to desegregate its schools deprives the citizens of equal protection of the laws. Segregation clearly comes under the ban of the 14th Amendment's Equal Protection Clause, and attempts to prolong segregation are denials of equal protection. Of course, the other requirements of Section 407 must be met in order for the Attorney General to proceed.

However, if the private citizen has brought the suit under Section 601, alleging specifically the denial of equal protection of the laws, the Attorney General may, in his discretion, intervene under Section 902 if he "certifies that the case is of general public importance." The relief the United States is here entitled to is the "appropriate relief" under Section 407. The advantage of the intervention proceeding under Section 902 over a direct suit under Section 407 is that the Attorney General by intervening is not concerned with the plaintiff's ability to "initiate and maintain appropriate legal proceedings." The Attorney Generl can intervene regardless.

Section 404 - TRAINING INSTITUTES

The language of the section does not authorize training institutes to go into the problems of racial imbalance. However, as a practical matter those problems will arise and will almost certainly become part of the regular course of study.

One of the big problems involved with the Training Institutes may be getting many Southern teachers, etc., to attend if they fear that their jobs may be lost or become precarious as a result. However, Section 601 provides them with the means of injuntive and other relief against the states if the state should try, throug harrassment or coercion, to deny them the benifits of the Federal Training Institutes.

These Institutes should of course be set up in the North, but will be needed primarily in the South. Because of the unrest which is anticipated attendant to desegregation in the South, a first step might be to establish the Institutes in colleges located in the Border States. If locations at universities in the deep South are thought necessary immediately, they should be chosen with great care to avoid violence of the type that occurred at the University of Mississippi. Political pressure should be exerted upon the President to supply Federal agents to patrol the grounds of the institutions of higher learning selected as sites for the Institutes.

Section 405 - GRANTS

This section should be considered in conjunction with Section 403, Technical Assistance. Problems likely to arise under this subsection are similar to those under section 403, and treatment of them should also be similar. This section makes a slightly stronger case for private action under Section 601 since the financial aid involved here is direct rather than indirect in that the federal government gives the local authorities money rather than merely saving them from spending it.

Section 406 - PAYMENTS

Allowing payment pursuant to grants or contracts under this Title to be made in advance or as reimbursement may have the effect of giving the Commissioner a limited amount of coercive power. By regulating the time of payments, the Commissioner may be able to get a greater degree of compliance with the terms of the grant or contract than would otherwise be possible. To the extent that this is true, the Commissioner should be encouraged to develop and use this authority.

Section 407 - SUITS BY THE ATTORNEY GENERAL

(a) Before the Attorney General can proceed under this section he must receive a complaint in writing - but it need not be under oath. Two types of complaints are specified, one pertaining to public schools, the other to public colleges.

The allegation of "deprivation of the equal protection of the laws" in complaint number one, regarding public schools, is very broad. The mere fact that Negroes and whites have been assigned to the same school does not satisfy the "equal protection" requirement. The clause anticipates desegregated class rooms and seating withih the rooms, lunch rooms, locker rooms, gymnasiums, playgrounds, school theatrical productions, athletic teams, clubs, and graduation award standards and graduation exercises themselves. Deprivation of equal protection in any of these and other facilities and programs will be valid bases of complaint under this subsection.

Complaint number one: Under this complaint the deprivation must be by the "school board." Where the state has as its official or unofficial policy segregation in education, the state can qualify as the school board under Section 401 (d) and can thus be the defendant in the Attorney General's suit. Deprivations by individual schools within a system or by teachers or staff within a single school relate to the board on principles of the law of agency.

Complaint number two: This complaint pertaining to public colleges, gives a narrow range of protection to the college student. Only if he alleges that he has been denied admission or has not been permitted to continue in attendance at a public college because of race, religion, color, or national origin can the Attorney General even consider entering the case against this section.

Unequal facilities, opportunities, etc., within the public college will probably not form the basis of action under this section unless it can be shown that these inequalities effectively forced the student to leave the school. If this can be shown in an action by the Attorney General under this section, the relief which is appropriate is an injunction against the college authority prohibiting the inequalities which coerced the student into resigning. In this way certain discriminations in public colleges, not approachable directly through the language of this sectin may be indirectly approachable through the coercive nature of the inequalities themselves.

The Attorney General, before commencing the action, must certify that "the signer or signers of such complaint are unable, in his judgement, to initiate and maintain appropriate legal proceedings for relief, and that the institution of an action will materially further the orderly achievement of desegregation in public education." The Attorney General's judgement is final as to these qualifications, and he has a broad discretion as to which cases he will institute.

Civil Rights leaders familiar with methods and consequences of discrimination in public education should therefore approach the Attorney General to explain the need for a very restricted view of the limitations upon his power to sue. It would be pointed out that the inability of the private individual to initiate and to maintain legal proceedings is not critical because of the possibility of avoiding this limitation in many cases where schools are receiving federal aid. A private suit brought under Section 601 alleging denial of equal protection in which the Attorney General intervenes under Section 902 allows for the same relief as if the Attorney General instituted the action under Section 407. By proceeding under Sections 601 and 902 the limitation that the person not be able to initiate and maintain legal proceedings is avoided. While this method will not work all of the time, it may work frequently enough to convince the Attorney General that this limitation upon the rights to sue is not critical and should be construed narrowly.

The certification under Section 407 that the suit will materially aid desegregation should be read in light of the more generally worded certification of public importance in Section 902. Since the latter can frequently be used instead of the former (as shown above), the Attorney General's treating the Section 407 certification as similar to one of public importance will be justified.

Once the suit is brought in the U.S. District Court, the U.S. is entitled to "such relief as may be appropriate." This is broad enough to include damage relief as well as injunctive relief and may be important where injuries have been suffered as a result of segregation and other denials of equal protection of the laws. That the Attorney General and the U.S. can bring proceedings against a school board should have deterrent effects upon a board's policies of non-compliance.

Consistently with Section 401 (b), Section 407 (c) provides that "nothing herein shall impower" any U.S. Court of official to order the transportation of pupils or students from one school to another to achieve racial balance. The word, "herein," above was explained by Senator Humphrey to refer to the entire Act rather than to this Title or section (Congressional Record, June 4, 1964, p. 112289), but dispite this, if any of the language of the Act can be construed to permit or empower the courts to issue such order, there is at least a fair chance that "herein" will be limited in scope to this Title by the courts.

This language of the Section 407 (c) does not preclude a U.S. court or official to seek to achieve a racial balance in schools by means other than transporting students. Therfore, seeking racial balance through school building program, (see supra, discussion of section 401 (b)), is not affected by the present language.

Likewise the transportation of students for any reason other than to "achieve a racial balance" is not covered by the language of this subsection. Transportation to maintain a certain balence (see supra, discussion of Section 401 (b))is probably not affected by the language of Section 407 (a)).

Section 407 (c) states that the term "parent" means anyone standing "in loco parentis," and it may be that "in loco parentis" in a non-technical sense includes teachers. If this is so, a teacher with first hand information of what is occurring in his school could sign the complaint under Section 407 (a). In addition, it may be possible for many parents to authorize a single person other than a teacher to act in the capacity of "parent" in dealing with the educational problems, including those of segregation. The devices could be especially useful if parents are apathetic, uninterested, or afraid to sign the complaint.

Section 409 - EFFECTS OF ATTORNEY GENERAL'S SUIT - RES JUDICATA, COLLATERAL ESTOPPED

Section 409 provides that Title IV in no way abridges the rights of the aggrieved party to bring a private suit to obtain relief against discrimination in public education. It can be argued on the basis of this section that, if a party files a complaint under Section 407, and the Attorney General loses the subsequent suit, the party may then bring a private suit. Since nothing in this Title shall adversely affect the aggrieved party's right to sue, the effects of res judicata and collateral estoppel presumably will not bar his suit. Furthermore, if this second suit is brought by the aggrieved party on the basis of denial of equal protection of the laws, the Attroney General may be able to intervene under Section 902 and thereby get a second chance to end the discrimination.

TITLE V - THE CIVIL RIGHTS COMMISSION

Title V is a series of amendments to the Civil Rights Act of 1957. Below are indicated the changes which are effected by these amendments.

CHANGES IN SECTION 102 OF THE CIVIL RIGHTS ACT OF 1957 (42 U.S.C. 1975a)

RULES OF PROCEDURE FOR COMMISSION HEARINGS

1) Section 102 (a) (42 U.S.C. 1975a(a)): A new sentence is added, requiring the Commission to publish in the Federal Register notice of the time, place and subject of hearings.

2) Section 102 (b) (42 U.S.C. 1975a(c)): Copies of the Commission's rules are now made more than available to witnesses; the rules must be served with the subpena.

3) Section 102 (c) (42 U.S.C. 1975a(c)): It is made explicit that a witness desiring counsel may have it as a matter of right. There is created a duty of the Commission not to delay hearings and to be courteous to witnesses.

4) Section 102 (d) (42 U.S.C. 1975a(d)): The power of the Commission to punish unprofessional ethics on the part of counsel by censure and exclusion is eliminated, but it retains the power to punish breaches of order and decorum by such censure and exclusion.

5) Section 102 (e) (42 U.S.C. 1975a(e)): The procedure to be followed when the Commission determines that evidence or testimony may tend to defame, degrade, or incriminate is made explicit. The person tended to be defamed, degraded, or incriminated is given the right to appear in executive session. If the Commission decides to use the possibly defamatory material, it must give such person an opportunity to be heard in public session.

6) Sections 102 (f) and (g) (42 U.S.C. 1975a(f) and (g)) remain unchanged.

7) Section 102 (h) (42 U.S.C. 1975a(h)): This section of the 1957 Act provided that the Commission shall be the "sole judge" of the pertinency of evidence and testimony. As amended by the 1964 Act, this section now provides that the Commission "shall determine" such pertinency. This change presumably is designed to make clear that a decision by the Commission to allow or not to allow pertinent sworn statements is reviewable as a possible abuse of discretion.

8) Section 102 (i) (42 U.S.C. 1975a(i)): Under the 1957 Act, transcripts of public hearings were made available at cost only to witnesses; they are now made available at cost to the public. The 1964 Act makes it matter of right for a person who submits data or evidence to procure a copy of the data or evidence submitted by him and for a witness in executive session to examine his own testimony. Unless there is

good cause for not allowing it, such a witness may examine a transcript of the entire executive session. Under the 1957 Act these privileges of examining materials from executive sessions could be exercised only upon the authorization of the Commission.

9) Section 102 (j) (42 U.S.C. 1975a(j)): The only changes are the amounts given to witnesses for travel, time, and subsistence.

10) Section 102 (k) (42 U.S.C. 1975a(k)): The scope of effective service of process is expanded to include hearings held in the state in which a person is domiciled or has appointed an agent for receipt of service of process. It is further provided that one may be compelled to attend hearings within fifty miles of the place where he is found or resides or is domiciled or transacts business or has appointed an agent for receipt of service of process. Since in many states agents for receipt of service of process are appointed by operation of law, the question may arise whether the phrase "has appointed" refers to one's being in the state of having an agent appointed or to one's personally appointing an agent.

11) Section 102 (l): This section is entirely new. It requires the Commission to publish in the Federal Register descriptions of its organization and locations, statements of its decision-making process, and the rules which it adopts.

CHANGES IN SECTION 103 OF THE CIVIL RIGHTS ACT OF 1957 (42 U.S.C. 1975b)

COMPENSATION OF MEMBERS OF THE COMMISSION

1) Section 103 (a) (42 U.S.C. 1975b(a)): The changes in this section are mostly increases in the amounts of compensation for members of the Commission. Other changes are: payment for travel expenses may be made in advance instead of by way of reimbursement, and the system of compensation is explicitly geared to Section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2).

2) Section 103 (b) (42 U.S.C. 1975b(b)): The only substantial changes gear compensation for travel expenses of other governmental employees on Commission work to the Travel Expenses Act of 1949 (42 U.S.C. 835-42) and allow for payment of such travel expenses in advance instead of by way of reimbursement.

CHANGES IN SECTION 104 (a) OF THE CIVIL RIGHTS ACT OF 1957 (42 U.S.C. 1975c(a))

DUTIES OF THE COMMISSION

Subparagraph (1) of subsection (a) remains unchanged: the Commission still has the duty to investigate allegations of deprivation of the right to vote. The phrase "because of race, color, religion, or national origin or in the administration of justice" is added to the subparagraphs (2) and (3) to make explicit that the duties of the Commission under those subparagraphs is limited to these specific types of denials of equal protection of the laws under the

Constitution.

Subparagraphs (4), (5), and (6) are new. Subparagraph (4) requires the Commission to serve as a national clearinghouse for information in respect to denials of equal protection of the laws because of race, color, religion, or national origin. Subparagraph (5) differs from subparagraph (1) in that it includes unlawfully according a person the right to vote, is limited to federal elections, and allows the Commission to investigate denials and accordations for reasons other than race, color, religion, or national origin. This provision was designed with the Chicago vote fraud situation in mind, but it can prove useful in investigating, among other things, the more than unitary vote held by some Southern white citizens. Subparagraph (6) has the purpose of preventing further Commission inquiries into the internal affairs of fraternal, religious, and private organizations.

CHANGES IN SECTION 104 (b) OF THE CIVIL RIGHTS ACT OF 1957 (42 U.S.C. 1975c(b))

LIFE OF THE COMMISSION AND REPORTS

The life of the Commission is extended until March 31, 1968. (The final report is due January 31, 1968, and it ceases to exist 60 days thereafter; see Section 104 (c) of the Civil Rights Act of 1957 (42 U.S.C. 1975c(c)). The institutional insecurity and lack of opportunity for long range planning made it highly desirable, however, that the Commission be made permanent.

Congress gave itself power to order an interim report from the Commission. Under the 1957 Act this iniative was reserved only for the Commission and for the President.

CHANGES IN SECTION 105 (f) AND (g) OF THE CIVIL RIGHTS ACT OF 1957 (42 U.S.C. 1975d(f))

THE DECISION TO HOLD HEARINGS

The only change in subsection (f) is the addition of the requirement that the holding of hearings be approved by a majority of the Commission or of the subcommittee which is contemplating holding a hearing.

In subsection (g), the possible venues for court actions against a person who is contumacious or refuses to obey a subpena are expanded to include district courts within the jurisdiction of which the person is domiciled or has appointed an agent for receipt of service or process. Since in many states agents for receipt of service of process are appointed by operation of law, the question may arise whether the phrase "has appointed" refers to one's being in the state of having an agent appointed or to one's personally appointing an agent. The other change in Section 105 (g) is that the court may order the production only of "pertinent, relevant and nonprivileged" evidence.

A NEW SUBSECTION 105 (i) ADDED TO THE CIVIL RIGHTS ACT OF 1957

ADDITIONAL RULES MADE BY THE COMMISSION

This new subsection authorizes the Commission to make rules and regulations necessary to carry out the purposes of the "Act." As this addition is in the form of an amendment, the term "Act" refers to the Civil Rights Act of 1957 as amended by the Civil Rights Acts of 1960 and of 1964, and does not mean the Civil Rights Act of 1964.

COMMISSION HEARINGS IN MISSISSIPPI

THE NEED

It is essential to the effective realization of the Civil Rights Act of 1964 that there be hearings held by the Commission in Mississippi. The value to this end of information which could be collected by such a hearing and of the notoriety which could be given such a hearing would indeed be great. The Civil Rights movement knows too little about Mississippi and Mississippi knows to little about the Civil Rights movement.

THE PREVIOUS TRIES

The Commission has, at least five times, planned to hold hearings in Mississippi. In the latest instance, the situation occassioned by the entry of James Meredith into the University of Mississippi in 1963 led first to the postponement of a hearing and finally to its cancellation. The pressure for the cancellation came from the Justice Department. (See the Congressional Record, April 6, 1964, pp. 6763-4, for correspondence on this matter between Robert Kennedy and John Hannah, then Chairman of the Commission).

THE BASIS OF DECISION

The decision to hold hearings is entirely the Commission's. Section 105 (f) of the Civil Rights Act of 1957, as amended by the Civil Rights Act of 1964, provides that the Commission, or a subcommittee thereof, may "for the purpose of carrying out the provisions of this Act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable."

The Commission's inaction in 1963, and prior thereto, may be understandable, but it is doubtful that it was advisable. Situations such as that which was created by the resistance to the entry of James Meredith into the University threaten to become even more numerous. Such incidents should not be an excuse for inaction but rather a reason for action. The presence of an educative, non-military, and non-judicial force in Mississippi would lessen misunderstanding on the parts of both whites and Negroes. The Commission would demonstrate graphically through hearings the nature of Mississippi society and the rights which there are to be achieved and to be given, concepts not effectively grasped by the majority of Mississippians.

In the Civil Rights Acts of 1957 and 1964 the functions of the Commission are termed "duties." Only by holding hearings in Mississippi can the Commission fully perform this statutory imperative.

NOTORIETY OF HEARINGS

The only limitation on public hearings is Section 102 (e) of the Civil Rights Act of 1957 as amended by the Civil Rights Act of 1964. The Commission must hold executive sessions of it determines that the evidence or testimony to be received may tend to defame, degrade, or incriminate any person. Evenso, such evidence or testimony may be made public by the Commission after the holding of the executive session if the person who may be defamed, degraded, or incriminated is given an opportunity to submit statements at a second public session.

Section 105 (e) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(e)), which is not changed by the 1964 Act, provides that " all Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties." This should be an imperative to the Justice Department and other agencies to use their existing powers to ensure the effectiveness of Mississippi hearings.

SUBPENA OF WITNESSES

There is no limitation in any of the Civil Rights Acts on who is subject to the subpena of the Commission. This subpena power should be pushed to the limit to include as many state government officials and employees as possible.

USE OF NEGROES TO SERVE SUBPENAS

Section 105 (f) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(f)) as amended by the 1964 Act provides that subpenas "may be served by any person designated by *** (the) Chairman." In exercising this designating power, the Commissioner should not discriminate and should appoint Negroes to serve subpenas. Negroes so chosen will gain access to places not covered by the Civil Rights Acts and will gain for themselves and others the feeling and respect which accompany equality.

Anyone who obstructs or resists or opposes a person duly authorized in serving process of a United States Commissioner is subject to criminal penalty under Section 1501 of Title 18 of the United States Code.

REFUSAL TO OBEY SUBPENAS

Section 105 (g) of the Civil Rights Act of 1957 (42 U.S.C. 1975d(g)) as amended by the 1964 Act gives the Attorney General power to apply to the district courts to issue orders compelling the attendance of unwilling witnesses, provided the personal jurisdiction of the court to which he applies is proper. Section 105 (e) of the same Act, which is not changed by the Civil Rights Act of 1964, provides that all federal agencies shall cooperate fully with the Commission. Thus it presumably is a duty of the Justice Department to make such application to the courts to issue an order for the attendance of recalcitrant witnesses.

Section 105 (g) also provides that "failure to obey such order of the court may be punished by said court as a contempt thereof." Since this provision refers only to punishment, it seems to contemplate sanction only for criminal contempt, which is unfortunate because title V of the 1964 Act is subject to the jury trial requirement of title XI for criminal contempt proceedings. However, even though the remedy in such a case is statutory, it can be forcibly argued that the clause was not intended by Congress to limit the traditional power of the courts to secure obedience to orders through exercise of civil contempt powers without a jury.

RIGHT TO COUNSEL AT HEARINGS

It is provided in Section 102 (c) of the Civil Rights Act of 1957 (42 U.S.C. 1975a(c)) as amended by the 1964 Act that "any person compelled to appear in person before the Commission shall be accorded the right to be accompanied and advised by counsel." Presumably this language contemplates the appointment of counsel for indigents, and such construction should be urged to secure effective hearings.

TITLE VI - NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Section 601 - Introduction

The thesis running through the following discussion of section 601 is that it provides an independent right of action for private persons and federal agencies. Its independent authority may be used in court to attempt to get an immediate favorable interpretation of powers and rights under title VI, bypassing the procedures of sections 602 and 603 which may take a year or more to pursue effectively. The fact that section 601 involves constitutional principle as well as a statement of public policy is basic to this approach.

Section 601 - ANALYSIS OF WORDS AND PHRASES:

Constitutional Principle Reaffirmed

Section 601 is more than a statement of the principle to govern across-the-board non-discrimination in federally assisted programs and activities. In using the words "no person shall" it gives such person a statutory , as well as a constitutional right, to sue to prevent discrimination against him in any program or activity receiving federal financial assistance. Such person or persons shall have standing to sue in federal court; they cannot be rejected as mere taxpayers arguing against the manner of general expenditure of federal funds. (See Frothingham v. Mellon, 262 U.S. 447, 43 S.Ct. 597 (1923).) This statute, section 601, gives persons standing to raise a constitutional issue with respect to the use of federal assistance. It also clarifies judicial confusion concerning the power and the duty of the court to enjoin the discriminatory use of federal assistance. "Shall" makes this prohibition on discrimination mandatory.

It is clear that the person referred to is the participant in and beneficiary of any program or activity receiving federal financial assistance; he is not the "recipient" of the aid, e.g., the hospital or school or building contractor who receives federal assistance directly or through a state or local agency and who may not discriminate; he is the "person" who can enjoy the benefits of the expanded hospital facilities, federally supported school lunches or of available employment in federally supported construction programs.

As mentioned, the use of the word "person" supports the theory that section 601 gives private persons a right of action. In addition, it can be argued that such a right of action is absolutely essential to the effective implementation of the remedial ends of title VI -- which is designed not to terminate federal assistance, but to insure its non-discriminatory use. Assuming that immediate agency action under section 602 may be restrictively viewed, section 601 alone must be interpreted to provide an independent means of enforcing the title. Also, since section 601 reaffirms constitutional rights, using section 602 as the only means of enforcement would be derogatory of the enforcement of such constitutional rights.

Moreover, if private institutions are the ultimate distributing "recipients" of federal aid, receiving it through the state, then an agency which contracts or arranges with the state only may be powerless to attack discrimination by such private institutions. Those persons subject to discrimination, actually injured and wronged at the grass-roots level of distribution of federal assistance, may have to use the power of the courts if title VI is to serve the purposes that Congress intended.

Although the words "notwithstanding any inconsistent provision of existing law" were deleted from the House Bill, legislative history, intent and reasonable interpretation strongly indicate that they are to be read into section 601. Thus the Hill-Burton Act (assistance to construct and expand hospital and medical facilities), the second Morill Act (assistance to land grant colleges), and Public Law 815 (assistance for federal school construction in impacted areas) which explicitly or implicitly permit separate-but-equal programs are modified or changed to the extent that any "licensing" of discrimination is now clearly prohibited by Congress.

Key Phrases in Section 601

The strength of section 601 lies in the three clauses stating that "(n)o person...shall, on the ground of race, color, or national origin, (1) be excluded from participation in, (2) be denied the benefits of, or (3) be subjected to discrimination under any program or activity receiving Federal financial assistance. This specificity may have far-reaching effects on the kind of injunctive measures a complainant can request and a court can employ.

(1) be excluded from participation in:

Federal funds must be distributed by the state so that all persons regardless of race, color or national origin can equally participate, e.g., state employjent services totally supported by federal monies must not only cease to discriminate in the selection of Negro or white for available jobs, but they must make all types of jobs available to qualified Negro and white alike. They can not continue only to offer the Negro unskilled labor openings. Thus because of title VI, section 601, discrimination with respect to job applications, as well as on-job discrimination under title VII, can be prevented by the courts.

(2) be denied the benefits of:

The best interpretation of "be denied the benefits of" may mean that a state or subdivision thereof may be prevented from refusing to use federal funds or from discontinuing a federally assisted program as alternatives to discriminating. Negro citizens may appropriately claim that as beneficiaries of a federally assisted school or hospital construction program, essential to health, safey and welfare, construction may not cease for the purpose of denying them the benefits of the program. Moreover, this phrase may give the court or the federal agency the power, without hesitation, to order the channeling of federal assistance to or through itself or another agency, including a private one -- one that promises not to discriminate. Counsel would be wise to suggest alternative political agencies or even private agencies on the statewide or local level for the administration of federal assistance.

An example of rechanneling federal assistance was a recent case -- Leflore County, Mississippi's cutoff of federal surplus food because of voter registration activities to thirty thousan beneficiaries, four-fifths of whom were Negro; the Department of Agriculture forced the county to resume distribution through the threat of either doing it itself or allowing COFO, a private civil rights agency, to do the distribution -- an obviously distasteful alternative to the local authorities.

(3) be subjected to discrimination

"Subjected to discrimination" has a more basic impact than the preceding phrases. It indicates that participants and beneficiaries cannot receive their share of federally assisted programs through "separate-but-equal" facilities, e.g., not only must there be equality of participation in state employment services but the waiting rooms in the offices must be integrated. This phrase confirms the interpretation that section 601 is, among other things, a statutory amplification of the Equal Protection Clause of the Fourteenth Amendment. Thus section 601 imposes a statutory duty which can be used to underscore the constitutional duty of a state or a private institution with which the state is sufficiently involved not to discriminate in the use of government assistance.

But the effect of section 601 is broader than the self-operative effect of the Fourteenth Amendment.

Section 601 and Constitutional Interpretation: Who may not discriminate

Section 601 prohibits discrimination in any program or activity receiving federal financial assistance. It does not refer to who administers such programs. Thus any program -- administered by *any recipient* -- can be read into section 601. The impact of this interpretation is that section 601's principle coupled with the Fourteenth and Fifth Amendments to the Constitution and interpretative case law, if necessary can be used to bar discrimination by all governmental *and* private agencies administering federal funds.

The Fourteenth Amendment states that "/n/ o State /may/ deny to any person within its jurisdiction the equal protection of the laws." Thus it is clear that any discrimination in the use of federal assistance in any amount by the state can be enjoined under this part of the Constitution, once a right of action is recognized under section 601 . There would also seem to be no question that the use of federal funds by local agencies designated by state or federal governments for the administration of federally assisted programs also are within the "no state" prohibition of the Fourteenth Amendment, regardless of the amount of federal funds used by them. Thus, whether there is token or considerable use of federal funds by governmental agencies, there is little or no difficulty in finding constitutional support and authority behind the principle and right of action 601 with respect to such entities.

Similarly, since the "equal protection" clause of the Fourteenth Amendment has been read into the Due Process Clause of the Fifth Amendment, no *Federal* agency can discriminate in its allocation of federal funds to individuals or to the states or subdivisions thereof. Besides the specific exception of contracts of insurance and guaranty from title VI, which includes federal deposit insurance, federal savings and loan insurance, federal crop insurance, and certain FHA and VA housing loans, the purely federal projects, such as river and harbor improvement programs, direct federal furnishing of services (such as medical care at federally owned hospitals), and funds given directly to ultimate recipients (such as social security payments, veteran's compensation and pensions, and civil service and railroad retirement benefits) do not come within the prohibition of section 601 -- according to the legislative history (*Record*, March 30, p. 6324). The rationale is that (1) the federal agencies do not discriminate, being so progibited by statutes and by the Fifth Amendment, and (2) title VI does not authorize the witholding of any of these direct payments on the ground that the beneficiary engages in race discrimination in business or other activities. However, in spite of the legislative history, if an agency should discriminate with respect to the distribution of funds or services to such "recipients," the specific language of section 601 would seem to give the injured parties a right of action.

Though section 601 is broader on its surface than the self-operative Fourteenth Amendment, nevertheless the broad interpretation of section 601 that would prevent private institutions using federal assistance from discriminating has sound constitutional support.[1] Moreover, the wording of section 601 implies that if any federal funds are involved in the activities of the private recipient, it can be barred from discriminating. The telling implication is that section 601 imposes a statutory duty to only use federal funds non-discriminatorily, or not to use them at all.

There is some question as to whether a "state action" argument would have to be used at all to support the application of the constitutional and section 601 to private institutions. Such an argument was successfully employed in Simkins v Moses H. Cone Memorial Hospital, 323 F.2d 959 (C.A. 4th, 1963). In the Simkins case the court decided in part that the private hospitals could not discriminate because they participated in a comprehensive state plan involving the appropriation of millions of dollars of public monies; the court also cautioned that each such activity or program would have to be considered in terms of its particular circumstances, that not every "subvention by federal or state government automatically involves the beneficiary in "state action." In section 601, the amount of assistance, the kind of arrangement and so forth is not defined. It should be argued that "any" assistance used by any agency provides the requisite state involvement or "state participation through any arrangement, management, funds, or property." Cooper v Aaron, supra, at p.4.

In other words, the courts no longer have to use the caution suggested in Simkins. Under section 601 every subvention by federal or state government should automatically involve the recipient in federal action or in "state action." Thus the diversion, particularly in the South, of federal funds to private institutions or agencies as against public ones, may not be used to evade the impact of the prohibitions on discrimination in section 601.

Section 601 and Constitutional Interpretation: Applications

If the foregoing interpretation is used and "any program or activity" receiving federal financial assistance means what it says -- litigants and courts should not hesitate to attack and enjoin discrimination wherever they know federal funds, in whatever amount, are being used, e.g., in highway construction, for school lunch programs, expansion of the facilities of private non-profit hospitals, and so forth. Moreover, the use of federal property may be considered a form of assistance, and any activity involving construction on or the use of federal land may come under title VI. State or private institutions that "receive" the benefits of federal tax exemption may also be considered as using federal funds.

In enacting this section Congress sought to allay its difficulties in trying to tack non-discrimination clauses to particular legislation providing federal aid for particular programs. In section 601 it has placed a powerful statutory right and weapon in the hands of civil rights advocates. Given Congressional intent, the words any program or activity and the word assistance should and can be broadly interpreted: assistance need not be the direct distribution of "pocket" money. Activity comprises the development of a plan or arrangement for allocation of funds; thus section 601 is not delimited to specific, already started program. A state may be enjoined from acting in terms of a plan that would be implemented discriminatorily. This will have impact in the North as well as the South, eg., in school construction and urban renewal programs. For example, the "excluded from participation in" coupled with "any....activity" may prevent the planning and building of middle class developments that will exclude a large percentage of the Negro population.

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[1] See Cooper v Aaron, 350 U.S. 1, 4 (1958): The prohibitions of the Fourteenth Amendment may extend to actions of private persons and organizations if the government participates in those actions. See also Burton v Wilmington Parking Authority, 365 U.S. 715 (1961). Of course, the constitutional power to carry on a federal program takes with it broad discretion in the total administration of that program.

SENATE CONFIRMS INDEPENDENT AUTHORITY IN SECTION 601: THE EXCEPTIONS

Section 601 is to be interpreted independently of the procedures for federal agency and departmental action articulated in 602 and 603. This interpretation is confirmed by the precautionary Senate amendment, section 605, which exempts financial assistance extended by way of a contract of insurance or guaranty from the authority given in title VI. Although section 605 is restrictive, ie., section 601 cannot be interpreted to prevent discrimination in activities involving contracts of insurance or guarnaty, it is also explanatory, ie., the Senate thought that section 602's authorization to each federal department or agency to issue regulations to effectuate section 601 other than in regard to programs extending financial assistance by way of a contract of insurance or guaranty would not exempt such contracts of insurance or guaranty from the independent authority -- substantive right and standing to sue -- conferred in section 601. Thus, by implication, the addition of section 605 to title VI reaffirms the interpretation that section 601 confers independent authority.

In authorizing action to prohibit discrimination in any program or activity, section 601 can have an important effect on employers and employment agencies despite the exemption in section 604 -- since 604 keeps them under the prohibition on discrimination of title VI when a primary objective of the financial assistance is to provide employment. Note that employment only has to be "a" primary objective; note also that the legislative history states that most, if not all federally assisted construction projects, (such as the accelerated public works programs), and many federally financed state employment agencies have as a primary objective the stimulation of employment.

INDEPENDENT ACTION UNDER SECTION 601: AGENCY ACTION TO BYPASS 602 AND PRIVATE ACTION

Although sections 602 and 603 of title VI specify the alternative procedures that federal agencies may follow to secure compliance with section 602 non-discrimination requirements, section 601 creates an enforceable equitable right in private persons to go to the courts for relief in accord with the non-discrimination policy and principle of title VI. The fact that section 601 exists independently, and the fact that his statement of principle or "policy on constitutional law" was not incorporated in section compels this interpretation. Also, the rather drawn-out procedure of section 602 is designed to secure "compliance with any requirement adopted pursuant to this section." Thus any existing regulations or orders barring discrimination can be used in court along with section 601 by the agency to enjoin discrimination in the use of federal funds distributed (under existing orders) after the effective date of the Act.

Agency Action to Bypass section 602

A suit, with the agency as complainant against the discriminating state and/or local agency, can be filed in federal district court asking for an injunction ordering the state or local agency discriminating, or private segregated institutions receiving federal financial assistance (directly or indirectly) to cease discriminating, and in the alternative to restrain from distributing or utilizing federal funds with respect to a particular program or activity until a nondiscriminatory plan is approved or until employees, patients, students, professionals -- beneficiaries and participants -- are assured equal treatment. A date for cutoff of funds or even for repayment, in the event of noncompliance, can be proposed by the court.

To induce the agency to begin such an action, the private persons actually discriminated against -- and immediate efforts should be made to participate in federally assisted programs and activities operating in their states -- should file citizens' complaints with the appropriate agency (e.g., the Department of Health, Education and Welfare or the Secretary of Agriculture) explaining in detail the circumstances of the discrimination and providing a brief legal statement of the agency's rights and powers to so act under section 601.

In addition, if the agency has not articulated requirements prior to the Civil Rights Act of 1964, it may now do so under section 601 -- outside of the procedures of 602 and 603 which are not designated as exclusive. Existing executive orders pertaining to racial discrimination in housing are also useful. The legislative history states that section 601 provides statutory support to such orders and requires the extension of such a policy to agencies which presently take the position that they are legally unable to adopt such requirements. Thus although certain VA and FHA contracts are excluded from the authorization of title VI, viz., 602 and 605, section 605 does state that "nothing in this title shall add to or detract from any existing authority."

The court may question its authority to act against the agency or to help the agency to act outside of section 602. The argument should be made that section 602 was not established as an exclusive remedy; when Congress intended the procedures and remedies spelled out in the Act of 1964 to be exclusive it made it so explicitly, e.g., in titles II and VII. Furthermore, section 602 was intended to give the agencys' power to cutoff aid immediately through unilateral orders, if necessary, ie., not to wait until the time for contract renewal or renegotiation arose. To so suspend assistance in "mid-term" involves a harder burden of proof than refusal to continue assistance when the time for reconsideration arises. The unilateral orders for cutoff established under section 602 would apply to all pending agreements as well as future agreemnts -- but it will take considerable time before they are enforceable. However, the courts, outside of section 602, should have the authority to make the agencies enter into and enforce contracts under existing statutes empowering the agencies to terminate assistance. The agencies failure to use such power in the past may have been due to ambivalent feelings concerning the relationship of federally assisted programs to public policy and constitutional principle against discrimination. Now section 601 clears up such confusion and creates the right to act.

In addition, the President's review of agency regulations before they are adopted will be unreviewable by the courts. This provision of section 602 helps support the interpretation that section 601 may be used independently by the agency and the courts as a means to terminate assistance, if necessary. (See the discussion of "Presidential Approval" under section 602 below.)

In a suit by an agency a defendant state or political subdivision thereof may be ordered to repay unexpended funds Under section 601 a court may also order the state to repay to the federal government funds improperly used ie contrary to contract agreement, section 601 and/or the Constitution.

Private Action

The independent right of action that section 601 gives private persons has already been analyzed above. Under section 601, persons -- participants and beneficiaries -- may sue discriminating recipients in the federal district court in the district in which they reside or where the cause of action arose. Such persons may also make the federal agency a defendant in the federal district court in the state. (see 28 USC 1361; 28 USC 1391 (e)). But the federal agency, as sole defendant, should and can be sued in Washington, D.C. to enjoin it from acting in terms of agreements made prior to the Act of 1964 that do not explicitly and actually bar discrimination.

The problem that complainants may have to face is that on its face section 601 appears to provide a right without a specific remedy. However, this problem may be effectively met by arguing that the statutory duty of section 601 reflects, not only underying and long existing public policy with respect to the actions of federal agencies, but also a pressing constitutional duty under the Fifth and Fourteenth Amendments. As mentioned above, using section 602 only would be derogatory of the enforcement of constitutional rights.

Any agency agreement, agency-state-local subdivision agreement or state-local institution agreement to provide and distribute federal funds that does not expressly prohibit discrimination may be said to unconstitutionally sanction it. The complainants suing under section 601 and the Constitution have a right to injunctive remedies and possibly damages against a federal agency and/or state, local and private recipients. Concerning damages, if persons have been denied the benefits of assistance, they may be entitled to receive monies from the state to remedy the unconstitutional and statutory wrongs that discrimination in federally assisted programs has caused them to suffer.

In a suit by a private person against the federal agency, if the agency makes or has made an agreement -- to be carried out after the effective date of the Act of 1964 -- under the statute empowering it to render financial assistance, and claims that it was unable to demand an either-or proposition, ie., bar discrimination or funds will be refused, the court may be able to rule that the agency has abused its discretion or has acted ultra vires. The relationship between the federal agency and the state or recipient can be said to require measurement by the standards of the Constitution. But to avoid the constitutional question the court may find that the statutes empowering the agencies to give financial aid imply that non-discrimination in activities shall be a prerequisite, for otherwise, the contrary use of such statutes by the administrative agency might be unconstitutional. (Cf. Simkins v Moses H. Cone Memorial Hospital, supra; : court declared explicit separate-but-equal clause in Hill-Burton Act was unconstitutional.)

"Denied the benefits of" and Rechanneling of Funds

If the federal agency is sued in the District of Columbia, it can be enjoined from paying funds or ordered to carefully supervise the use of the funds or to rechannel the funds if possible through a local agency willing not to discriminate. Indeed if "denied the benefits of" can be interpreted to mean that any termination of assistance will deprive persons of a right to the benefits of the assistance then continuation of the funds in some effective non-discriminatory manner may be ordered.

Analogy to Third Party Beneficiary Theory

A brief point should be made that a third-party-beneficiary type theory may even be used as an alternative to the right of action legislated in section 601. Such a theory could be based upon detrimental reliance by the individual beneficiary upon expectation of prompt and effective federal-state agreements to provide the federally assisted benefits in question. The happy consequence of the acceptance of such an argument would be that the agency could be ordered to find some way, e.g., a willing-to-comply private entity, to continue to supply the benefits of assistance at the local level.

Remedies in a Private Suit against a Private Institution

The constitutional support for a private suit and the right of action under section 601 has been discussed above. (see pps. 1-4.) Some of the remedies requested can be (1) specific performance of contractual obligations not to discriminate, (2) damages, (3) discharging the institution of its responsibilities and substituting another agency which will agree not to discriminate.

Civil Action for Deprivation of Rights under 42 USC 1983.

Section 1983 of the United States Code, title 42, states that "every person who under color of any... regulation, custom, or usage of any State... subjects... any citizen... to the deprivation of any rights... secured by the Constitution and the laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress." If there is any doubt that section 601 of title VI provides a right without a remedy, section 1983 of the United States Code, title 42 seems to assure a remedy -- including damages. Section 601 makes it clear that the right to participation in and the benefits of any federally assisted program or activity shall not be denied. Thus any person depriving someone of this right to federal assistance is liable to the party injured under section 1983 of title 42 of the United States Code.

Caution! The Problems of Primary Jurisdiction and Exhaustion of Remedies

In bringing the agency into court, the existence of administrative procedures in 602 and 603 will almost certainly raise primary jurisdiction and exhaustion of remedies issues. Since immediately effective judicial action is most likely to result, if at all, from a suit in the district court of the District of Columbia against the agency alone -- (although simultaneous suits can be instituted in the federal district courts in the states against the federal agency[2] and state and local agencies) -- arguments against suing the agency before it acts or has time to act in terms of the procedures provided in section 602 will have to be countered. It can be argued that section 601 creates an independent right of action to sue to remedy the violation of constitutional rights and/or that the suit is not limited to the mandatory rules, regulations or orders issued under the authority of section 602, and most significantly, that in other titles, when Congress wanted designated procedures to be exclusive it said so, e.g. titles II and VII.

Thus the courts can initially act, irrespective of primary jurisdiction arguments, to interpret section 601, and the rights, duties and authority legislated therein. The issues raised do not require administrative expertise or specialized administrative experience, e.g., whether or not states under agreements with federal agencies may allocate funds discriminatorily. The courts may direct the agency but leave it up to the agency under judicial supervision to develop with the states of localities plans for the non-discriminatory use of federal assistance. This may overlap somewhat the Congressional directive in section 602, but the courts already have (as shown by Simkins v Moses H. Cone Memorial Hospital, supra) at least a minimum concurrent jurisdiction in this constitutional area. Similarly, an irreparable injury argument can be used to counter an exhaustion of remedies defense.

SECTION 602: FEDERAL AGENCY ISSUES ORDERS AND SECURES COMPLIANCE

Agency Must Act

The strong point of section 602 is that agencies are "authorized and directed" to issue rules, regulations or orders of general applicability in order to effectuatethe provisions of section 601, i.e., promulgate statements definitively providing for non-discrimination in any program or activity receiving Federal financial assistance. The fact that such regulations can not be issued under section 602 with respect to contracts of insurance or guaranty, e.g., VA home mortgage insurance, does not mean that existing agency powers and executive policy cannot be used with respect to such programs. An agency must issue orders containing requirements of non-discrimination; it has no discretion at this point. Any unreasonable delay in the exercies of this mandatory obligation can probably be the basis of a suit by aggrieved private persons in court, requestion an order directing the agency to perform its statutory duty.

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[2] See 28 USC 1361; 28 USC 1391 (e).

The Nature of Agency Orders Under 602

Since the rules, regulations or orders issued under 602 are to be of general applicability, specific provisions on specific arrangements do not seem to be required. Also, general applicability, according to the legislative history, requires the Agency to make regulations uniformly applicable to all the states. However, regional problems and differences necessitate some specificity -- if actual non-discrimination is to become a reality. Those who attempt to influence the character of agency decisions should keep this in mind.

Orders shall be "consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken." The witholding of federal funds could deprive many persons of assistance invaluable to their livelihood and well-being. Thus orders may be devised to assure the non-discriminatory use of such finds by willing recipients. If necessary substitute or alternative recipients, capable of allocating federal funds, can be designated. Orders concerning cutoff must be limited to the particular assistance program involved. Highway funds cannot be cutoff because a state's educational facilities discriminate. In addition, the consistency clause raises the question of plans and action for compliance, e.g., federally assisted educational programs, exceeding desegregation plans or integration orders issued by the courts under other titles or the Constitution.

Presidential Approval

The apparent burden of section 602 is that the effectiveness of agency rules, regulations or orders issued under this section depends on Presidential approval. Hopefully, the President will use his power in favor strong anti-discrimination rules; in fact, he can be encouraged to advise and remind an agency that it has sufficient authority to devise strong, unhesitiating regulation that may definitely provide for cutoff when and if recipients fail to comply. In fact, the Executive has in the past issued orders more stringent than those that title VI, section 601, seems to require. The positive policy against discrimination in 601, and the unambiguous Congressional authorization for the issuing of orders combined, demands no soft-peddling by the agency.

TERMINATION OF ASSISTANCE OUTSIDE OF SECTION 602:

Title VI is a remedial, not a punitive statute; if anything, it should be interpreted so as to clarify and expand the power to withhold financial assistance. The "grant" of power in section 602 to the President to approve agency regualtions is in a sense creating an executive, not a judicial function, to the ChiefExecutive. It seems to verge on legislating a political power. Also, the requirement of Presidential approval of immediate agency action as a precedent to cutoff is not subject to judicial review. Congress could not have intended in this way to render existing cutoff or all other agency rulemaking authority with respect to the use of federal funds so so much more difficult. Thus, if section 602 is seen in the above light -- if cutoffs under section 602 are to be judicially unreviewable with respect to the prerequisite Presidential approval or disapproval of prior requirements -- then both (1) the grant of an independent right of action to persons -- participants and beneficiaries -- subjected to discrimination under 601 and (2) the continued existence of agency power otuside of section 602 are reaffirmed.

In the analysis of section 601, above, various ways of using section 601, irrespective of section 602 procedures, were suggested. These means of by-passing section 602 involved either (1) complaints in court by private person, or (2) direct or judicial action by a federal agency,

(a) Agency Action Under Section 601

The main argument supporting agency action under section 601 is that section 601 should be construed as a clarification of the agencies' constitutional right and duty to see that federal funds are used non-discriminatorily. Thus if the agency cannot get the recipients of its aid to cease discriminating or to comply with approved and agreed upon plans, it can (1) use the courts to obtain (a) specific performance of contractual obligations imposed by vir ue of its authority under statutes empowering it to extend financial assistance and definitely enforceable because of section 601, (b) return of disbursements, or (c) other relief, or (2) it can take action to cutoff funds under existing contracts or any other proper action. Provisions for cutoff in contracts made after the effective date ff the Civil Rights Act of 1964 should be similarly inforced outside of section 602 because the word "requirement" in section 602 should relate only to conditions of discrimination that the agency is required to prohibit in unilateral orders and not to contractual obligations of the recipients which may be imposed under existing statutory authority.

(b) Private Action Under Section 601.

The theories supporting private action in the courts are analyzed extensively above. Where orders from Washington under section 602 may affect most strongly recipients receiving aid directly from the federal agency, private persons using their right of action under section 601 can have local and private entities enjoined from misusing federal funds, by approaching the problem from the bottom up. Since section 601 states that no person shall be denied the benefits of federal assistance, the prohibiton barring suits by private "taxpayers" should not apply. (Reference is made generally at this point to earlier discussions under 601.)

Private persons, under section 601 coupled with the Fifth and Fourteenth Amendments can sue to require the agency to act immediately, and effectively to end discriminatiin in federally assisted programs. Primary jurisdiction and exhaustion of remedies arguments based on the existence of section 602 may be countered by noting that (1) using 602 only would be derogatory of the enforcement of constitutional rights and (2) Congress did not intend to make section 602 an exclusive procedural remedy, since in other parts of the Act it specifically stated such procedures were exclusive when it so intended (e.g. Titles IIand VII).

Also as mentioned under the section 601 discussion, private persons suing the federal agency and/or state, local or private subdivisions may use a third party-beneficiary-type theory to support a claim for relief against deprivation of the benefits of a federally assisted programs. One suggested mode of relief is the rechanneling of funds or surplus food disposal programs through agencies or private institutions that will not discriminate.

TERMINATION OF ASSISTANCE UNDER SECTION 602.

In section 602, Congress has enacted two principal ways of securing compliance with repqirements adopted pursuant to section 602. These may be discretionarily used by the agency: (1) termination of assistance or (2) any other means authorized by law.

The federal agencies power under section 602 to cutoff or withhold funds seems to involve a rather limiting, complicated, and prolonged procedure. The steps set out in section 602 are, as follows: (1) the agency must adopt a non-discrimination requirement by rule, regulation or order of general applicability (2) the President approves the foregoing (3) if there is a finding of discrimination the agency advises the recipient of failure to comply with the requirement (4) the agency determines that compliance cannot be secured by voluntary means before cutoff is considered (5) prior to termination the recipient must have a formal hearing resulting in an express finding on a written record that such recipient has failed to comply with the non-discrimination requirement (6) a full written report must be submitted by the agency to Congress explaining the circumstances and grounds for the proposed action and (7) no such action shall be effective until thirty days after filing a report with Congress. It should be noted, again, that the hearing, finding on the record, report to Congress, and thirty day delay requirements (1) only apply to the termination of or refusal to grant or to continue assistance and (a) apply only with respect to any requirement adopted pursuant to section 602. In spite of some legislative history to the contrary, there seems to be no verbal warrant in section 602 for the interpretation that this is an exclusive procedure for the cutoff of funds. Note the word "may" precedes the discussion of terminatoon and other means authorized by law. An agency having power under other statutes and using other procedural devices to terminate assistance or a court issuing an injunction in an action under the Constutution or under section 601 should be able to achieve cutoff if such court or agency determines that cutoff is the proper way to secure non-discrimination.

Particular Programs and Particular Recipients

Understanding this point is important, although its interpretation seems to have no negative effects on the anti-discrimination policy. Congress, with these words - "but such termination or refusal shall be limited in its effect to the particular program, or part thereof, in which noncompliance has been so found" - seeks to prohibit, if unnecessary, the wholesale cutoff by localizing it. The rationale is that an entire state should not be deprived of funds, even funds for a particular program, if a single non-complying political subdivision, locality, or private entity is guily of discrimination. Thus, cutoff is to be limited to a particular program or activity governed by a particular recipient.

The federal agencies' power, however, is not proscribed by the fact that it is the state which actually gives the federal funds to the local agency or entity. The federal agency can either direct the state not to pay funds to the non-complying program and/or recipient or the federal agency can proportionately reduce the amount of funds the state is to receive by the amount normally distributed by the non-complying entity. If the state, e.g., its Governor, refuses to obey an agency directive, all the state funds with respect to the statewide activity or program of which the particular program is a part can be withheld. The legislative history is clear on the point. All of the state's funds may be withheld if a state refuses to obey an agency directive or issues violative instructions or policies or if there is statewide discrimination. Thus, although individual schools or single counties can be deprived of their share of federal funds while the state continues to receive aid for other schools or other counties, an entire non-complying state is not exempt from the cutoff sanction. For example, in Mississippi, where surplus food disposal is probably carried on on a statewide discriminatory basis, the whole state can be deprived of free surplus food. (However, the "consistency clause" in Section 602 would probably weigh against this action). Nevertheless, an alternative course of action, as effective as a cutoff and more in accord with the "consistency clause" of Section 602, would be for the agency to channel surplus food disposal through other agencies.

SECTION 602 (2) - BY ANY OTHER MEANS AUTHORIZED BY LAW (See discussion of remedies under Section 601)

Specific Performance

The agency can get a court order to make recipients specifically perform their contract obligations. If the suit uses Section 602 requirements as the basis for a right of action, then the adoption and Presidential approval procedure would have to precede court action. The only additional procedure required preliminary to suit under Section 602, since the facts of discrimination can be tried *de novo*, is that "the appropriate person or persons" be advised of the failure to comply with the requirement and that the agency determine that "compliance cannot be secured by voluntary means.".

In the long run specific performance may be one of the most effective devices at the agencies' disposal. It is a way, also, for the agency to reach a local agency or private institution with which it may lack direct contact. If the state contracts - and the agency should so require - to allocate funds through an appropriate arrangement to smaller entities on a non-discriminatory basis only, then the agency through the court can demand the performance of such "sub-contracts" as well as performance of the primary agreement between the agency and the state. A state's failure to act in terms of an approved arrangement or to supervise the good faith carrying out of the arrangement by state agents may be considered failure to perform contractual obligations and be the basis for a far-reaching specific performance decree.

RELATION TO OTHER TITLES OF THE CIVIL RIGHTS ACT OF 1964

If the recipient under an educational program is a school district or college, the agency can ask the Attorney General to initiate a lawsuit under title IV as well as to take other appropriate action under title VI to complement title IV. Although a federal official in an agency administering a federally assisted school program or activity is not authorized under title IV to prescribe pupil assignments or to select faculty, he does have authority, viz., under Section 602, to adopt with approval of the President a general requirement that the local school authority refrain from racial discrimination in treatment of pupils and teachers. He also has the authority, by a specific performance suit, to achieve compliance with that requirement, and to use a cutoff of funds or other means authorized by law to secure the same end.

Similarly, if the recipient is an employer, employment agency or labor organization using federal assistance primarily for an employment objective, the Attorney General can be asked to bring a suit under title VII. (See discussion of Section 604). Procedurally, prior to suit, the agency only has to advise the non-complying party of the proposed referral and to give it an opportunity to avoid litigation by voluntary agreement to comply.

If the statute empowering the federal agency to give financial assistance already provides authority to cut off funds it would seem that Section 602 (2) may also enable the agency in a different way to bypass Section 602 (1) and the procedure for administration of cutoff. For example, under the School Lunch Act, 42 U.S.C. 175 (b), payments to the states are authorized through agreements between the Secretary of Agriculture and the state educational agency. Also, arrangements between the states and private and public schools require the Secretary's approval. Although there is no statutory provision for notice, hearing or judicial review, the Secretary has the authority to deny a grant to a state or school which refuses to agree to terms approved by the Secretary and to terminate assistance for failure to comply with the agreements thereto. Title VI, Section 602, contains no statement which can be interpreted as amending the administrative authority under an act such as this.

Public accomodations receiving Small Business Administration assistance may involve an overlap with title II. Municipalities enjoying Area Redevelopment or Community Facilities Administration assistance would involve title III as well as title VI.

18 U.S.C. 601 - CRIMINAL SANCTIONS FOR DEPRIVATION OF EMPLOYMENT OR OTHER BENEFIT

A criminal proceeding, resulting in a maximum penalty of $1000 or one year imprisonment, can be brought against any person who "directly or indirectly, deprives...or threatens to deprive any person of any employment, position, work, compensation or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, on account of race, creed, color..." Many of the programs and activities for which Congress has appropriated funds and which definitely come under title VI also can be included under this criminal statute. Deprivation of employment in accelerated public works programs, highway, airport, school and other construction activities or discrimination by employment agencies would be covered. The Attorney General should be encouraged by the federal agencies and private persons to use this section of the code vigorously. It provides a complementary saction which may be as effective as cutoff and which does not require Presidential approval, hearing, thirty day delay and the other procedural "safeguards" of Section 602.

Important note: See the discussion of Section 1103 below in the analysis of title XI for Section 1103's probably pervading effect on all of the prior discussion of the Sections 601 and 602 dealing with agency action independent of the restrictions of Section 602.

SECTION 603 - JUDICIAL REVIEW; THE ADMINISTRATIVE PROCEDURE ACT

Judicial Review of Action Other Than Termination

Any department or agency action pursuant to Section 602 shall be subject to judicial review as otherwise provided by law for similar action taken by such department or agency on other grounds. In light of the second sentence of this section concerning judicial review of agency action terminating assistance, it seems obvious that if other forms of action are used by the agency, e.g., requirements of contractual stipulations barring discriminatory practices, which are not ordinarily subject to review, judicial review is not absolutely required by Section 603. Note the last sentence of the section -"such action shall not be deemed committed to unreviewable agency discretion within the meaning of (Section 10 of the Administrative Procedure Act)." "Such action" is a reference to termination of assistance only.

Under this part of Section 603, agency action continuing assistance in spite of or in the absence of the orders and regulations which must be issued pursuant to Section 602 may be reviewed. An agency can be required by the court to see that contractual obligations are specifically performed and to carefully watch recipients to make sure that approved arrangements are carried out according to plan. (Also, see the brief discussion of the Administrative Procedures Act below). Persons discriminated against and dissatisfied with agency initiative and action should try to use this part of Section 603 as much as possible to obtain judicial review of all actions other than termination of assistance.

It is obvious that a state will be aggrieved (ie., suffer pecuniary har - the usual legal definition of"person aggrieved") by federal agency action terminating assistance. It is less obvious legally, but certainly true, that the persons - participants and beneficiaries subjected to discrimination - will be "aggrieved." Thus such persons may want judicial review; nothing in the phrasing of this section deprives them of this right. The words "any person" are used, and it would be absurd to consdier the parenthetical to be an exhaustive or definitive listing of those intended to have a right to review.

A private person might, on review, object to termination on the following grounds: (1) adequate alternatives to cutoff, such as the rechanneling of funds through private or local agencies that would not discriminate, were not considered or tried out by the agency or (2) the scope of agency proposed termination is inadequate and more relief seems necessary if the policy of section 601 is to be effectively carried out. As an illustration of this second point consider the possibility of discrimination in educational or hospital activities in almost every county in the state. Suppose the agency only decided, after trying all other means of compliance short of cutoff, to terminate assistance to only one county as a kind of test case or example. If the state and county's violation of federal law and the Constutution has been continuous and flagrant, obviously statewide cutoff would be the only effective means of enforcement. The agency's failure to use this ultimate weapon to its fullest should be and can be challenged in court. Congress itself has stated that while cutoff is to be a last resort, there is not to be too much toleration of unbending, unlawful discrimination.

Note On Section 10 of the Administrative Procedure Act

The decision to terminate assistance is definitely, by virtue of the last clause of section 603, not committed to unreviewable agency discretion within the meaning of section 10 of the APA. Under Section 10 (b)"...any applicable form of legal action (including actions for declaratory judgments or writs of prohibitory or mandatory injunction ...) in any court of competent jurisdiction" is appropriate. Thus the agency can be enjoined from terminating a assistance without trying other available means of securing compliance or it can probably be ordered to extend termination to non-complying agencies not covered by its action or decision prior to review.

Under Section 10 (c) "(A)ny preliminary, procedural, or intermediate agency action or ruling not directly reviewable shall be subject to review upon the review of the final agency action. This section subjects, finally, the orders, regulations and rules issued under 602 to judicial review. A private person aggrieved, i.e., one who finds the agency's rule insufficient to satisfy the end of non-discrimination, can have such rule reviewed and declared inadequate. The declaration can be accompanied by judicial suggestions for a stronger rule, more in keeping with Congress' direction that the agency must act and act effectively.

Section 10 (e) Scope of Review is applicable to any review allowed under the first part of section 603 providing for review of actions other than termination as well as to review of decisions to terminate assistance. Especially if other attempts, e.g., under section 601, to obtain judicial interpretation of title VI fail, the section 603 means of obtaining judicial interpretation of the provisions of title VI, particularly interpretation of section 601 in connection with the Fifth and Fourteenth Amendments of the Constitution, should be employed. In connection with an effort to have rules, regulations, or orders declared too narrow, one should note section 10 (3) (B) (2) of the APA which states that the court may hold unlawful and set aside agency action short of statutory rights. A too limited termination of assistance may be covered by section 10 (3) (B) (6) stating that the court may consider and declare unlawful agency action "unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court."

SECTION 604: EFFECT OF TITLE VI ON EMPLOYMENT PRACTICES

The "except" clause in section 604 practically nullifies the prohibition that "nothing in this title shall be construed to authorize action with respect to any employment practice of any employer, employment agency or labor organization," for wherever "a primary objective" of the federal financial assistance is to provide employment, the prohibition on using title VI does not apply. innumerable federally assisted programs, especially important construction projects, have the provision and stimulation of employment as a primary objective. (See earlier section 601 discussion.)

Congress has definitively spoken with respect to the interpretation of section 604 by stating, for example, that stimulation of employment is typically a significant purpose of federal grants for construction of highways, airports, schools, hospitals, and other public works. Illustrative of such purpose is the statement in section 12 of the Public Works Acceleration Act of 1962 (42 USC 2641 (a)) that the acceleration of public works construction including construction assisted by federal grants or loans was : "necessary to provide immediate useful work for the unemployed and underemployed." Thus construction companies -- employers -- are certainly covered under title VI. Moreover racial discrimination in construction financed by federal grants and loans is now prohibited under Executive Order No. 1114. Title VI provides statutory support to the policy reflected in the order and requires its extension to those agencies which took the position that they were unable to legally comply with it.

Labor organizations providing the labor to such programs and activities are indirectly recipients of assistance, since the assistance makes the employment of their members possible. Therefore, they too can be barred from discriminating.

State agencies administering the unemployment compensation programs which participate in the Federal Unemployment Trust Fund would be prohibited from denying payments to otherwise elegible beneficiaries because they were Negroes -- or because they had participated in voter registration or sit-ins. Such agencies would also be prohibited from maintaining segregated lines or waiting rooms for or otherwise differentiating in their treatment of white and Negro beneficiaries. Title VI also authorizes the adoption of regulations requiring the elimination of racial discrimination in referral practices, treatment of job applicants, and so forth. Federally assisted vocational training programs are also covered.

The possible overlap of titles VI and VII as to title VI employment requirements should be noted. Both titles call for initial reliance on voluntary methods for achieving compliance. If such methods fail then the department or agency administering a federal assistance program would consider the availability of a suit under title VII in determining what means of obtaining compliance with its employment nondiscrimination requirement would be most effective and consistent with the objective of the federal assistance statute. It is difficult to see how a judicial determination of cutoff in a suit under title VII would have to satisfy the complex termination of assistance requirements of section 602.

SECTION 605: CONTRACTS OF INSURANCE AND GUARANTY

(Important: See discussion of section 605 under the exceptions part of the analysis of section 601.)

Federal deposit insurance, federal savings and loan insurance, federal crop insurance and certain FHA and VA loans are the kinds of contracts of insurance or guaranty considered by section 605.

Section 605 is a Senate amendment inserted in title VI to make certain that the exemption of contracts of insurance and guarantee from agency authority in section 602 would not be nullified by the independent authority under section 601. The effect of this amendment in stressing that 601 does provide independent authority has been mentioned at greater length above.

A crucial point in section 605 is that although nothing in title VI shall add to existing authority, nothing in the title shall detract from existing authority. Executive authority is therefore left intact: as for example, the President's housing order. Agencies dealing with programs that are affected by the President's order must act in terms of Presidential policy -- and despite the title VI exemption, section 601 makes it clear that Congress also approves the public and constitutional policy of non-discrimination in any federally assisted program or activity.

TITLE VII - EQUAL EMPLOYMENT OPPORTUNITY

Title VII is perhaps the most crucial title in the Civil Rights Act of 1964. It requires employers, employment agencies, and labor organizations not to discriminate in employment. It sets up a federal commission to review cases of discrimination and provides for enforcement by the Attorney General of non-discriminatory hiring policies. Title VII suffered during the Senate debate, but still it may be used effectively to better the critical employment situation. One caveat must be made immediately: that is that almost all of the Title is not effective until one year after it becomes law.[1]

SECTION 701: EMPLOYERS, EMPLOYMENT AGENCIES, LABOR ORGANIZATIONS

The coverage of the bill is broad, although its full scope is not achieved until four years after the title takes effect. An employer, to be covered, must hire more than 25 employees (100 during the first year of the Act's existence, etc., as provided in Section 701(c)) each day for twenty weeks within the previous calendar year. The twenty-week provision is intended to protect employers of seasonal employment. Note that the weeks do not have to be consecutive, nor need the employees work full time. In fact, employees on the payroll, but not working, could constitute the requisite number.

The employer must be engaged in an "industry affecting commerce," as defined by Section 701(h). This section referes to the definition in the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 142) which reads

> The term "industry affecting commerce" means any industry or activity in commerce or in which a labor dispute would burden or obstruct commerce or the free flow of commerce.

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[1] A short comment on the constitutional basis of this title is in order. Senator Clark, floor manager for the title, discussed in detail the constitutional basis of the provision (Congressional Record, April 8, 1964, p. 6989). The power of Congress to regulate employment practices comes from the Commerce Clause; the present title does not go beyond earlier legislation nor beyond the scope of federal power as interpreted by the courts. In United States v. Darby, 312 U.S. 100 (1941), the Supreme Court, in dealing with the Fair Labor Standards Act, found that power of Congress under the Commerce Clause was very broad: "(this power) extends to those activities intra-state which so affect interstate commerce or the exercise of the power over it so as to make the regulation of them appropriate means to the attainment of a legislative end." Senator Clark introduced a memorandum from Secretary of Labor, W. Willard Wirtz, citing Darby, supra, NLRB v. Jones & Laughlin Steel Corporation, 301 U.S. 1 (1937), New Negro Alliance v. Sanatary Grocery Co, 303 U.S. 552(1938) and other cases which seem to shatter any claim that this title is not based on solid Constitutional precedent. The Senator himself concluded "that objection to the consitutionality of Title VII can be nothing other than frivolous and not worthy of serious consideration." (Congressional Record, April 8, 1964, p. 6991)

This definition would seem to include almost any activity and should block little litigation. However, Section 701(g) requires that "commerce" be interstate commerce, and, although "interstate commerce" has been broadly defined, it is possible that some employers may escape coverage by limiting their activities.

The United States, corporations wholly[2] owned by the United States, and states or political subdivisions of the states are not included within the meaning of "employer". This exception should cause little trouble as the federal government and corporations owned wholly by it are subject both to executive order and to the President's Commission on Equal Employment Opportunity. The states and political subdivisions are covered by the equal protection clause of the 14th Amendment.[3] In fact, that state agencies are exempted from Title VII may subject them to immediate judicial review on a Constitutional basis without the delay incident to the administrative action required by Title VII.

A bonafide private club is also exempt from coverage under Title VII (Section 701 (b)). Schemes which establish "private club" department stores would seem easily challenged under this provision, if not in the district courts in the South, at least at the circuit court level.

"Employment agencies", broadly defined, are also included within the coverage of this title--regardless of size or other such measurement. A newspaper advertising job opportunities or situations wanted might be found to fall within the category of employment agencies. Even "agencies" receiving no compensation for the service they provide are included within this definition. The general exemption of state and federal employment agencies from coverage by Section 701(c) should not present difficulties since an executive order may be sought to apply to agencies of the federal government and the 14th Amendment provides a means for curbing state agency abuses. The inclusion of local employment services receiving federal assistance within the term "employment agency" provides another means of attack against these bodies which is supplemental to the powers under Title VI. The broad scope of Section 701(c) should never be forgotten when dealing with labor organizations which may be in any way exempt under Section 701(d).

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[2] Thus institutions such as Telecom and the Federal Reserve System would be employers within this definition.

[3] The 14th amendment would seem to require that when a state hired policemen, for example, it must, in keeping with the equal protection clause, view the qualifications of all citizens without regard to race, color, or creed. Just as equal protection involves the right to go to the same schools, to be treated equally when applying to state schools, when applying for a job with the state, the laws which determine qualifications must be applied in the same sense to all citizens.

A second argument which can be made in this connection is that an employee of the state in exercising descretion--thus in the selection of other employees for the state--is taking "state action." "State action" which enforces discrimination is unconstitutional. Shelly v. Kraemer, 68 S. Ct. 836 (1948).

The third type of institution covered by Title VII is a "labor organization," as provided in Section 701(d). This section seems to provide three bases of definition of the term "labor organization." The first would be any labor organization "engaged" (as defined by Section 701(e)) in an industry affecting commerce. (see discussion of "industry affecting commerce" under employer, supra) The second would seem to be any organization "of any kind, any agency...or plan" which exists for the purpose of, in whole or in part, dealing with employers concerning grievances, labor disputes, and similar problems. The third would seem to be any conference or council "so engaged which is subordinate to a national or international labor organization."

Such a reading of Section 701(d) is not impelled by the language and may run counter to the legislative intent, and yet the sentence structure of the section seems to indicate such an interpretation. If the clause "and includes any organization" read "and which includes any organization:, this clause would have to be taken as a modification of the first definition of labor organization as "a labor organization engaged in an industry affecting commerce." As written, however, "and includes" must be taken to refer to "term", the second word in the section.

The result of this interpretation would seem to exempt any organization which fell into the second or third definition of the term "labor organization: from the complex and perhaps burdensome limitations of Section 701(e), which deals with labor organizations as defined by the first definition of Section 701(d). In any case, the language of Section 701(d) is so broad that it is hard to conceive of a labor organization not included. Even the limitations of subsection (e) seem to salvage little from coverage. Note that a labor organization maintaining a hiring hall is covered regardless of its size. If it does not conform to clause (1) of Section 701(e), then it is still covered by meeting the requisite number prescribed in clause (2). (Again, if the author's reading of Section 701(d) is correct, these limitations exist only for labor organizations covered under one of the first three definitions of labor organization in that section.) The labor organization, if subject to Section 701(e), must then also fall within the requirements of one of five broadly defined areas. The most lenient of these is Section 701(e)(2) which provides that labor organizations--national, international, or local--"recognized or acting as representative of employees of an employer..." shall be covered.[4]

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[4] It must always be remmebered that this title is subject ot the Constitutional limitations of the Commerce Clause. No matter how cleverly section 701(d) may be read, no court will enforce federal power, as interpreded by Congress, or as allowed by a loosely worded statute, beyond the scope of the constitutional authority granted to the federal government.

NOTE ON 18 U.S.C. 601 - CRIMINAL LIABILITY

Other provisions of the United States Code also prohibit discrimination in employment connected with federal programs. Section 601 of Title 18 imposes criminal liability on anyone who deprives, attempts to deprive, or threatens to deprive anyone on the basis of race, creed, or political activity of employment, compensation, or "other benefit provided for or made possible " by any Act of Congress which appropriates funds for "work relief or relief purposes." This section provides another remedy which could be used in conjunction with title VI where the federal program involved work relief or relief purposes. Also, for example, a private employer who discriminated in the administration of a relief program or social security could be prosecuted criminally.

SECTION 702 - EXEMPTION FROM COVERAGE

Section 702 provides further exemptions for employers. The first exemption, employment of aliens outside any state requires little comment. First, it must be noted that "state" as defined in Section 701 (i) includes the District of Columbia, Puerto Rico, and other minor American possessions. Thus an employer in Guam is covered. Secondly, the section does not exempt employers, as defined by Section 701 (b), from coverage when they employ non-aliens outside the United States.

The two other exemptions provided for in this section are less clear. The first provides that a religious corporation or society may employ individuals of a particular religion "to perform work connected with the carrying on ... of its religious activities." Salesmen distributing religious material have been said to fall within this category (see Clark, Congressional Record, April 8, 1964, p. 6992) but perhaps janitors would not. The second exemption, concerned with educational institutions, appears to allow educational institutions to discriminate on the basis of race, religion, sex, color, or national origin "with respect to the employment of individuals to perform work connected with the educational activities of such institution."[5] It is possible that this exemption was only to apply to discrimination on religious grounds, as is provided for the religious corporations in the clause which proceeds this clause. This interpretation - that only religious discrimination was intended to be allowed - is given weight when read in conjunction with Section 703 (e) (2):

> It shall not be an unlawful employment practice for a school, college, university, or other educational institution or institution of learning to hire and employ employees of a particular religion if (emphasis added) such school...is, in whole or in substantial part owned, supported, controlled, or managed by a particular religion...or if the curriculum of

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[5] Senator Clark, in his discussion of this section, says nothing to indicate that educational institutions may discriminate on the basis of race or national origin (Congressional Record, April 8, 1964, p. 6992). Neither did Senator Humphrey in his discussion indicate that Congress intended to allow racial discrimination by educational institutions (Congressional Record, June 4, 1964, p. 12297).

such school...is directed toward the propagation of a particular religion.

This section says nothing of color, race, or national origin, but by implication would seem to exclude discrimination based on these standards. If Section 702 were taken on its face, this provision of Section 703 (e) (2) would seem to be redundant. Furthermore, there would seem to be no justification for authorizing discrimination based on race as Section 702 would appear to do. Of course, the words "connected with" in Section 702 could be construed narrowly to avoid the inclusion of racial discrimination, but this would be a strange approach to a curiously vague provision. As a final note to this discussion, it should be remarked that state institutions in no case could be allowed to discriminate, particularly on a religious basis, by virtue of the First Amendment of the Constitution as applied to the states by the Fourteenth Amendment, except insofar as religion might constitute a bona fide qualification for employment.

SECTION 703 - UNLAWFUL DISCRIMINATION IN EMPLOYMENT

Section 703, which prohibits discrimination against an individual on the basis of his race, color, religion, sex or national origin, is largely self-explanatory. Language like "or otherwise to discriminate" in (a) (2) and repeated in both (b) and (c) should be noted as facilitating language for the prosecuting party. "Or otherwise" would seem to prohibit discrimination in promotion of employees and in job allocation. Clause (c) (3) specifically makes unlawful an attempt by a labor organization to cause an employer to discriminate unlawfully. Presumably, as it is the employer who is primarily the one protected here, he would have standing to bring an action against a union which pressured him to discriminate or which prevented him from maintaining a non-discriminatory policy on all levels of employment.

Subsection (d) of Section 703, although legally straight forward, is of great importance in that an end to discrimination in training and apprenticeship programs may have a more profound effect socially that the end of discrimination in conventional employment practices. Crucial to the improvement of the Negro employment situation is the training of skilled labor within that class. An aggressive use of this subsection would help achieve qualification for jobs made available by other sections of this title.

SECTION 703 (e) - EXCEPTIONS TO ILLEGALITY

Provisions allow discrimination in two particular situations. The first is where religion, sex, or national origin (not race or color) are "bona fide occupational qualifications reasonably necessary to the normal operation of that particular business or enterprise." The classic example given in this connection is that of a French restaurant's need of a French cook. Since the Civil Rights Act of 1964 mainly concerns itself with race or color, abuse of this section does not present a great threat. Furthermore, the terms "bona fide" and "reasonably necessary" should give the courts adequate power to limit abuses.

The second situation in which discrimination otherwise prohibited by this title is allowed is in the case of educational institutions. One note should be added to the earlier discussion of this topic (see discussion of Section 702, supra). Wheras under Section 702, as pointed out, discriminatory hiring practices are allowed only where they are "connected with the educational activities of such institution," under Section 703 (e) the institution is allowed to discriminate on a religious basis as regards all employment. Thus Section 703 (e) would allow discrimination based on religion throughout the range of jobs in the institution, while Section 702, if taken on its face, would allow discrimination of any sort for a limited range of jobs. It is difficult to conceive this to have been the intent of Congress.

Subsections (f) and (g) of Section 703 require little comment. One makes the title inapplicable to discrimination against Communists; the other explicitly provides that this title shall not affect security provisions elsewhere designated.

SECTION 703 (h) - SENIORITY AND MERIT SYSTEMS

Title VII also does not affect bona fide seniority or merit systems nor payment of wages based on a piece-work system. The key words here, of course, are "bona fide." Policing any system which allows subjective judgments by the employer as to merit is always difficult. Part of the difficulty is that there is a presumption that any seniority system is in good faith so that the complainant assumes a heavy burden of proof. But where abuse is made of a merit system to protect segregated employment, this burden is not impossible.

Employers are also entitled to pay different wages in different locations. This provision reflects the different price levels in different areas of the country as well as different levels of productivity between plants owned and operated by the same employer. However, such differences in pay may be "the result of an intention to discriminate" unlawfully. This intention, for example, would presumably be evidenced by different pay scales at factories of equal productivity in the same town. It might also be evidenced by an employer's refusal to advance the technology in one plant while automating others. In fact, one might press for equal treatment of plants with the argument that differences between plants show an intention to discriminate against employees of one plant on the basis of race or national origin. The type of equality involved here must, of course, be regional economic equality.

Subsection (i) of Section 703 provides that nothing in this title shall affect the status of Indians living on or near reservations.

SECTION 703 (j) PREFERENTIAL TREATMENT

Subsection (j) deals with the difficult problem of preferential treatment based on race, color, religion, sex or national origin. It provides that nothing in this title shall be interpreted to require preferential treatment to correct racial imbalance. Senator Clark pointed out during the discussion of the title (Congressional Record, April 8, 1964, p. 6992) that waiting lists for employment made previous to the passage of the Act and based on discriminatory policy could be struck down to give minority groups a better situation than that existing with these lists. This really is not an exception to the policy of no preferential treatment under the title, as revising lists would simply give minority groups an equal chance.

This provision does not forbid preferential treatment, yet it does not seek to promote it. Other law, Hughes v. Superior Court, 70 S.Ct. 718 (1950), rejects state action to enforce preferential treatment or quota hiring. But neither Hughes nor subsection (j) of Section 703 forbids the making of (as opposed to the legal enforcement of) private agreements to give preferential treatment. Direct action or collective bargaining aimed at equal opportunity could be used to achieve private agreements with employers in which employers agree to actively seek and hire Negroes. In fact, such agreements are now common practice in the North. It is true that quotas as such are not enforceable at law, but the absence of a legal remedy does not make the contract meaningless. Enforcement of such a contract would have to come from social pressure or from further direct action. A court, while unwilling to enforce a contract granting "positive discrimination," might also be unwilling to grant an injunction relieving the employer from adverse direct action where the employer was in default on a contract. Thus, subsection (j) does not give force to preferential treatment, but it does not preclude private agreements or social pressure or self-help as means to achieve that end.

SECTION 704 - OTHER SPECIFIC UNLAWFUL ACTS

Section 704 (a) prohibits discrimination against those who believe in fair employment practices on account of that belief or against those who take part in proceedings under this title on the basis of that belief. This, in effect, says that discrimination against an individual because he believes in and cooperates with the law is unlawful.

Employers, employment agencies, and labor organizations are further prohibited by Section 704 (b) from expressing preference, or specifying limitations based on race, color, religion, sex, or national origin in advertisements for jobs or employment opportunities. This provision simply follows from the general content of this title, as such an advertisement would be evidence of actionable discrimination as provided in this title. The newspapers which publish these forbidden advertisements would not be liable for such publication as the section prohibits advertisements "relating to employment by such an employer." (Congressional Record, April 8,1964, P.6992) This limitation strictly construed might allow one employer to advertise for another without violating this provision. The language of the subsection, however, reads "publish or cause to be printed or published", and the court undoubtedly would hold that where another individual published for the defendant a discrimatory ad, that defendant had caused the ad's publication. Where discrimination is privileged as provided in Section 703 (e)--where religion, sex, or national origin are a bona fide qualification for the job--an employer is entitled to solicit through ads a person with the qualities sought. Thus, he who wishes a French cook may let the world know.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The enforcement of this title will rest largely in the hands of this Commission (for enforcement see infra, Sections 706 and 707). The Commission shall be composed of five members, not more than three of whom may be of the same political party. Normally each member will be appointed for five years, although at first to achieve staggered appointments, appointments will be of lesser duration than as provided in Section 705. One of the five will be designated to be the chairman, and he shall be responsible for the selection of staff, as well as for the operation of the staff. Immediately it should be noted that these appointments are of great importance, since much of the work of the Commission is discretionary. The chairman has very wide-reaching powers, and the staff he develops, its competence and interest in racial equality, will determine, along with the attitude of the Justice Department, the impact of this title. As this may be the most far-reaching title of the entire Act, the success of the Act may turn on the diligence or neglect which the enforcement of this title receives. Unhappily, the civil rights struggle is mainly a struggle of men and not laws. Not only should a great effort be made to get an aggressive chairman, but the individual members, by themselves, are of great importance. One member, on his own initiative, can initiate proceedings or an investigation. (Section 706 (a)). An unfavorable Commission could preclude private judicial action (Section 709 (b)) or could excuse an employer by finding good faith on his part, a determination not reviewable by the courts (Section 713 (b)).

Three members shall constitute a quorum when the Commission is required to act as a body. This provision frees two members, or may free two members, to do other vital supervisory work. Subsection (f) allows the Commission to establish regional or state offices as it deems necessary, so that the two members not needed for a quorum may be able to take charge of the diffuse work of the Commission in critical regional offices. Again, the location of these offices, a matter wholly within the discretion of the Commission, may be determinative of the success of this title in particular areas. Lobbying or letter writing which requests particular office locations, as well as particular appointments to the position of Commissioner and to the staff, can serve a very useful function here.

Section 705 (g) defines the procedural powers of the Commission. The sections that follow (Sections 706,707, 709, and 710) deal with these powers in much greater detail, so that a clarification of Section 705 (g) will be delayed until the consideration of those sections. Note, here, the right of the Commission to engage in conciliatory work, as well as its power to conduct investigations. Paragraph (4) allows the Commission to intervene at the request of an employer or labor organization in a dispute between the petitioner and his employees or members, when the latter refuse or threaten to refuse to cooperate in effectuating the provisions of title VII. Nothing in the title, it should be recalled, makes unlawful unorganized labor resistance or organized consumer resistance to the ends of this title. In disputes between employer and employees, the Commission, then, may attempt conciliation or might, perhaps, effect the intervention of the Attorney General who could bring a court action to enjoin the employees. The employer, himself, might have this remedy available without seeking the aid of the Commission.

The problem of consumer resistance is more difficult because consumers do not form a definable class, not even a spurious class as envisioned in Rule 23 of the Federal Rules of Civil Procedure. The injunctive remedy is not possible to prevent a consumer boycott, nor may it be effective against employees even where it is procedurally possible. An employer or labor organization could not, however, use as a defense to an action against it the argument that compliance with this title would lead to economic destruction. That others act illegally or act to frustrate the law, will relieve no one of his duty to conform to the law. The only real remedy for such threats from the consumer or from employees is to put all employers and labor organizations on the same footing. Here the Commission might choose to cooperate with the Community Relations Service (title X) which was created to negotiate between and within various groups to effect social change. The motivating idea for those affected by the change contemplated is that there is safety in numbers.

Subsection (h) of Section 705 is intended to facilitate the work of the Commission, to enable the Commission to handle the massive load with which it may be burdened. This provision makes possible greater scope of activity. Lawyers working independently in regional offices could be of great service without placing any further work on the five Commissioners themselves. It is conceivable that three lawyers in Jackson, Mississippe, could apply to join the staff of the Commission and offer to set up a region office and, once authorized, could operate that office, representing the Commission in court, without consulting the central office at all. The argument that a regional office could function independently of the central office, and without increasing the work of that office, should be used to encourage the Commission to expand the work it is undertaking.

Subsection (i) recognizes the possible activities of this Commission. Any body of this sort has prestige, standing, and influence and is able to serve the community in many ways, not the least of which can be educational and promotional. Imaginative programs or campaigns developed with the cooperation of the other departments of the government to promote equality and educate the people in the economic and social value of equality should not be overlooked as an important means to achieve the ends of this title.

SUMMARY OF PROCEDURES UNDER SECTION 706

A) Where the charge is filed by the person aggrieved and the state or locality where the unlawful employment practice occured has no state or local law:

1) The aggrieved person files a charge in writing under oath with the Commission. This must be done no later than ninety days after the unlawful employment practice occurred. (Section 706, (a) and (e)).

2) Upon receipt of the charge, the Commission notifies the respondent and furnishes him with a copy of the charge. It may not make the charge public. (Section 706 (a)).

3) The Commission investigates the charge in order to determine whether there is reasonable cause to believe that it is true. If the Commission so determines, it then attempts to eliminate the unlawful practice by informal methods designed to secure voluntary compliance. Nothing said or done during

such efforts may be made public by the Commission without the written consent of both the person aggrieved and the respondent. (Section 706 (a)).

4) The Commission has thirty days to attempt to secure voluntary compliance, but may extend such period thirty additional days. At the culmination of such efforts or of such time period, the Commission must notivy the person aggrieved. (Section 706 (e)).

5) Not later than thirty days after receiving notice of the Commission's inability to secure voluntary compliance, the person aggrieved may commence a civil action against the respondent. (Section 706 (e)).

6) The court may, upon request, stay proceedings for sixty days pending further efforts by the Commission to obtain voluntary compliance. (Section 706 (e)).

Comment: The maximum time an effective court action can be delayed by reasons other than the inaction of the person aggrieved is 120 days or four months. There can be a sixty day delay at the discretion of the Commission and a sixty day delay at the discretion of the court. Such delay at the instance of the court is only "upon request," and presumably this is at the request of the Commission rather than at that of the person aggrieved or of the respondent. (See Section 706 (e)). There seems to be no minimum delay required by the statute. Section 706 (e) does not seem to prohibit the Commission from notifying the aggrieved person before the end of thirty days that its efforts to secure voluntary compliance are having no effect, rather it provides only that the Commission must notify him within thirty days if it has been unable to secure voluntary compliance, unless it determines to extend such period to sixty days.

B) Where the charge is filed by a member of the Commission and the state or locality where the unlawful employment practice occurred has no state or local law:

1) The member of the Commission files a charge in writing with the Commission. This may be done only if there is reasonable cause to believe that a violation of title VII has taken place, and it must be done within ninety days after the occurrence of the unlawful employment practice. (Section 706 (a) and (e)).

2) The Commission notifies the respondent and furnishes him with a copy of the charge. The charge may not be made public by the Commission. (Section 706 (a)).

3) The Commission investigates the charge. If it determines that there is reasonable cause to believe that it is true, it then attempts to eliminate the unlawful practice by informal methods designed to secure voluntary compliance. Nothing said or done during such efforts may be made public by the Commission without the consent of the parties. (Section 706 (a)).

4) The Commission has thirty days to attempt to secure voluntary compliance but may extend such period thirty additional days. At the culmination of

such efforts or of such time period, the Commission must notify the person alleged by the charge to have been aggrieved. (Section 706 (e)).

5) Not later than thirty days after receiving notice of the Commission's inability to secure voluntary compliance, the person alleged by the charge to have been aggrieved may commence a civil action against the respondent. (Section 706 (e)).

6) The court may, upon request, stay proceedings pending further efforts by the Commission to secure voluntary compliance. (Section 706 (e)).

Comment: The maximum possible delay due to causes other that the inaction of the person aggrieved is 120 days or four months. This and the minimum delay are the same whether the charge is filed by the person aggrieved or by a member of the Commission.

C) Where the charge is filed by the person aggrieved and the state or locality where the unlawful employment practice occurred has a state or local law:

1) The person aggrieved commences proceedings with the appropriate state or local authorities by mailing by registered mail a statement of the facts upon which the proceeding is based. (Section 706(b)).

2) Not before sixty days after the commencement of such state proceedings, the person aggrieved may file a charge with the Commission. During the first year of operation of a state or local law, such waiting period is extended to 120 days. Such a charge must be filed with the Commission within 210 days after the occurrence of the unlawful employment practice or within thirty days after the termination of the state proceedings, whichever is earlier. (Section 706 (b) and (d)).

3) The Commission notifies the respondent and furnishes him with a copy of the charge. The charge may not be made public by the Commission. (Section 706 (a)).

4) The Commission investigates the charge. If it determines that there is reasonable cause to believe that the charge is true, it then attempts to eliminate the practice by informal methods designed to secure voluntary compliance. Nothing said or done during such efforts may be made public by the Commission without the written consent of the parties. (Section 706 (a)).

5) The Commission has thirty days to attempt to secure voluntary compliance but may extend such period thirty additional days. At the culmination of such efforts or of such time period, the Commission must notify the person aggrieved. (Section 706 (e)).

6) Not later that thirty days after receiving notice of the Commission's inability to secure voluntary compliance, the person aggrieved may commence a civil action against the respondent. (Section 706 (e)).

7) The court may, upon request, stay proceedings for sixty days pending the termination of state proceedings or of further efforts by the Commission

to obtain voluntary compliance. (Section 706 (e)).

Comment: During the first year of the operation of a state or local law, the shortest that the time from the occurrence of the unlawful practice to the commencement of an action in federal court can be is 120 days or four months. Through the exercise of Commission and court discretion this period can be extended to seven months. After the first year of operation of a state or local law, the shortest period will be three months and the longest period will be five months.

D) Where the charge is filed by a member of the Commission and the state or locality where the practice occurred has a state or local law:

1) A member of the Commission, if he has reasonable cause to believe that a violation of title VII has occurred, files a written charge with the Commission. Such charge must be filed within ninety days of the occurrence of the violation. (Section 706 (a) and (e)).

2) The Commission, before taking any other action, notifies the appropriate state or local officials that a charge has been filed. (Section 706 (c)).

3) If the state or local officials request, the Commission must afford them a reasonable time, which cannot be less than sixty days, to act to remedy the practice alleged. During the first year of operation of such state or local law, the reasonable time afforded the state or local officials cannot be less that 120 days. (Section 706 (c)).

4) After the reasonable time accorded the state or local authorities has expired, the Commission has thirty days to attempt to secure voluntary compliance but may extend such period thirty additional days. After the culmination of such efforts or of such time period, the Commission must notify the person alleged by the charge to have been aggrieved. (Section 706 (e)).

5) Not later than thirty days after receiving notice of the Commission's inability to secure voluntary compliance, the person alleged by the charge to have been aggrieved may commence a civil action in federal court against the respondent. (Section 706 (e)).

6) The court may, upon request, stay proceedings for sixty days pending efforts of the Commission to obtain voluntary compliance. (Section 706 (e)).

Comment: During the first year of operation of a state or local law, the shortest period from the filing of a charge to the commencement of a federal court action is 120 days or four months. If the Commission takes the minimum time allowed for action by it (Section 706 (e)), the time will be 150 days or five months. There is no precise limit on the maximum delay, since under Section 706 (c) the time of referral by the Commission to a state or local authority is to be a "reasonable time", but the total time from the filing of a charge by a member of the Commission to the commencing of a civil action in a federal district court can be extended to over seven months.

Conclusion: In any situation, the proceedings against an employer unwilling to comply can be delayed by the slowness of state or local agencies and by a lack of insistence on speed by the Commission and by the courts.

The minimum delay is increased by the presence of state or local agencies and laws. But, given the existence of such agencies or laws, it makes little difference, if speed is the sole concern, whether the charge is filed by the person aggrieved or by a member of the Commission.

PROBLEMS OCCASSIONED BY STATE PROCEEDINGS

In order for the state or locality to qualify under Section 706 (b) and (c) and thus get first chance at handling the situation, the state or local law must both (1) prohibit the specific unlawful employment practice alleged and (2) authorize the granting or seeking of relief from the practice or authorize the institution of criminal proceedings against the violator.

It is expected that many states will pass such laws in order to secure the "benefits" which accompany them. The federal government is kept more in the background and the actual problem-solving can be done by the states. In states where there is little desire to solve such problems, these laws can serve as a means to delay and confuse the solutions sought by the Commission, by the aggrieved, and by the federal courts.

Nowhere in title VII does it state that securing relief under a state law precludes pursuing a rmemdy with the Commission or in the federal courts. A state statute which made an unlawful employment practice punishable by the payment of a fine to the state would be of little help to the aggrieved person. All that is required by Section 706 is that the state or local authority be given an opportunity to act, and such action does not preclude subsequent federal action through the Commission or through the courts.

Even though the securing of a state remedy does not bar future federal action, it is arguable that findings in state proceedings are binding, through res judicata or collateral estoppel, in federal civil actions. It has been recognized that the decision whether a federal statute has been violated is not limited by findings in a state court. The same has been held true for conclusions from historical fact where a strong federal policy was involved. For example, in Sewell v. Commissioner, 151 F. 2d 765 (5th cir. 1945), a state court's finding as to the intent of a person at the time he made a transfer of property was held not to be binding on a Federal Tax Court.

The problem of the binding effect of state or local action often may depend on the kind of state or local action. A state administrative agency would most likely be given no more power to bind subsequent proceedings than is the EEOC itself given. The EEOC is not empowered to make findings but rather to determine if there is reasonable cause to believe that a charge of an unlawful employment practice has occurred and then, on that basis, to act to secure compliance. A determination that there was reasonable cause to believe that a violation had occurred is not binding on a court which must determine whether in fact there has been a violation.[6]

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[6] If the EEOC determines that there was not reasonable cause to believe

Certainly no greater effect than this would be given to state or local administrative proceedings, and thus such proceedings would have no res judicata or collateral estoppel effect in subsequent civil actions in federal courts.

Problems such as these will arise primarily in connection with Section 706 (b) which provides that proceedings cannot even be commenced with the Commission until the state or local authority has had time to act. There will be some problems also with 706 (c), where the Commission refers the case to the state or local authorities which are authorized "to act to remedy the practice alleged," but this language of Section 706 (c) could well be used to indicate that it was the intent of Congress That the state or local authority to whom the Commission refers the case was to have no more than an opportunity to act to remedy the practice of which it was informed by the Commission. Thus, under Section 706 (c), any findings to be made are to be made by the Commission and not by the state or local authority. Such rationale cannot be used under Section 706 (b) where the first action by the Commission is not taken until after the person aggrieved has commenced preceedings with the state or local authority.

Further support for such a distinction between 706 (b) and 706 (c) is the fact that Section 707 (e), in the last sentence of the subsection referring to the power of the court to stay proceedings, speaks of "state or or local proceedings described in subsection (b)" and of "efforts by the Commission to abtain voluntary compliance." Thus state efforts on referral by the Commission under subsection (c) seem to be regarded in subsection (e) as part of the efforts of the Commission.

Section 706 (c) speaks of state or local proceedings on referral by the Commission after a charge has been filed with the Commission by a member of the Commission. Since, under that section, the person alleged by the charge to have been aggrieved does not participate in any actions taken before referral by the Commission to the state or local authorities, it seems that such state or local authorities should not be able to require the participation of such person in state or local proceedings. Neither does it seem that such state or local authorities would have subpena power over the member of the Commission who filed the charge. This non-participation by the person alleged to have been aggrieved and by the members of the Commission seems a valid reason for not giving state or local proceedings under Section 706 (c) any binding effect as against such non-participants.

Thus in regard to the problems of res judicata and collateral estoppel posed by state proceedings it is better that the proceedings be commenced by a Commissioner rather than by the person aggrieved.

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that a violation had occurred, it would presumably notify the complainant (or the complainant could secure notice on his own initiative). Such notice will most likely be regarded by the courts as a notice that "the Commission has been unable to obtain voluntary compliance," and thus the person aggrieved would then be able to commence a civil action under Section 706 (e).

MAKING THE CONTROVERSY PUBLIC

Section 706 (a) provides that a "charge shall not be made public by the Commission," and that nothing said or done during endeavors by the Commission to obtain voluntary compliance "may be made public by the Commission without the written consent of the parties." Since publicity is an important element in civil rights cases, it is important to note that nothing in title VII prohibits the person aggrieved or the respondent from making any of these things public, each without the consent of the other.

APPOINTMENT OF ATTORNEYS AND ACTIONS COMMENCED WITHOUT COSTS

Section 706 (e) provides that the court, in a civil action, "may" appoint an attorney for the complainant and "may" authorize the commencement of the action without payment of fees, costs, or security, in circumstances as it deems just. Frequent use of this power by the court would greatly encourage the bringing of otherwise impracticable, but worthwhile, actions. The exercise of this power does not seem to be a matter of court discretion because, in very many instances in title VII and in the entire bill, the language provides that the court "may, in its discretion" take certain actions, whereas, in the sentence regarding the appointment of attorneys and the commencement of actions without payment of costs, the phrase "in its discretion" does not appear, although it is used in the sentence immediately following. Thus the failure to exercise this power may be reviewable as a failure to exercise statutory authority rather than as an abuse of discretion.

SECTION 707 SUITS BY THE ATTORNEY GENERAL

Before bringing suit, the Attorney General must have reasonable cause to believe that there is a pattern or practice of resistance and that the pattern or practice is intended to deny the full exercise of rights described in title VII.

Section 707 (a) refers to "any person" engaged in a pattern or practice. Thus there need be only one violator, and some have said that pattern or practice means two or more acts. It should be noted that "practice" here refers to a practice of resistance and is thus distinct from "unlawful employment practice," but the fact that it takes only one act to establish an unlawful employment practice should give an indication that the requisite acts to establish a practice of resistance need not be numerous.

Om Section 707 (a) it is stated that the pattern or practice of resistance must be "intended" to deny the full exercise of rights described by title VII. This would seem to mean only that those who did discriminate must have intended to discriminate and would not seem to mean that there must have been a specific intent to violate the law. A similar analysis of "intent" was given during the debate by several Senators in connection with Section 706 (g).

It is provided in Section 707 (a) that the complaint request "such relief" as the Attorney General deems necessary. It is significant that Scetion 206 (a) of title II is identical to Section 707 (a) except that it provides that the Attorney General's complaint request "such preventive relief." Thus under Section 707 (a) the Attorney General presumably may request compensatory or punitive relief, including back pay (see Section 706 (g)) and perhaps even damages.

To get a three judge court appointed, the Attorney General files a request and a certificate of the public importance of the case with the clerk of the district court. This is all that need be done by the Attorney General to get a three judge court. The request need not be seen by the district judge, for the clerk handles everything which occurs in the district court. It must be noted that here, unlike in title I, the defendant may not request a three judge court.

The clerk immediately sends the request to the chief judge of the circuit whose duty it is to appoint the three judge court on receipt of the request.

Section 707 (b) provides that it is the duty of the chief judge of the circuit to designate three judges "in such circuit." One of the three must be "a circuit judge," and one must be "a district judge of the court in which the proceeding was instituted." This language supports the proposition that, except for the one member appointed from the district court, the three judge court may be composed of judges in the circuit, whether there by appiontment, designation, temporary assignment, or independent business.

Section 707 (b) provides for a direct appeal to the Supreme Court from a "final judgement" of a three judge court. Presumably the absence of a provision for appeals from temporary restraining orders and other interlocutory orders indicates that from them a direct appeal to the Supreme Court would not lie.[7]

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[7] This analysis seems correct. Section 1253 of Title 28 of the United States Code provides: "Except as otherwise provided by law, any party may appeal to the Supreme Court from an order granting or denying, after notice and hearing, in interlocutory or permanent injunction in any civil action, suit, or proceeding required by an Act of Congress to be heard and determined by a district court of three judges."

Section 29 of Title 15 of the United States Code provides for appeals from "final judgements" where the United States is a complainant in a civil action brought under certain enumerated Acts of Congress. This section does not mention interlocutory orders, and thus by its language neither includes them or excludes them, But Section 29 is within the "except as otherwise provided by law" clause of Section 1253 of Title 28 and thus no direct appeal from an interlocutory order lies to the Supreme Court. (see Moore's Federal Practice 6:29)

Since the language of Section 707 (b) of the Civil Rights Act of 1964 is the same as the language of Section 29 of Title 15 of the United States Code, neither mentioning interlocutory orders, it would seem that the same result would follow for both.

If the Attorney General does not request a three judge court, the chief judge of the district must immediately designate "a judge in such district" to hear the case (Section 707 (b)). This language supports the proposition that the chief judge of the district may designate any judge, circuit or district, who is "in" the district, whether there by appointment, designation, temporary assignment, or independent business.

Actions by the Attorney General clearly involve less time and procedural complexities for the person aggrieved than would an action brought by himself. The Attorney General's suit by-passes state proceedings and the Commission, both of which are mandatory in proceedings commenced by the person aggrieved. The general expediting clause for the court at the end of Section 707 applies only to that section, which does not mention proceedings commenced by the person aggrieved.

JURISDICTION OF THE DISTRICT COURT

Section 706 (f) refers to "jurisdiction of actions brought under this title" and thus contemplates both actions by the person aggrieved (Section 706) and by the Attorney General (Section 707).

An action may be brought in a district court in the state where the unlawful employment practice occurred, where the employment records are kept, or where the plaintiff would have worked but for the unlawful practice. If the respondent is not found in such states then the plaintiff has the additional option of bringing the action in the district in which the respondent has his principal office. Thus in most cases it will be difficult for the plaintiff to sue the defendant in a locality not sympathetic with the white employer. This would become important in case there is criminalcontempt for which there must be a jury trial under title XI and in case the bias of a district judge is feared.

If the defendant is a large corporation, duplicate employment records may be kept in a state other than the state in which the unlawful employment practice occurred. If so, the the plaintiff, according to the language of Section 706 (f), may sue in the district courts of such a state.

Section 1406 of title 28 of the United States Code provides for transfers of actions brought in the wrong district to districts where they might have been brought, and the district in which is the principal office of the respondent is deemed by Section 706 (f) to be such a district where the action might have been brought. Thus an action brought -- by advertence or inadvertance -- in a wrong district may be transferred to a district in which it could not have been brought in the first place.

RELIEF GIVEN IN THE COURTS

"The court" in Section 706 (g) presumably refers to the courts specified in Section 706 (f), which includes courts having jurisdiction of actions brought by the Attorney General. This interpretation seems correct since Section 707 (a) states that the Attorney Gereral may request "such relief" as he deems appropriate. A nearly identical section, Section

206 (a) of title II speaks only of "preventive relief." This difference in language is meaningful because the relief specified in Section 706 (g) is not all preventive: some is compensatory.

The court must find that the unlawful employment practice was intentional before it can grant relief. "Intent" here means the intent to discriminate and not the specific intent to do something unlawful.

The court is explicitly given power to order reinstatement or hiring of the person aggrieved with back pay. The language does not preclude the granting of back pay without ordering reinstatement or hiring, since the section provides that the court may "order such affirmative action as may be appropriate."

Title VII provides for much delay in proceedings through compulsory referral to state or local agencies and through the exercise of Commission and court discretion. The back pay could run for these delays, because but for the unwillingness of the respondent state or local and Commission actions to obtain voluntary compliance would have been successful. For this reason, the possibility of a back pay award can be an effective deterrent against delay and disobedience of court orders by the respondent, without necessitating resort to criminal contempt proceedings.

The back pay remedy is in the nature of a damage award, but is contemplated as aprt of a court order under a statutory form of action. Thus even if this were the only relief sought, it seems as though the defendant would have no right to a trial by jury.

Section 706 (h) makes clear that the injunctive power of the court is not limited by the Norris-LaGuardia Act.

Section 706 (k), unlike Sections 706 (f) and (g), does not apply to actions brought by the Attorney General. In actions brought by the person aggrieved, if the defendant does not comply with the court order, then the Commission "may commence proceedings to compel compliance." This type of proceeding does not seem limited to court proceedings, but may include petitioning local officials to act or making public the fact of recalcitrance, as well as court proceedings for an order to show cause why the defendant should not be held in contempt.

INTERVENTION BY THE PERSON AGGRIEVED IN AN ACTION BROUGHT BY THE ATTORNEY GENERAL

It has been stated that the Attorney General may seek compensatory relief for the person aggrieved, but he may not choose to do so. Thus it seems that the representation of the aggrieved person may not be adequate. It also seems that the aggrieved person may be bound by a judgment in the action. These are the two requirements for intervention as of right under Rule 24 (a) of the Federal Rules of Civil Procedure, and thus it appears that the person aggrieved may have a right to intervene in an action brought by the Attorney General.

The same Rule 24 of the Federal Rules of Civil Procedure permits the court in its discretion to allow intervention when the applicant's claim and the main action "have a question of law or fact in common." This would almost certainly be the case in an attempted intervention in an action brought by the Attorney General.

Independently of Rule 24, it was held in a leading case by the Supreme Court that an applicant could intervene in an anti-trust action brought by the Attorney General, irrespective of the district court's exercise of discretion to the contrary. Missouri-Kansas Pipe Line Co. V. United States, 312 U.S. 502, 61 S.Ct. 666 (1941). The Court stated:

> "(W)here the enforcement of a public law also demands distinct safeguarding of private interests by giving them formal status in the decree, the power to enforce rights thus sanctioned is not left to the public authorities nor put in keeping of the district court's discretion." 61 S.Ct. at 688.

Thus the provability of suceess of an attempt to intervene appears high. It would be a great advantage to the person aggrieved to be able thus to escape the time-consuming procedures elaborated in Section 706 and to secure the expedition and impartiality incident to a hearing by a three-judge court.

EFFECT ON STATE LAWS

Section 708 provides that nothing in Title VII shall relieve any person of liability or duty under the laws of a state unless the law "purports to require or permit the doing of any act which would be an unlawful employment practice under this title." The implication of this provision would seem to allow states to pass law to frustrate the ends of Title VII. For example, a trespass law, strictly enforced, which did not " purport" to permit unlawful employment practices, might be used to prosecute Negroes who entered to apply for a job where not welcomed. Clearly, a Negro who entered, applied, and left when asked to leave could not be criminally liable under a trespass law. But what of Negroes who attempt direct action to get a job? For example, could Negroes be arrested and convicted under a state trespass law for "standing-in" under color of law. One can make a good argument that the employer cannot eject anyone on an unlawful basis and that any such expulsion is initiated by an unlawful intent to discriminate.[8]

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[8] Prior to this bill, the argument that the 14th Amendment prohibits "state action" to enforce discrimination has been used to avoid conviction under trespass laws of demonstrators who have sought equal employment opportunity. Attorneys have argued that enforcement itself of such laws where they tend to aid in discriminatory practices is "state action." Most of these cases have involved lunch counter sit-ins or the like rather than employment, but the argument is equally relevant to employment. The

Important implications follow from a holding that individuals who violate the trespass laws of a state for the purpose of implementing the ends of this title cannot be prosecuted. If direct action including "trespassing" is not unlawful, direct action may be used to effect the ends of this title without suffering the delays of the administrative and judicial practice required. (Whether the police could be enjoined from preventing trespass would seem more dubious and difficult than staying prosection for trespass in the courts. But if such an injunction were obtained, direct action would be very effective.) The owner would be forced to accept either constant disruption of his employment activities -- although the physical area of legal trespass would be confined to the area used for hiring -- or an end to his policy of discrimination. In attempting to implement both titles II and VII a careful consideration should therefore be given to direct action. Direct action may not only force the hand of the employer, but it may also make the Commission, state and federal, more willing to act with speed where the threat of direct action leading to violence exists.

INVESTIGATIONS, INSPECTIONS, RECORDS, STATE AGENCIES, SECTION. SECTION 709(a) AND SECTION 710.

Section 709(a) provides that the Commission shall at all times have access to and the right to copy any evidence of any person under investigation or being proceeded against. The right to copy would seem to allow the Commission, without a court order, to inspect documents and records, as well as to take depositions of material relevant to the charge under investigation. Section 710(a) deals with this same power. That section would expand the right of the Commission to take depositions and even to inspect documents by allowing it to "examine witnesses under oath and to require the production of documentary evidence relevant" to the charge under investigation. This authority goes beyond the normal discovery procedure in that a court order is not needed to inspect documents.

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8 (cont'd). Supreme Court has never accepted this argument. Enforcing a covenant where it had been violated has been found to be "state action," Shelley v. Kraemer, 68 S.Ct. 836 (1948), but protecting a person's right to exercises exclusive control of his property has not been found to be "state action," at least not by the Supreme Court. Bell v. Maryland, (decided June 23, 1964)

Prior to this Act of 1964, two difficulties have existed: 1) that criminal prosectuion for the violation of another's rights has not been found to be "state action" -- a concept which is normally though of for example as a law, public statement of policy, or executive order, or a judicial injunction; 2) that the person who discriminated was thought to do so legally, by rights attached to the ownership of land. (Justices Goldberg, Douglas and Warren concurring, argued in Bell, supra, that the 14th Amendment prohibited discrimination in public accommodations but so far this argument is also not accepted. Goldberg discussed legislative history, but an arguement based on state licensing as "state action" or on a duty of the state to guarantee in public facilities equal protection

JUDICIAL REVIEW OF THE COMMISSION'S REQUESTS.

Should respondent fail to comply (Section 710 (b)) with the Commission's request to take a deposition or to inspect documents, the Commission may appeal to the United States district court for compliance. Any district court in a district in which respondent is found, resides, or transacts business has jurisdiction to grant an order demanding compliance. This provision presumably applies to subject matter jurisdiction. Personal jurisdiction and venue requirements would still have to be met. In the case of a corporation, however, both of these requirements would be satisfied where the corporation was doing business or where the corporation had consented to service through the Secretary of State. Thus, United States Steel could be ordered by a Pennsylvania court to comply with requests to show its Birmingham, Alabama, records. Section 710 (b) does not grant authority to any court to require attendance of a witness outside of the state in which he is found, or resides, or transacts business, nor could the court demand the production of the records outside of the state in which they are kept.

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8 (Cont'd). of the laws can be made.) The passage of this Act has removed the second difficulty in areas of public accommodations and employment covered by titles II and VII. Discrimination is no longer privileged.

Where direct action is being used to enforce legal ends, however, the problem of the bounds of law enforcement of laws to maintain the peace remains. The problem arises where Negroes, being refused jobs on the basis of discrimination, refuse to leave quietly. The owner then gets the police to evict the Negroes and the state brings an action against the Negroes for illegal trespass. Enough has been said about the defense of "state action". It may be just a matter of time until the Supreme Court accepts this argument where defendants were making a bona fide effort to exercise their rights.

A second defense to trespass would presumably be that the defendants were rightfully (under color of law) on the prosecutrix's land, seeking jobs. It seems unconscionable that such a defense would not suffice. Yet an examination of Section 708 puts such a defense in doubt for a number of reasons. The first is that 708 provides that liability and duty under state law shall remain in force except where the law "purports to require or permit" acts unlawful under title VII. This provision may just embody laws which would fall before a "state action" argument, that is, those laws would fall which of themselves deny equal protection of the laws. To date, then, the court have not struct down such the application of the trespass laws so that this argument would not provide a defense where Negroes wrongfully denied jobs failed to leave upon request.

A second reason why the defense or rightful entry under title VII might not be adequate in the hypothetical given is that this title has provided legal remedies which would seem to exclude self-help remedies. Just as one must use administrative remedies under title VII (this point may be debatable in itself) before seeking judicial remedies, one must perhaps use the legal remedies available before using self-help remedies. This argument is substantiated by the reasoning that finds an employer, employment agency, or labor organization not to have discriminated until it is

SECTION 710 (c) -- RESPONDENT'S RIGHT TO CHALLLENGE THE COMMISSION

Under this section, respondent has access to federal courts to modify the demand of the Commission for evidence, but this is limited to demands made under Section 709 (a). Thus he could initiate no action to modify a demand nnder Section 710 (a), which is broader than Section 709 (a) (See discussion of Section 710 (d), infra, p.   ). This right is lost

8 (cont'd). so proven. Until so proven, it may be argued, civil rights groups will have to wiat patiently or suffer punishment under the trespass laws.

Still another argument supporting conviction of the "trespassers" even where ejectment is motivated by unlawful intent, is that even the outlaw is entitled to equal protection of the laws. Justice Black, in his dissent in Bell, supra, urged this argument upon the court, only three of whose members rejected it. None would argue that when an employer discriminates it is permissable to shoot him. Some line must be drawn, and perhaps that line will require lawful conduct -- within the trespass laws of the state -- even where the defendants are treated unlawfully.

These are the arguments which those engaging in direct action to achieve the ends of this title will confront. It would, however, be severe to hold that the Civil Rights Act of 1964 had weakened the legal status of people attempting through direct action to achieve equal employment opportunity. The Act may lessen the need for direct action, but it does not end that need. The arguments presented are not definitive and a flexible court may accept arguments which avoid liability.

First, the court might be urged to find that the law under which the action was being brought within its meaning in Section 708 "purports" to require or to permit unlawful practices. If legislative history showed that the state law was motivated by a desire to frustrate civil rights efforts, or if it applied only to those areas of commerce threatened by imminent desegregation, or if the language of the law allowed for any other reasons such a construction, then the court might be willing to strike down the state law. This approach would be adequate, it would seem, in few instances.

A second approach would seem effective and more universally applicable. It should be argued that no man may exercise any right to achieve an unlawful end. No more than does exclusive control or ownership of land entitle a man to create a nuisance on his land, does ownership entitle a man to unlawfully evict others from his land. The employer, or labor organization, would not be justified in exercising his right to exclude the defendants on the basis that he did -- that defendants were rightfully present under color of law -- and, thus, defendants, in violating the right of no citizen, violated no law.

after twenty days following the request of the Commission. Should respondent initiate such an action, he is entitled to choose his forum, limited only to those judicial districts where he resides, is found, or transacts business. Presumably the Commission would have to answer anywhere although certainly the doctrine of forum non conveniens would give a court discretion to transfer the petition to a more suitable court if the respondent's choice of court was particularly outrageous.[9]

Respondent may base his petition on limitations imposed on the Commission by this title on constitutional arguments, or on other legal arguments. Commission demands must conform to the constitutional demands of search and seizure, for example. The subsection continues: (Subsection (c)): "No objection which is not raised by such a petition may be urged in the defense to a proceeding initiated by the Commission" -- discussed above -- unless the Commission initiates its action within 20 days of the day upon which it serves respondent with the request, or unless the court determines that at the time respondent asked for relief he "could not reasonably have been aware of the availability of such ground of objection" (Sec. 710 (c)). What this presumably means is that once respondent has chosen his grounds for objection, he must stick to those alone unless one of the above two conditions would allow him other defenses. It does not mean that respondent's failure to petition at all will prevent him from raising a defense in response to an action brought by the Commission. Once having petitioned, the respondent will be totally barred by res judicata from raising the same objections and different objections are denied to him by this language.

The confusion of Section 710 (b) and (c) is compounded by subsection (d) which reads in its entirety:

> In any proceeding brought by the Commission under subsection (b), [which simply authorizes the Commission to ask for a court order compelling compliance to Commission demands made under Secs. 709 (a), (c), and (d), and 710 (a)] except as provided in subsection (c) [which authorizes respondent to petition for relief to demands made under 709 (a) as discussed, *supra*] of this section, the defendant may petition the court for an order modifying or setting aside the demand of the Commission.

As a whole these subsections would seem to mean that when the demand for evidence is made by the Commission under Section 709 (a), the respondent may initiate an action as authorized under Section 710 (c) to modify the demand, subject to the dangers of re judicata as discussed. Where the Commission acted under Section 710 (a) the respondent must, if he wishes to object to the Commission's request, wait -- as he may also opt to wait against a request made under 709 (a) -- and then may raise his defenses. The import of this restriction is that the Commission alone will have a choice of forums. Note that when respondent initiates an action under Section 710 (c), the Commission may, if it finds the forum undesirable, argue that the demand for evidence was obtained under Section 710 (a), as opposed to 709 (a). As Section 701 (a) would seem to encompass all of 709 (a) except perhaps the right to copy such an assertion by the Commission would appear creditable.

SECTION 709 (b): COMMISSION DISCRETION TO CEDE AUTHORITY

Section 709 (b) gives the Commission discretion in its conduct and permits it to cooperate with state and local agencies to carry out its functions. This discretion extends to the right to make contracts with state agencies giving up jurisdiction over particular cases or over a class of cases where the state agency is competent to or is acting to bring about settlements. Such agreement could preclude citizens' rights to bring a civil action under Section 706. The Commission is free to rescind any such agreement whenever it feels that the agreement no longer serves the interest of effective law enforcement of this title.

As is clear this is a vast discretionary power. Abuse of such discretion would damage the effect of the title. The Commission must be discouraged from encroaching upon a citizen's seeking relief in Federal Court.

Even where the state is acting, a federal remedy may be very valuable as it provides an alternative remedy. The existence of alternative relief may encourage more rapid state action. The Commission need not handle each case in which the state fails to find a settlement, but rather may allow the required time to elapse and permit the courts to settle the dispute. Here again the role played by the Commission is critical and that role will be determined by men serving on the Commission.

SECTION 709 (c) - RECORDS KEPT BY EMPLOYERS

Section 709 (c) must be read in conjunction with 709 (d), as subsection (d) greatly qualifies the powers given the Commission in subsection (c). Subsection (c) provides that employers, employment agencies, and labor organizations "subject to this title"may be required to keep such records as the Commission requests. Records of apprenticeship programs are specifically provided for, another recognition of the crucial role these programs could play in training members of minority groups. It should be noted particularly that a list of applicants "who wish to participate in such program, including the chronological order in which such applications were received," may be required and that this provision goes into effect immediately upon the passage of the Act. (See the discussion of Section 716 infra and also the discussion of Section 703 (j) supra) This section also provides that the employer "shall furnish to the Commission, upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or training program." This language is is so strong and the area of its concern is so critical that it must receive immediate attention upon the passage of the Act.

The authority to require records is limited (by subsection (d)) where records are required by state fair employment practice laws, with respect to matters covered by those laws. This limitation is likely to affect Northern employers alone, at least until Southern states require such records. Where this limitation exists, the Commission is entitled only to require notations which "are necessary because of differences in coverage or methods of enforcement between the State or local law and the provisions of this title." This language seems to vest still broader powers to the Commission in this area. A second limitation exists where an employer is required by Executive Order 10925 (issued March 6, 1961) or any other executive order to file reports concerning employment practices with a federal agency or committee. This limitation applies only to reports required, not to records which the Commission may demand. The Commission could require additional records and inspect these from time to time to supplement the reports it received.

From a practical viewpoint, the scope of the Commission's power to demand records or special notations will be determined by judicial review as provided in Section 709 (c). (In this connection, refer to the discussion, supra, of Section 710 (b), wherein the employer can await a Commission action to enforce its demands and object to the requirements at that proceeding.) The employer may, under Section 709 (c), where the Commission's demands would result in undue hardship," ask the Commission for an exemption -- note: not for a change of the requirements -- or may bring a civil action to request relief. The Commission or the court must find that "undue hardship" would result, not that, for example, the information demanded is not needed, or that the employer does not seem to be discriminating any more. Relief granted on either of these bases would be an abuse of discretion. Furthermore, proof of "undue hardship" does not compel relief but simply provides grounds on which appropriate relief may be granted. Such a denial of relief would be appropriate where the employer's activity strongly indicated discriminatory practice and the records required would furnish solid proof.

PUBLIC DISCLOSURE OF INFORMATION

Section 709 (e) prohibits the members of the Commission or the staff from disclosing information obtained by the Commission "pursuant to its authority under this section," before the institution of any proceeding under this title "involving such information." One might first ask, can a Commissioner disclose, or make public, information obtained under Section 710? The conflict between these two sections has been discussed before. (See the analysis of Section 710 (d), supra) Under Section 710 the Commission appears to remain unrestrained, whereas under 709 the employer is guaranteed certain protections. Yet 710 (a) and 709 (a) seem to overlap, the former appearing to have greater scope.

Secondly, it should be noted that this restriction ends as soon as any proceeding is instituted under this title "involving such information." Thus, in a suit by a private party against an employer, a deposition could be taken of the Commission concerning any relevant information even though this information was obtained in connection with a hearing which never led to litigation. In fact, where the discovery rules of the Federal Rules of Civil Prodedure restricted a party from ascertaining certain information, the Commission, with extensive powers under Sections 709 (a) and 710 (a) to copy evidence and review documents, might be required under the discovery rules rules of the FRCP to exercise its powers to obtain evidence. That is, as the Commission has access to documents without a court order, it would be forced to give out the information available to it in response to a list of interrogatories or in response to an oral deposition taken of it as a witness by a party to a suit.

Section 710 haa been discussed in detail following the discussion of 709 (a).

NOTICES OF PROVISIONS OF THIS TITLE

In keeping with the ends of this title, Section 711 requires employers, employment agencies, and labor organizations to post notices or summaries prepared by the Commission analysing the provisions of this title as well as information pertinent to filing a complaint. Policing this provision may present problems. The chief concern here should be to see to it that these notices are clear and that the procedure is not made to seem too complex and burdensome so as to discourage claims. More important still is that this information be distributed at once, upon the passage of this Act. Education should not wait until the moment it becomes of use. Familiarity with this title will aid a more rapid implementation of it when Sections 703, 704, 706, and 707 go into force. Applicants for job opportunities should be encouraged to attempt application on the very day the bill is passed. Upon being refused they should register their application with the Commission which should then record the list of applicants. When discrimination subsequently becomes unlawful, an action should be brought by the Commission to strike down the discriminatory list and replace it with a non-discriminatory list. (See the discussion of 703 (j)) This provision may also be used to educate employers and employees before this title is fully effective. From education, conciliation and compliance might follow at least in areas where discrimination is not zealously guarded. The possibilities here are impressive and important. Notice of the sort provided for here should be the first order of business of the Commission.

In connection with the veteran's preference (Section 712), it need only be said that Negroes are, as others, entitled to exercise the privileges attached to being a veteran and Negro veterans; once discriminated against, may now be able to exercise these privileges.

SECTION 713 (b): CIVIL LIABILITY MUST BE BASED ON MAL-INTENT

Section 713 (b), which deals with actions and proceedings brought under this title for unlawful employment practices, excuses the wrongdoer from "liablility or punishment" if his act or omission was done in good faith or in reliance on an interpretation of this title by the Commission. It also excuses the wrongdoer when he fails to publish or file information required by this title, if failure resulted despite good faith. "Such a defense ... shall be a bar to the action...." This language would seem to indicate that claimant could not even demand employment, let alone back pay or other damages which he might otherwise collect. Of course, a subsequent breach of the same provision would result in liability and punishment, as good faith would be difficult to show where the offense was repeated.

SECTION 716: EFFICTIVE DATE

Section 716 (a) provides that this title shall not become effective for one year after the date of its enactment, but subsection (b) limits those that do not become effective to sections 703, 704, 706, and 707. Thus immediately upon passage of the Act the Commission (Section 705) comes into existence. Appointments must be made, offices established, policy thought out. Section 709 and 710 (which provide for investigatory powers) become effective at once. These should be used to require record keeping, including lists of job applicants for training programs so that when the other provisions take force, new non-discriminatory lists may replace lists which were unfairly compiled. (See the discussion of Section 703 (j) supra) Information as to prime targets could be assembled and recordkeeping requirements could be determined. Notices of the provisions of this title must be written and posted immediately, as education will not wait. (See the discussion of Section 711 supra) Procedural rules will have to be determined and, of course, a staff competent to deal with the problems covered by the title will have to be organized. Much can be done in this first year, especially in the area of establishing application preferences as indicated in the discussion of Section 703 (j).

The last provision, subsection (c) of Section 716, authorizes the President to convene conferences to enable leaders of various groups affected by this title to become familiar with the provisions of the title. Here, creative thought as to the direction of this education, or as to what groups should be invited could be of great use in motivating the President to exercise this discretion. The second part of this subsection seems to limit the people whom the President is authorized to invite. Clause (4) includes "representatives of private agencies engaged in furthering equal employment opportunity."" This might include civil rights leaders, leaders of the NAACP, church groups, or any group whom the President thinks affected by the law. Conferences of this sort could aid greatly in the implementation of this title.

TITLE VIII - REGISTRATION AND VOTING STATISTICS

"In the problem of racial discrimination, statistics often tell much, and courts listen."
State of Alabama v. United States, 304 F2d 583, 586

Section 801

Section 801, the sole section of Title VIII, directs the Secretary of Commerce to conduct promptly a survey in order to compile registration and voting statistics in such geographic areas as may be recommended by the Commission on Civil Rights. Such statistics will fill the deficiency of data on voter eligibility, registration, and turnout broken down racially on a comparative geographical basis.

This information will be of crucial importance to the Civil Rights Commission in its fact-finding functions and the the Justice Department and other persons in their litigation efforts to enforce voting rights. But the statistics will have an even greater significance. Hopefully, they will form the basis for the enforcement of Section II of the Fourteenth Amendment, which has been almost totally ignored since its adoption. Enforcement would mean that any State which has in any way abridged the right to vote of any adult inhabitant--for example, through the use of literacy tests, interpretation tests, or poll taxes--will have the basis of its representation in the House of Representatives reduced. Even the threat of such a sanction would tend to curb the most blatant voter abuses. The House of Representatives has the constitutional power to judge the qualifications of its own members and, therefore, by resolution, could refuse to seat those representatives of states where an appreciable proportion of the citizens are systematically denied the right to vote. Therefore, it is very important that civil rights groups immediately begin a concentrated pressure campaign to secure such enforcement before the next term of Congressconvenes. A similar campaign should be directed towards the Commission of Civil Rights to make an immediate recommendation of a specific geographic area to the Secretary of Commerce. The Secretary has no choice but to promptly conduct a survey. If he is reticent about doing so, an action for mandatory relief may be brought or a pressure campaign may be instituted. Finally, appeals may be made directly to the White House.

Even if Congress refuses to enforce this provision, it may still be judicially enforced in a drastic way. Article II, section one of the Constitution provides that the number of Presidential electors in each state shall be "equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress." Presumably, therefore, a defeated Presidential candidate might challenge, in court, many of the electoral votes claimed by his opponent.

Any survey conducted pursuant to this Title is governed by the protective provisions of Section IX and Chapter 7 of Title 13 of the United States Code. Administrative rules may be enacted to ensure that these protections will not be used to defeat the purpose of the survey. For example, the survey taker can certainly observe the race and name of the person questioned even if that person refuses to answer any questions. He should be instructed to note these factors so that they might be used together with existing information to complete accurate and effective statistics (lists of registered voters, etc.).

TITLE IX - INTERVENTION AND PROCEDURE AFTER REMOVAL IN CIVIL RIGHTS CASES

Section 901 AMENDMENT TO SECTION 1447 (d) OF TITLE 28 OF THE UNITED STATES CODE

Section 1447 (d) of Title 28, U.S.C., prior to the amendment by Section 901 prevented all forms of federal appellate review of an order by a U.S. District Court judge remanding a removed case to the state court in which it was begun. The new amendment now permits federal review "by appeal or otherwise" of such an order if the case was originally removed pursuant to section 1443 of Title 28, U.S.C.

Section 1443 of Title 28, entitled "Civil Rights Cases," provides for removal by the defendant to the U.S. District Court of two general classes of civil and criminal cases. This section was derived from Revised Statute 641 and was first enacted as part of the Civil Rights Bill of 1886, 14 Stat. at L. 27, Chap. 31, sect. 1.

Historically, subsection (1) of what is now Section 1443 was limited to allowing removals only where a state statute on its face denied equal rights to the defendant. But this limitation was imposed by the Courts, Kentucky v. Powers, 201 U.S. 1, not by the Congress. Apparently what the Congress of 1866 intended and what is of crucial importance today is that a defendant be able to get into federal court whenever he is denied or cannot enforce procedural as well as substantive rights.

A rational for the narrow construction of subsection (1) given more than a half century ago may have been that, without a statute discriminatory on its face, there was no way to determine that a Negro defendant would actually be deprived of procedural rights. Today with 50 years more experience there can be no question of the commonplace deprivation of such rights in the South and the overriding importance of these deprivations.

However, since Kentucky v. Powers, the case law has been frozen on the subject. No federal Court of Appeals could review the old standard since no means of review were available. The present amendment will allow for review of the standard used by the district courts in determining federal jurisdiction .

In all such appeals Constitutionally guaranteed procedural rights of equality must be stressed as bases for federal jurisdiction. In fact it can be persuasively argued that prejudice to procedural rights should be more important bases for removal than discriminatory statutes. Violations of procedural rights in a state court are inherently more difficult to isolate on later appeal to the Supreme Court than are decisions based on a state law which is squarely opposed to a federal statute guaranteeing equal rights. Removal therefore should be permitted where the court process is used as a means of intimidating the defendant.

Further, analogies between state statutes and state, county, or city court orders or injunctions should be drawn on the basis that all regulate the actions of people. A court order which denies a Negro equal rights, procedural or substantive, is just as oppressive to the actual defendant as a State statute. In addition executive orders or statements by the executive departments of states or political subdivisions which deny or tend to deny equal rights to Negroes should be grounds for removal under section 1443. In support of this analogy to a state statute is the 1963 Supreme Court decision in Lombard v. Louisiana, 83 S.Ct. 1132 (A63), where the Court said that statements of officials were to be treated exactly like city ordinances.

It would seem that in any criminal or civil case which has been commenced against a Negro and in which discrimination is suspected, the attorney attempting to remove to the federal courts should concentrate upon both procedural and substantive inequalities which prejudice the defendant.

Subsection (2) of section 1443 allows for removal by the defendant when a criminal or civil action is brought against him for acting "under color of authority derived from any law providing for equal rights, or for refusing to do an act on the ground that it would be inconsistent with such law."

Only one case, Hodgson v. Millward, 12 Fed. Cases No. 6, 568, 3 Grant Cases 418 (c.c. Pa. 1863), has discussed the meaning of "under color of authority". There it was said that a person's act need only purport to derive from the authority of a statute granting equal rights to all to come within the meaning of the phrase. In other words, if a person acts or omits to act because he believes such course is required or permitted by a federal statute guaranteeing equal rights, and as a result of such act or omission, he is prosecuted civilly or criminally in a state court, he may remove to the U.S. District Court under section 1443(2).

The actual authority or actual right to act or refrain from acting is not what permits the removal. The existence of real authority is determined at the trial; "colorable authority" is sufficient for removability. Since this is the only criterion under this subsection, it follows that no showing of prejudicial court proceedings, coercion, discriminatory state statutes, discriminatory municipal ordinances, etc., need be made. Thus whenever the defense to a state criminal or civil action is based upon a right derived from a federal statute guaranteeing equal rights, the defendant can remove the case to the U.S. District Court under section 1443 (2) of Title 28.

It is quite clear that the provisions of section 1443 are broad enough to cover any proceedings by a state or private person against any person acting in conformity with the substantive provisions of the Civil Rights Act of 1964. If a state brings a trespass action against a Negro attempting to eat in a "white" restaurant, the case is properly removable to the U.S. District Court. And generally, if any reasonable defense to a criminal or civil action in a state court can be made out under the Civil Rights Act of 1964, even if the defense should prove to be invalid, the case is properly removable.

STAY OF REMAND AND STATE PROCEEDINGS

One of the most important procedural aspects of the new amendment by Section 901 to 28 U.S.C. 1447(d) is what happens to a removed case which has been remanded to the state court pending appeal of the remand to the U.S. Court of Appeals. Prior to the amendment the situation was expressly covered by section 1447(c) of Title 28, U.S.C. which provides, in part, that upon remand the "State court may thereupon proceed with such case." This section has not been changed, but it is clear that very frequently a stay of proceedings in the State court pending the U.S. Court of Appeals' determination of the propriety of the remand is in order.

Section 2238 of Title 28, U.S.C. allows for a federal court to enjoin state court proceedings in certain cases. Specifically this is permitted "as authorized by Act of Congress, or in aid of its (the court's) jurisdiction, or to protect or effectuate its judgments." Under this section it should be possible for a defendant, after remand of his case to the state court to obtain an order staying the state court proceedings pending the appeal of the remand order.

However, a much more desirable procedure, one which will be more advantageous to the defendant, is to obtain an order staying the remand rather than the state court proceedings pending this appeal. If a stay of the remand is granted and the state court proceeds, it does so with absolutely no jurisdiction, real or colorable. Any state court judgement rendered prior to the determination of the appeal of the remand is then void on its face. On the other hand if the defendant merely obtains an order staying the state court proceedings, the state may proceed with colorable if not actual jurisdiction. The correctness of the stay order might be challenged by the state, and this challenge conceivably could be upheld. But the state is in no position to challenge a stay of the remand because the remand is in effect only conditionally pending the outcome of the appeal. Practically, also, a federal court is more likely to stay one of its own orders than to enjoin the proceedings of a state court.

Moreover, it should be strongly argued that a remand of a civil rights case removed under section 1443 of Title 28 is automatically stayed pending appeal of that remand. Congress, by enacting section 1443, intended to afford defendants in certain types of state actions the opportunity to remove to and be tried in the federal court system. Prior to this new amendment by Section 901 to section 1447(d), unsympathetic Southern federal district judges easily defeated Congressional intent by remanding cases to the state courts. Since no review of the remand was possible, the state courts then proceeded unhindered to hear these cases.

Congress in presently amending section 1447(d) has reasserted its intention to provide a defendant in a civil rights case the opportunity to be tried in a federal forum. If a U.S. District court judge does not automatically prevent his remand order from becoming operative pending appeal of that order to the U.S. Court of Appeals, he is countering clear Congressional policy.

It might be argued that the state should be able to proceed pending the outcome of the appeal of the remand because if said appeal is won and the remand is reversed, the state court porceedings will be vacated and the defendant will not be harmed. But the defendant may be greatly harmed by being convicted criminally and jailed, subjected to an illegal injunction or order or deprived of constitutionally guaranteed civil rights. In short, by permitting the state to proceed at all the defendant may be subjected to irreparable harm whereas the state or private plaintiff can almost always bear the delay with little or no prejudice. Because of this likelihood of serious harm to the defendant if the state can proceed pending the appeal, the new amendment to section 1447(d) may well be meaningless if the stay is not automatic.

If it should turn out that the stay of the remand is not automatically forthcoming in all civil rights cases, application should immediately be made to the District Court judge for a stay of the remand. If this is denied, application should then be made to the U.S. Court of Appeals for a stay pending appeal of the remand. This stay will probably be granted in all but frivolous cases. If the state court is about to proceed, the applications should be accompanied by a petition for an injunction to stay the state court proceedings under secton 2238, Title 28, U.S.C.

PRACTICAL USE OF SECTION 1443 OF TITLE 28

Section 1443 can be invaluable in cases of mass prosecutions. Where large numbers of integrationists are prosecuted criminally for trespass for "sitting in" at a "white" restaurant, etc., all of the cases can be removed at any time prior to trial. Because of the possible need for rapid steps, as where the state attempts an immediate railroad or kangaroo trial, the attorneys for the defendants should have large numbers of removal applications on hand with spaces left blank on which names, dates, etc. can be inserted. Removals can then be effected speedily and before the state trial commences.

MISSISSIPPI

Because of Mississippi's interesting criminal procedure, removals to the federal courts can be effected there even after a trial and conviction. An appeal to a Mississippi County Court from a conviction in a Justice of the Peace Court results in a trial de novo on the merits. Removal under section 1443 of Title 28 prior to this trial de novo should be permissable. An appeal from a conviction in the County to the Mississippi Circuit Court which is reversed results in a trial de novo on the merits in the Circuit Court. Removal should also be allowed prior to this trial de novo.

SECTION 902; INTERVENTION BY ATTORNEY GENERAL

This section is potentially one of the most powerful in the Act, especially when joined with a private action brought under section 601. The Attorney General's right of intervention is not predicated upon the Court's discretion, but upon his own, assuming the plaintiff has alleged a denial of equal protection of the laws under the Fourteenth Amendment. Under this section the Attorney General's right of intervention is probably not limited to that part of hhe case dealing with denial of equal protection of the laws. Rather, under the language of the section, he may intervene in all facets of the case. If, on the other hand, a narrow construction of the Attorney General's right of intervention was intended, Congress would have indicated this in the Act. It is therefore likely that where the equal protection point is only one of a number of plaintiff's allegations, the full force of the U.S. may be available to aid him in the entire case.

The relief to which the U.S., through the Attorney General, is entitled is "the same as if it had instituted the action." If the U.S. is in the case for all purposes, as the language of the section strongly suggests, such relief should include helping the plaintiff obtain damages as well as seeking injunctive relief. This is supported further by the language "for or in the name of the Unieed States, the Attorney General may intervene..." If the relief to which the Attorney General were entitled was solely injunctive and for the United States, the language "in the name of" would be surplusage. Its presence denotes meaning, and the only meaning is that all relief may be sought for the plaintiff by the Attorney General by the authority of the United States.

The language of the section is also broad enough to allow the Attorney General to intervene on the side of the defendant in proper cases removed to the federal court under section 1443, Title 28, U.S.C. The removal is in effect the commencement of a suit in the federal court. If the Attorney General could intervene only as a plaintiff, the section should have so stated. If the Attorney General can, in fact, come in to aid the defendant in such cases, state prosecutions under void statutes or utilizing porcedures violative of equal protection and due process may well be deterred.

Since all of the Attorney General's actions are discretionary under Section 902, it will be necessary for civil rights attorneys to discuss the potential of the section wtth him and to encourage its frequent use, both on the side of plaintiffs and of defendants in removed cases.

One final point: if a criminal comtempt proceeding arises out of the Attorney General's intervention under section 902, the defendant has no right to trial by jury, since cases arising under Title IX are exempted from the jury trial provisions of Title XI.

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TITLE X - COMMUNITY RELATIONS SERVICE

Tiltle X, creating the Community Relations Service, may or may not be of great utility to the practicing attorney. The Service will act as a conciliatory body, incapable of compelling parties to act or even of compelling parties to talk. The body will serve a social, but not a legal, r role.

The title provides that the Service shall be headed by a director appointed by the President with the advice and consent of the Senate for a period of four years. Lesser appointments to,the Service will be made by the director, who may appoint "such other personnel as may be necessary to enable the Service to carry out its functions and duties." The director, then, has vast discretionary powers: he may expand the Service putting personnel in many cities, or may appoint no one. The tile will have an impact only if the director is an imaginative and aggressive civil servant.

The Service shall provide assistance to communities or persons in resolving disputes or difficulties relating to discriminatory practices based on race, color, or national origin--not religion--which impair the rights of persons in the community under the Constitution or laws of the United States or which affect or may affect interstate commerce. The two categories: (1) which impair rights under the Constitution or laws, and (2) which affect or may affect interstate commerce: would seem to give the Service authority to act in many areas. As the consent of the parties disputing is needed, it is unlikely that any party would question the Service's authority to mediate once consent is achieved. This title also provides that the Service may offer its assistance to settle disputes arising from discriminatory practices "whenever, in its judgment, peaceful relations among the citizens of the community involved are threatened thereby..." Thus, there seems no limit to the number of disputes in which the Service might become involved. As an example of this breadth, the Service might intervene where one restaurant owner, reluctant to integrate his restaurant alone, would integrate it if other owners did the same. Here the Service could encourage a sttlement where "difficulties" rather than "disputes" were involved.

In disputes arising under Title II, the court may refer the matter to the Service to seek agreement between the parties. The Service is given 60 days, which may be extended 60 more, if the court finds that compliance is reasonably possible. In these cases, the Service, under Section 205, is authorized to make a full investigation and to hold hearing in executive session, keeping information in confidence unless the parties agree to disclose it. In this connection, the Service can be influential in the court's decision to refer the case to the service, by voicing its belief in the possibility of compliance. And where the Service feels that compromise is not possible, it should attempt to persuade the court to handle the case immediately.

The chief limitation is that the Service cannot force itself on parties or communities unwilling to recerive aid, except as provided under Title II as discussed above. Both parties must desire, or be willing to accept, mediation. Here the record that the Service establishes and the personnel which are chosen for the Service may be determinative of its acceptability to disputing parties. An overly aggressive or effective Service might, for example, become ineffective in the South.

Section 1003 - LIMITATIONS ON THE SERVICE

Two limitations have been placed on the service: (1) that it shall conduct its assistance in confidence and without publicity and "shall hold confidential any information acquired in the regular performance of its duties upon the understanding that it would be so held", and (2) that no officer or employee of the Service shall take part in the performance of "investigative or prosecuting functions of any department or agency in any litigation arising out of a dispute in which he acted on behalf of the Service." The confusing nature of the first restriction is not clarified by Congressional comment. Presumably, the language requiring that the Service "shall hold confidential any information acquired in regular performance of its duties upon the understanding that it would be so held" does not require the Service to withhold that information acquired without such an understanding. Thus a member of the Service would seem to be privileged to withhold information only if it is shown that such an understanding existsd explicitly or perhaps implicitly.

The second restriction is equally vague. While an officer is precluded from participating in investigative or prosecuting functions of any agency or department, there seems no restriction on the scope of his role in private litigation. It seems that an opponent of the Service could serve in an investigation by a private party. Whether he is free to be a witness also is unclear. Senatorial comment seems to indicate a strict interpretation of both restrictions in question, but little time was devoted to consideration of this title so that interpretation must be left to the courts.

Conclusion

In general, the Service will encourage mediation and communication between disputing parties. The extent of its activity will be determined by the quality of its leadership. The Service clearly cannot initiate litigation, but it may be possible to involve its officers or employees as witnesses in court between adverse parties. As a witness, the members of the Service may be privileged to withhold all information although a flexible court may find this privilege limited.

TITLE XI - MISCELLANEOUS

SECTION 1101: CRIMINAL CONTEMPT AND CIVIL CONTEMPT

Trial by jury in Criminal Contempt Proceedings

Section 1101 provides for jury trial as a matter of right in any proceeding for criminal contempt arising under title II (public accomodations), III (public facilities), IV (public education), V (Commission on Civil Rights), VI (federally assisted programs), or VII (equal employment opportunity). Significantly, section 1101 does not apply to title I (voting rights) or to title IX (intervention and removal in civil rights cases); titles VIII, X and XI are, less importantly, also exempted from Section 1101.

Title I is an amendment to "Section 2004 of the of the Revised Statutes...as amended by section 131 of the Civil Rights Act of 1957... and as further amended by the Civil Rights Act of 1960." (See also 42 USC 1995.) Section 151 of the Civil Rights Act of 1957 provides for jury trial in criminal contempt proceedings arising under that Act (1957) in the event the punishment exceeds a $300 fine or 45 days imprisonment. It is suggested that this jury trial provision of the 1957 Act may not apply to title I of the 1964 Act (indeed, nor to the 1960 Act). Thus, in proceedings under title I for criminal contempt, the only limitation on the power of the court to punish contempt summarily without a jury, may be the dictum of the Supreme Court in United States v. Ross Barnett, April 1964, U.S. S. Ct. #107, to the effect that there must be a jury trial in criminal contempt cases where the punishment is more than that provided for "petty offenses." (But see the discussion of 18 USC 3691 below in regard to a private suit based primarily on title I of the 1964 Act.)

Title IX authorizes the Attorney General to intervene in actions brought by private citizens "seeking relief from the denial of equal protection of the laws under the fourteenth amendment to the Constitution." In such actions brought by private citizens under the Constitution, the court has the power to punish disobedience of its orders by criminal contempt proceedings without a jury, except as limited by United States v. Ross Barnett. Intervention by the Attorney General under title IX in such private actions will not affect this power of the court because title IX is not covered by section 1101.

Suits Not Under the Civil Rights Act of 1964

Of course, if a person sues to obtain an injunction to secure constitutional or statutory rights, secured other than by the Civil Rights Act of 1964, such as to secure admission to a university under Brown v. Board of Education, the suit does not arise under titles II throught VII of the Civil Rights Act of 1964, and section 1101 will not apply. There need not be a jury trial if the penalty for criminal contempt is such that it falls under the limits of the Barnett case which sets a maximum penalty for which there need not be a jury.

Note on the Barnett Decision

The use of criminal contempt proceedings without a trial by jury under titles I and IX and in injunctive suits to secure constitutional rights or rights secured by other statutes (as discussed above) depends a great deal on the narrow five to four Barnett decision. Although the court held that Governor Barnett had no constitutional right to trial by jury in the contempt proceedings against him, the majority dictum stated that some members of the court felt that "punishment by summary trial without a jury would be constitutionally limited to that penalty provided for petty offenses." (See footnote # 12 in Barnett.) However, the petty offense limitation in titles II through VII, ie., the limitation to a cumulative 30 days and $300 (non-cumulative 45 days and $300 under the 1957 Act) provides a hedge against a shift in the balance of the court.

Jury Trial in spite of Section 1101: Crime Constituting Contempt Also A Crime Under the United States Code

Under any title of the Civil Rights Act of 1964, or any other United States statute for that matter, if the civil suit for an injunction is brought by a private individual and the disobedience constituting the criminal contempt also constitutes a crime under the United States Code, then under section 3691 of title 18 of the United States Code the accused is guaranteed a jury trial. The crimes which such conduct may constitute would be, for example, conspiring to oppress a citizen in the enjoyment of a privilege secured to him by the laws of the United States (18 USC 241) or wilful obstruction of court orders (18 USC 1509). See also the closely analogous double jeopardy amendment, section 1102, discussed below.)

Contempts Committed in the Presence of the Court

No jury trial is required for contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders or process of the court. This provision should be vigorously used against any officers of the court, especially in the South, who obstruct the administration of justice.

Civil Contempt: Broad Power of the Court

The effect of this jury trial provision (section 1101, paragraph 1) on the titles covered by it need not be disastrous. But the anticipated reluctance of Southern juries to convict fellow white citizens of criminal contempt may make necessary resort to stringent use of the court's civil contempt powers. These civil contempt powers are exercised without a jury, are not subject to United States v. Barnett, and are explicitly exempted from coverage by paragraph one of section 1101. Any order issued under titles II through VII, as well as I and IX, can be enforced through civil contempt proceedings without a jury trial and regardless of the severity of the penalty. The Supreme Court has broadly interpreted civil contempt. (See Green v. United States, 356 U.S. 165, 197.)

Civil Contempt: Effective Means of Enforcement

Enforcement of all sections of the Civil Rights Act of 1964 and effective deterrence of noncompliance may be achieved by the vigorous use of civil contempt proceedings. As examples, the following remedies may be employed.

a) To enforce title II (public accommodations) the establishment of an offender may be closed. Similarly, the place of business of any employer who fails to hire non-discriminatorily or otherwise violates title VII can be shutdown.

b) Posting of federal marshals: The court could, if necessary, order federal marshals to station themselves at the defendants establishment and to remove all customers when there is a Negro waiting outside and being refused entry.

c) Requiring the posting of bond: The use of this remedy may come closest to bringing offenders into line short of an effective criminal contempt conviction. Consider the following step-by-step illustration. The owner of a public accommodation refuses to comply with the requirements of title II. He is sued. Plaintiffs are successful and the court not only issues an injunction ordering his public accommodation, e.g., his restaurant, to be opened to Negro and white alike but in addition requires that he post a sizable bond, e.g., $10,000.00 conditioned upon his obeying the injunction and to be kept by the court for a certain period of time, e.g., one year. A single act violating the court order would involve forfeiture of this sizable sum of money (perhaps in compensatory payments to those turned away), certainly an amount no small businessmen would voluntarily sacrifice. And if the plaintiff refuses to post the bond, his establishment can be closed.

Back Pay Provision of title VII as a Mode of Deterrence

Althougth the jury trial provision of section 1101 may somewhat limit the deterrent effect of title VII in the South, section 706g weighs as a countervailing deterrent factor. Under section 706g employees may be reinstated or hired with back pay running from the time of refusal on discriminatory grounds. Thus, an employer will in effect receive punishment for intentionally having engaged in an unlawful employment practice.

SECTION 1102: SENATE DOUBLE JEOPARDY AMENDMENT

Section 1102 provides that prosecution for a federal crime will bar a proceeding for criminal contempt under the Act (and vice versa), if the proceeding is based on the same act or omission which constituted the crime. This amendment is not based on sound legal doctrine; under normal legal procedures, a person who performs a single act can be prosecuted for two separate crimes if the single act performed is made through law two separate crimes. However, contempt under this Act will usually involve a series of acts; and nothing in section 1102 prevents prosecution for a crime based on one act in the series and contempt proceedings based on another act in the series.

Before the adoption of this section, drastic modification of the section and the legislative history clarified confusion as to whether this section would have a double jeopardy effect on criminal proceedings for the same crime in the state and federal courts by inserting "under the laws of the United States" in three places. Thus a state court proceeding is definitely not prohibitive of a federal court action for the same criminal act.

SECTION 1103: NON-IMPAIRMENT OF RIGHT OF ATTORNEY GENERAL OR OF THE UNITED STATES OR ANY AGENCY OR OFFICER THEREOF TO INSTITUTE AN ACTION OR TO INTERVENE UNDER EXISTING LAW

This section is self-explanatory but is extremely important, particularly in preventing any interpretations of any sections of the Act to restrict existing authority. The protective effect on a possible interpretation of title VI that would restrict existing agency contract-cutoff authority is most important. (See title VI discussion).

SECTION 1104: PRE-EMPTION CLAUSE -- NO OCCUPATION OF THE FIELD: INVALIDATION OF INCONSISTENT PROVISIONS OF STATE LAW

The first clause and the first part of the second clause of this section are important to the continued effectiveness of existing state civil rights laws, especially in the North, which may be stronger in principle and in enforceability than the Civil Rights Act of 1964. Also, states retain power to enact in the future civil rights statutes that constitutionally reach beyond the provisions of this 1964 Act.

The breadth of the second clause is highly significant with respect to the voidability of "unconstitutional" state laws (such as many recently passed in Mississippi). It is worthy of repetition herein:..."nor shall any provision of this Act be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this Act, or any provision thereof." It is important to note that the state laws may be voided not only if they are inconsistent with the provisions of this Act but if they are inconsistent with any of its purposes. Since the purposes of this act, broadly and generally construed, entail complete and total integration of the Negro in society throughout the entire United States, the most subtly discriminatory provisions of state law can be considered "inconsistent" with one of the purposes of the Act and, hence, invalid.

SECTION 1105: APPROPRIATIONS TO CARRY OUT THE PROVISIONS OF THIS ACT

Reminder! The effectiveness of this act can be severly limited through insufficient appropriations. For example, the expanded powers and duties of the Attorney General require considerable funds to supply the lawyers and other support for the Civil Rights Division necessary for the effective implementation of the Act.

SECTION 1106: SEVERABILITY CLAUSE

The invalidation of a provision of this Act does not affect any other provision. Also a provision may remain valid with respect to some persons or circumstances although held invalid with respect to others. The latter, very broad severability clause, may be especially significant when the constitutionality of title II (public accomodations) and other such titles of the Act are tested in the courts in applications to very small establishments.

INDEX TO THE LEGISLATIVE HISTORY

OF

THE CIVIL RIGHTS ACT OF 1964

Prepared by:

THE WASHINGTON HUMAN RIGHTS PROJECT

PREFACE

This index is intended to provide the civil rights attorney with a means to find rapidly the relevant legislative materials on any particular aspect of the Civil Rights Act of 1964. It has been rather quickly prepared; hence, there will be some omissions and some errors. However, it is hoped that the index will prove of substantial value to the user.

Its preparation involved the full-time efforts of six college students over a period of more than three weeks. These students worked under my general direction. They are Alan Gross, Curt Hessler, Nancy Moran, Rollyn Osterweis, Richard Rosen, and Ronald Wilmore.

William Higgs
619 G. Street
Washington, D.C.

July 15,1964

ON THE USE OF THE INDEX

In order to use the following index to the legislative history of the Civil Rights Act of 1964 the following should be noted:

1) Each entry indicates in order:

    a) page and column
    b) type of entry - amendment, debate, etc.
    c) outline reference
    d) speaker's name or number

2) The following items have been indexed:

    a) report of the House Committee on Education and Labor
    b) report of the House Judiciary Committee
    c) report of the House Judiciary Committee - minority opinions
    d) House Rules Committee hearings
    e) House floor debate
    f) Senate floor debate
    g) final House floor debate

3) The following items have been omitted:

    a) House Judiciary Committee
    b) House Education and Labor Committee hearings
    c) Senate Commerce Committee hearings and report
    d) Senate Labor and Public Welfare Committee hearings and report
    e) final House Rules Committee hearings

Omissions were made either on the grounds that 1) the particular stage of the legislative process omitted was exceedingly lengthy and not of sufficient direct relationship to the Act as passed (e.g. the House Judiciary Committee hearings) or 2) that the particular stage omitted was not in the direct legislative line of consideration of H.R. 7152 (the Senate Judiciary Committee hearings.) The final Rules Committee hearings had not been published as of July 14.

4) A key to the abbreviations used in the index is to be found on a page preceeding the index proper.

5) Approximately one-fourth of the House members and all the Senate members have been given numbers; a full list of these are to be found on a page preceeding the index proper. When a representative has no number his name is written out in full.

6) an outline to the Civil Rights Act of 1964 is to be found at the end of the index. The outline reference is useful when information is desired on a small part of a section.

7) if there is no outline reference the entry concerns all aspects of the section.

8) memoranda include prepared technical speeches and legal discussions.

9) the entries are indexed according to the 1964 Civil Rights Act as it finally passed both the Senate and the House. Many of the sections were changed during the course of the debate. Hence, if the inquirer is interested in the present section 703 the index will refer him to portions of the Congressional Record where section 704 is discussed. The researcher should remember that Section 704 became Section 703 in the Senate Bill. (An annotated copy of the House Bill showing matter deleted and inserted is to be found in the Congressional Record, pp. 12371- 12385.)

10) the first group of entries, listed under the heading of The Bill, indicate general discussions of the Civil Rights Act. The next group, Title I - Entirety, refers the inquirer to discussions of the whole of title I. When a memo is entered it will usually appear both under the entirety heading and under various section headings. It is suggested that the user interested only in a particular section refer first to the entries under that section, and then to the entirety section of that particular title if he wishes additional information. Conversely, if he is interested in a a title as a whole he should first refer to the entirety heading and then to the various section headings.

We would appreciate being notified of any necessary corrections or additions.

KEY

COMMITTEE REPORTS:

report of the House Committee on Education and Labor	ER
report of the House Judiciary Committee	R
report of the House Judiciary Committee-minority opinions	MR
House Rules Committee hearings	HRC

PAGE AND COLUMN ENTRY:

12367A-12368C	page 12367, first column to page 12368, third column.
23574B	page 23574, second column

TYPE OF ENTRY:

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newspapers,letters	n
amendment introduced	a
vote	v
vote on amendment	av
final vote	fv
cloture vote	cv
vote passed	v+
vote failed	v-

FOR EXAMPLE: on page 12283 of the Record Humphery discusses in detail the meaning of the requests for a three-judge court in title 1. He discusses most of title 1 from the first column of page 12283 to the last column of page 12286. The whole discussion is obviously a prepared legal memorandum. On the outline the clause about convening the three-judge court under title 1 is found under section 42 USC 1971 (h), B1. Senator Humphery's number is 1. The entry under the Entirety heading would read:

12283A-12284C m 1

Under the 42 USC 1971 (h) heading the entry would read:

12283B m (B1) 1

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1. Humphrey
2. Javits (III)*
3. Dirksen
4. Kuchel
5. Mansfield
6. Keating (I)
7. Douglas (IV)
8. Pastore (VI)
9. Clark (VII)
10. Dodd (VIII)
11. Magnuson (II)
12. Morse (III)
13. Long (Mo) (V)
14. Hart (I)
15. Cooper (IV)
16. Scott (V)
17. Case (VII)
18. Aiken
19. Allott
20. Anderson
21. Bartlett
22. Bayh
23. Beall
24. Bennett
25. Bible
26. Boggs
27. Brewster
28. Burdick
29. Byrd (Va)
30. Byrd (W Va)
31. Cannon
32. Carlson
33. Church
34. Cotton
35. Curtis
36. Dominick
37. Eastland
38. Edmondson
39. Ellender
40. Engle
41. Ervin
42. Fong
43. Fulbright
44. Goldwater
45. Gore
46. Gruening
47. Hartke
48. Hayden
49. Hickenlooper
50. Hill
51. Holland
52. Hruska
53. Inouye
54. Jackson
55. Johnston
56. Jordan (NC)
57. Jordan (Idaho)
58. Kennedy
59. Lausche
60. Long (La)
61. McCarthy
62. McClellan
63. McGee
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67. Mechem
68. Metcalf
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71. Morton
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73. Mundt
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79. Prouty
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87. Smathers
88. Smith
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93. Thurmond
94. Tower
95. Walters
96. Williams (NJ)
97. Williams (Del)
98. Yarborough
99. Young (ND)
100. Young (Ohio)

* Roman numerals indicate the title of the Bill for which the Senator was floor manager.

HOUSE NUMBER KEY

1. Albert
2. Arends
3. Ashbrook
4. Ashmore
5. Avery
6. Ayres
7. Bell
8. Boggs
9. Bolling
10. Bromwell
11. Brooks
12. C. Brown
13. G. Brown
14. Bruce
15. Cahill
16. Carey
17. Celler
18. Chalf
19. Colmer
20. Corman
21. Cramer
22. Daniels
23. Delaney
24. Dent
25. Donohue
26. Dowdy
27. Elliott
28. Feighan
29. Findlay
30. Forrester
31. Frelinghuysen
32. Gibbons
33. Gilbert
34. Gill
35. Goodell
36. Green
37. Griffen
38. Halleck
39. Hoffman
40. Holland
41. Kastenmeier
42. King
43. Landrum
44. Libonati
45. Lindsay
46. MacGregor
47. Madden
48. D. Martin
49. P. Martin
50. Mathias
51. McCormack
52. McCulloch
53. Meader
54. Miller
55. Moore
56. O'Hara
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5809B-5810C	d	1,87
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6308C-6311B	m	1
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13354C	a,d	1
13355A	av-	
13351B-C	a,d	55
13354C	a,d	1
13355A	av-	
13726A	m	51
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12124B-C	d	(B,4)	39
12213B	a	(B,1,2,3)	96
12283A	m	(B,4)	1
12353C	a	(C)	6
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6446A	d	(F)	1,93
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7815A	m	(F)	55
9837C	d		41
11214C	m	(F2)	30
12213B	a	(F)	96
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12283A-B	m	(A1,B1,C,E)	1
12381C	m	(A,B)	3
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5246A	m	1
5288C-5289A	d	1
5691B-5692C	n	29
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5885B-5889C	m	60
6311B-6319A	m	1
6336B-6338A	m	4
6530C-6531C	m	72
6831C-6834B	m,n	1
6860C-6861A	m	90
6866B	m	90
6867C	m	90
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7154B-7157A	m	100
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12286C-12287B	m	1
12354C	a	93
12355A	a	93
12355B-C	a	93
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12436B	a	93
12492A	a	41
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12654A-12657C	a	60
12828B-12831A	d	30
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12882A-12907C	m	83
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13359B-C	a,d	60
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13689C-13692C	m	11
13726A-B	m	51
13745C	m	1
13798A-B	m	1
13802C	m	42
13824B	m	89
13836B-C	m	97
13944A-B	m	2
13951C-13953A	m	6
13959B	m	55
13967C-13968	m	53
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11902C	a		60
12511C	m		11
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4651C-4652A	d	(B)	90,1
4652B-C	d	(A2)	90,1
4656C	m	(B1)	90
4683B-C	d	(A2)	1
4684A	d	(A1)	1, 89
4684B-C	d	(A2)	1,89
5045B	n		60
5047A-C	d	(B)	9,60
5856B	d		8,55
6004A-C	d	(B)	9,92
6007A-6008B	d	(A1)	41,92
6233B-C	d		46
6313A	m	(B1,2,3)	1
6313A-B	m	(B4)	1
6313B-C	m	(B1)	1,
6833B-6834A	m	(1)	1
7155A-C	m	(B)	100
7173A-C	m	(B1,2)	11
7174A-B	m	(B3)	1
7174B-7175C	m		11
7175C	m		11
7176B	m		11
7176C-7177B	m	(B1)	11
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7465A	m	(B2)	41
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7842B-7846A	m		41
8857A	d	(B1)	83
10838B	d		41,83
11783B	a	(B2)	89
11902A	a	(B4b)	60
11902A	a	(B4)	60
11902B	a	(B3)	60
11902B	a	(b3)	60
11902B	a	(B2)	60
11902B	a	(B1)	60
11902B	a	(B1)	60
11902B	a	(A)	60
11902B	a	(A)	60
11902B	a	(A)	60
11902B	a	(A)	60
12381C	m	(B4)	3
123493C	a	(B1)	93
12494A	a		93
12511C	m		11
12514B-C	d	(B4)	11,51
12882B	m		84
12793B-C	a,d	(B1)	15
12974A	av-		
13383A	a,d	(B3)	60,1
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13443B	av-		

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1513B		(A,B)	59
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1584B,C-1585A		(A,B)	52 et al
1844A		(A,B)	45
1901A	a	(A2)	84
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1901A		(A)	17
1903C	av-	(A2)	
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4595C-4596A	d	(A)	50
5045B	n		60
5673B	d		37,41
6608B-C	d	(A)	9,41
6832B	n		1
7039B-7040A	m		39
7155B	m		100
7156A,B	m		100
7172C-7175C	m		11
7175C-7176A	m		11
7177C-7178A	m	(A3)	11
7453B	a		41
7453C	a		41
7466C-7472A	m		41,55
8856C-8857A	d	(A2a)	83
9004B-C	d		93,90
9006B-C	d		15,93
10838B	d	(A1)	19
11783B	a		89
11783C	a	(A)	89
11784B	a		50
11902A	a	(A4)	60
11902A	a	(A3)	60
11902A	a	(A1)	60
12123C	a	(A)	41
12123C	a	(A2a)	41
12124A	a	(A2)	41
12124A	a	(A3)	41
12493C	a		93
12494A	a		93
12511C	m		11
12882C	m		83
13355B	a,d		93
13355C	av-		

III. Section 201 (c), cont.

13360B-C	a,d	(3)	50,11
13361A	av-		
13426B-13432B	a,d,m		41
13432C	av-		

IV. Section 201 (d)

COMMITTEE REPORTS

R

21		(ABC)	64
100			21,59
117			21
118			21

MR

8-9			52

HRC

92	m		17
112-116	m	(IIA2)	72,17
117-119	m		17,72
221-223	m,d		52,72
295-296	m,d		72,83,26
352	m		53
542-544	m,d,		90,27,72

HOUSE FLOOR

1462A-B	m		1
1462C-1463B	m		1
1472A	d		84
1478B	d		45
1485A-C	d		46
1513B-C	d		59
1516A	d		81
1524A	d		21
1525B	d		21
1545C-1546A	d		Roberts
1547A-B	d		Abernethy
1583B-C	d	(B,C)	35
1878C	a	(B,C)	35,21,53 Fulton, 17
1880B	a	(B)	72
1880B-1883C	d	(B,C)	72,17, 63, Grant, 37, 45,21
1883C	av-	(B,C)	
1883C-1884A	a	(B,C)	84
1884A-1884C	d	(B,C)	84,52
1884C	a+	(B,C)	
2725C	m		Ashbrook

SENATE FLOOR

6832B-6832C	n		1
7040A-7041B	m		39
7155B	m		100
7156B-7157A	m		100
7172B	m		11
7176A	m		11
7179A-B	m	(B,C)	11
7453B	a		41
11783B	a		89
12381C	m		3
12493C	a		93
12494A	a		93
12511C	m		11
12889C-12890C	m		83
13425C	a,d		93
13426A	av-		

V. Section 201 (e)

HOUSE REPORTS

R

21		(A)	64

HRC

121-123	m		17,72
126	m		17,72
196-197	d		17, 5
281-283	d		71,84
327-328	d		S. Rogers

SENATE FLOOR

4586B	d		2
5820C-5821A	n		87
5821C-5822B	d	(A)	1,87
6004A-6007A	d	(A1)	9,92,41,2
6313C-6314A	m	(A1)	1
7176A	m		11
7178B	a		11
7453B	a		41
8805A-8807A	m,a,d		92,1,2
11784A	a		89
11902A	a		60
12353B	a	(A1)	41
12512A	m		11

TITLE II - Section 201 (e) con't

12633A	a		94
12882C	m		83
13219B-C	a,d		60,85
13219C-13320B	a,d		50,14
13220C	av-		
13355C-13356A	a,d		87
13356B-C	av-		
13836C	m	(A1)	97

VI. Section 202

COMMITTEE REPORTS

R

21	(A,B)	64
80	(A,B)	84 et al
117	(A,B)	21

MR

8	52

HRC

113	m	17
121-123	m	17,72

HOUSE FLOOR

1462B-C	m	17
1469B	d	84
1471C	d	84
1485C-1486B	d	46
1524A	d	21
1525A	d	21
1895A	a	26
1895B-1896A	d	26,17,63 May, 20
1896A	av-	

SENATE FLOOR

4646A	m	(A)	90
5045B	n		60
6314A-B	m		1
6315A	m	(B)	1
7155B-C	m		100
7172B-C	m		11
7176A	m		11
7178C	m		11
7179A-B	m		11
7453C	a		41
7967B-7968A	m		87
9756A	d		22
11784B	a		50
11901A	a	(A,B)	60
12494A	a		93
12512A	m		11
12632B	a		94
13391C-13392A	a,d		89
13392B	av-		
13425A-B	a,d		93
13425B	av-		
13448A-B	a,d		60
13448C	av-		

VII. Section 203

COMMITTEE REPORTS

R

21	(A)	64
74		84 et al
81		84 et al

HRC

127-128	m	17,47,72

HOUSE FLOOR

1843B		Harris
1892B	a	Sikes
1892B-1894C		Sikes,38,17 et al
1894C	av-	
1894C	a	84
1895A	av≠	
1902C-1903A		17,53

SENATE FLOOR

6314B	m		1
6871B	m	C	90
7155C	m		100
7176A	m		11
7453B	a		41
8044A-8045B	m,d		84,89,90
10249B	a		69
10734B	m		32
9756A	d		22
11783B	a		89
11901	a	(A)	60
12512A	m		11
12882C	m		83

VII. S ection 203- cont.

13408A-13411C	a,d		60,8,62,2, 83,36
13412A	av-		

VIII. Section 204 (a)

COMMITTEE REPORTS

R 21	(A,B)	64

HOUSE FLOOR

1848B	a	(B)	49
1848C-1852B		(B)	49,Fascell, 17,et al
1852B	av-	(B)	
1896A	a	(B)	21
1896A-1900C		(A,B)	17,21,63 Whitten
1898A	a	(B)	Whitten
1901A	av-		
1901A	av-		

SENATE FLOOR

6314C	m	(B)	1
6337B-C	m,n	(A,2)	4
6568B	m	(A,2)	2
7176A	m		11
7180A	m		11
7453B	a		41
7453B	a		41
8041B-8042C	m,d		90,92
8882A	d		62
9837C	d		41
9843B	d		71
10249B-C	a		69
10734B	m	(A,1)	32
11783A	a		89
11901A	a	(A,B)	60
11901A	a	(B)	60
12122A	a	(B)	69
12286C-12287A	m	(A,B)	1
12355A	a	(B)	93
12381C	m	(B)	3
12436C	a		41
12492B	a		87
12493A	a		87
12493C	a		93
12511B	m	(A)	11
12512A	m		11
12882C	m		83

13363B	a,d	93
13363C-13364A	av-	
13707B	a,d	4
13707C	av-	
13708A	a,d	41
13708A-B	av-	
13726B	m	51

FINAL HOUSE FLOOR

15342C-15343A	m	(B,C)	59
15356B	m	(C)	W. Ryan
15363C	m		17

IX. Section 204 (b)

COMMITTEE REPORTS

R		
22	(A,B)	64
81	(A)	84 et al

SENATE FLOOR

6314 B	m		1
7176A	m		11
7453B	a		41
9319B-C	a		90
10194B-10195A	a,d		90
11783A	a		83
11901A	a	(A)	60
12124A	a		41
12287B	m	(A)	1
12381C	m		3
12493C	a		93
12512A	m		11
13389C	a,d		93
13390A	av-		
13445B	a,d		60
13445C	av-		
13708B-13721A	a,d,m		41,49,69,8
13721A	av-		
13836B-C	m	(B)	97

X. Section 204 (c)

COMMITTEE REPORTS

R 21	(A)	64

TITLE II - Section 204 (c) con't

HOUSE FLOOR

1457C	d		17

SENATE FLOOR

6314C-6315A	m		1
7176A	m		11
7453B	a		41
8882A	d		62
11901A-B	a		60
12174B-C	d	(A1)	39
12187A	m		1
12381C-12382A	m		3
12436C	a		41
12493C	a		93
12511A-B	m	(A1)	11
12512A-B	m		11
13449C	a,d		60
13450A-B	av-		
13726B	m		51
13784A	m		39
13836B	m	(A)	97

FINAL HOUSE FLOOR

15357B-C	m	(A1,B)	W. Ryan
15363C	m	(A,B)	17

XI. Section 204 (d)

COMMITTEE REPORTS

R

21	64

SENATE FLOOR

6314C	m	(B)	1
7176A	m		11
7179C-7180A	m		11
7453B	a		41
7968A-C	m		87
11901B	a		60
12214A	a	(C1)	62
12382A	m		3
12511B	m	(A,B1)	11
12512B	m		11
13726B	m		51

FINAL HOUSE FLOOR

15363C	m	(B,C)	17

XII. Section 205

COMMITTEE REPORTS

HRC

92	m		17

SENATE FLOOR

6314B	m	(C)	1
11784B	a	(A)	50
11902A	a		60
12214A	a		62
12298C	m		1
12382A	m		3
12493B-C	a	(A,C)	87
12493C	a		93
12512B	m		11

XIII. Section 206 (a)

COMMITTEE REPORTS

R

21	64
80	84 et al
82	84 et al

HOUSE FLOOR

1848B	a	(A)	49
1848C-1852B	d	(A)	49,13,83 Fascell, 64, 20, White
1852B	av-	(A)	

SENATE FLOOR

12017B-C	d	(A1)	84,92
12174C	d	(A)	39
12287A-B	m	(A1)	1
12382A	m		3
12436B-C	a		41
12511B	m	(A)	11
12512B-C	m		11

TITLE II - Section 206 (a) con't

FINAL HOUSE FLOOR

15343A	m	(A)	59
15363B	m	(Ala)	17

XIV. Section 206 (b)

COMMITTEE REPORTS

R

21		(D)	64

SENATE FLOOR

12287A-B	m	(A)	1
12382A	m		3
12511B	m	(A)	11
12512C-12513A	m		11
12514C-12515A	m		11
13726B	m		51

FINAL HOUSE FLOOR

15343A	m	(A)	59

XV. Section 207 (a)

COMMITTEE REPORTS

R

21		(A,B)	64
81		(B)	84 et al

HOUSE FLOOR

1913B	a	(B)	Rikle
1913C-1914C	d		Rikle
1914A	a	(B)	Rikle
1914A	av-		
2172C	d	(A,B)	55

SENATE FLOOR

7176A-B	m		11
7453B	a		41
7551B	m		87
11783C	a		89
11901C	a	(A,B)	60
12382A	m		3
12493C	a		93
12513A	m		11
13416A	a,d		93
13416B	av+		

XVI. Section 207 (b)

COMMITTEE REPORTS

R

21		(A,B)	64

HRC

152-153	m,d	(B1)	12,59
249	m,d		71,52

HOUSE FLOOR

1852B	a		72
1852B-1853B	d		72,17 Rivers
1853B	av-		

SENATE FLOOR

7176A-B	m		11
7453B	a		41
10249B	a		69
11901C	a	(B1a)	60
11901C-11902A	a	(B2)	60
12122A	a		69
12264A-B	m		1
12513A	m		11
12655B-C	a		60
12999A-B	a,d		69,1

TITLE III- Entirety

[illegible] COMMITTEE

HRC

92-93	m	17
289-290	m	84
320-321	m	63
375-377	m	59

HOUSE FLOOR

2167C-2168A	a	4
2169B-C	a	21
2179C	m	52
2182A	a	8
2182B-2191B	d	4,33,63, 17 et al
2191C	av-	
2194B	a	W. Rogers
2194B	av-	
2524B	m	Gunnly
2726B	m	Ashbrook

SENATE FLOOR

4907C-4908C	m	83
5246B	m	83
5645A-5646C	m,d	68,89
5692C	n	29
5776A	m	50
5780C	d	82,87
6235B-6237B	m,n	3
6319B	m	1
6321C-6322C	m	1
6338 A-6339C	m	4
6563A-6575B	m	2
6583A-6590B	m	12
6861A-6862B	m	90
6866B	m	90
6867C	m	90
6871B	m	90
7041B-7042B	m	39
7823B-7826B	m	55
8035B-8040A	m,d	90,92,15 56
9837C	d	41
10184A	m	32
10300A-10307C	m,n,d	90,89,56
11784B-C	a	50
12155B-C	d	1
12189C	d	74
12213C	a	62
12263A	m	85
12287B-12288A	m	1
12382A	m	3
12523A-B	d	2
12794B-12795C	m	30
13230C-13244A	a,d,m	87,7,41,17,6
13244B-C	av-	
13350A-B	a,d	41
13351A	av-	
13726B	m	51
13803C	m	42
13824B-C	m	89
13836C	m	97
13959B-C	m	55

FINAL HOUSE FLOOR

15363C-15364A	m	17

I. SECTION 301 (a)

COMMITTEE REPORTS

R

22		(A,B,Cl)	64
39		(A)	41
40		(A)	41
82		(A,B)	84 et al
83-84			84 et al
107		(AlB)	21,59
117			21
118		(Alb)	21

MR

15-16	d		52

HRC

93	m	(B)	17
129	m	(B,C)	72
252-254	d		27,52
352-353	m		53

HOUSE FLOOR

1456A	a		17
1457C	d	(Alb)	17
1464A-B	m		17
1513C	d	(Alb)	59
1547B	d	(Alb)	Abernethy
1558A-C	d		33
1585B	d	(A)	52 et al

Section 301 (a) - con't

1897B-C	d	(B2)	17,21
2170A	a	(Alb)	59
2170A-2171A	d	(Alb)	59,33,17
2172A-2173A	d	(Alb)	Waggonner 21, 63
2173A	av-		
2178B	d	(A)	33
2181B	a		26
2182A	d		63
2182A	av-		
2195B	d	(B)	Huddleston

SENATE FLOOR

5612C	n	(B1,2)	90
6322B	m	(B)	1
6564C	m	(B)	2
6565A-B	m	(C1)	2
6568B-C	m		2
6572A-B	m	(A1)	2
6574B	m	(C1)	2
6583B-6588C	m		12
6583B	m	(A1)	12
[illegible]B	m	(B)	12
6583C-6584A	m	(A)	12
6585A-6586C	m	(Alb)	12
65[illegible]8C	m	(B)	12
6588C	m	(C1)	12
7367B-C	m		90
8871C-8872A	a	(C)	62
8882B-C	d	(C)	62
10249B	a	(A)	69
10351C	m		80
10469C	a		41
10918B	m	(B)	90
11783B	a		89
11783C	a	(Alb)	89
11784A	a		50
12124A	a	(Ala)	41
12287B-12288A	m	(Alb) (B3)	1
12382A	m		3
12492B	a		87
12493A	a		87
12658B	a		93
12794C-12795B	m		30
13437A	a,d		93
13437B	av-		
13836C	m	(A)	97

FINAL HOUSE FLOOR

15357A	m	W. Ryan

II. Section 301 (b)

HOUSE COMMITTEES

R

22		(A-C)	64
83-84			84 et al
41			41

MR

15-16	52
22	64

HOUSE FLOOR

1464A-B	m		17
1558A-C	d		33
1585B	d		52 et al
1897A-C	d	(C)	21, 17
2194B	a	(C)	Watson
2195A	av-		

SENATE FLOOR

6322B	m		1
8885A	d		62
10469C	a		41
11784C	a	(C)	50
12124A	a		41
12287C	m		1
12383A	m		3
13726B	m		51

FINAL HOUSE FLOOR

15363C	m	17

III. Section 302

HOUSE COMMITTEES

R

22	64

HRC

129	d	72
256-7	m,d	27, 52

HOUSE FLOOR

2178C	a	59

TITLE III - Section 302 con't

2181B	av+		

SENATE FLOOR

6339A-C	n		4
6565B-C	m		2
6570A-6571A	m		2
6574B	m		2
6583C	m		12
6588C-6589B	m		12
6855C-6856A	m		41,90
6861C-6862A	m		90
7367B-7369A	m,n		90
7464A	m		41
7465C-7466A	m		90
8035C-8036A	m		90
8037C-8038A	m		90
9513C	d		2
9837A	d		41
9838A	d		41
10249B	a		69
10300A-10307C	m,n,d		90,89,56
10463C-10464A	m		90,41
11215B	m		30
11536B	a	(B)	90
11553B-11553C	m		84
11784B-C	a		50
12382A	m		3
12491C	a		41
12658B	a		93
12795B-C	m		30

IV. Section 303

COMMITTEE REPORTS

R

22	64

SENATE FLOOR

9319B-C	a	90
10194B-10195A	a,d	90
11784B	a	50
12382A	m	3

V. Section 304

SENATE FLOOR

11784B	a		50
12382A	m		3
13726B	m		51
13836C	m	(A)	97

FINAL HOUSE FLOOR

15364A	m	(A)	17

TITLE IV - Entirety

HOUSE COMMITTEES

R

23-24		64
84		84 et al

MR

17-22		52

HRC

93	m	17
321	m	63

HOUSE FLOOR

1449A	d	47
1454C-1455A	d	17
1458A	d	17
1464B	m	17
1586A,B,C- 1587A,B	d	52 et al
2175C	d	21
2180A	m	52
2198A	a	Kyl
2198B-2201A	d	Kyl,17 Collier,45, et al
2206C	a	Waggoner
2207C	av	
2207C	a	Gross
2207C	av	
2524B,C	m	Gurney
2726B-2727C	m	Ashbrook

SENATE FLOOR

4845B-C	d		1,51
5850B	d		1
4908C-4909A	m		83
4916B	n		1
5246B	m		1
5455C-5456A	m		43
5505A-5525B	m,n,d		51
5515B	d		15,51
5672A-C	d		2,6,37,41
5692C	n		29
5776A-5778A	m		50
5780C	d		82,87
6237B-C	m		3
6319A-6321C	m		1
6322A-C	m		1
6339C-6340B	m		4
5699B-6618C	m,d		7
6624A-6630C	m,d		15
6865B	m		90
6866C	m,d		90,59
6867CC	m		90
7042B-7043A	m		39
8808A	m		2,41
8838C	m		6
9790B-9491A	d		8,89,90
10184A-B	m		32
10303B,C	m		90
11784C	a		50
11784C-11785A	a		50
11785A	a		50
12014C	a	656	84
12014C-12017C	d		84,92,89 91
12121B-12122A	a	767	89
12155C	d		1
12189C-12190A	d		74
12256C-12261B	d		39,2,51
12263B	m		85
12288A-B	m		1
12353B	a		41
12382A-B	m		3
12493C	a		93
12519B	d		1
12523A-B	d		2
12615B-12630C	a,d		49,35,51 86,69,73 1,29,82, 2,62,11, 8,7,14, 81
12630C	av		
12796B-12798B	m		30
13230C-13244A	a,d,m		87,7,41 17,6
13244B-C	av		
13350A-B	a,d		41
13351A	av		
13437C	a,d		93
13438A	av		
13617B-13630B	d,m		41

TITLE IV - Entirety con't

13726B-C	m		51
13798B	m		2
13802C-13803A	m		42
13824C	m		89
13959C-13960A	m		55

FINAL HOUSE FLOOR

15364A	m		17

I. Section 401

COMMITTEE REPORTS

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23		(B)	64

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131-134	m,d	(B)	17,72, 70,71
172	d	(A)	17,72,19
186	d	(B)	17,23

HOUSE FLOOR

1526B,C	n	(B)	21
2197A	a	(B)	21
2197B	av	(B)	
2197B	m	(B)	26
2207A			Waggoner

SENATE FLOOR

4849A	d	(B)	14
4849C-4850A	d	(B)	14
6223C	d	(C)	2
6607B	m	(B)	7
6626B	d	(C)	6,15
6627C	d	(B)	15,90
6878C-6881A	m,n,d	(B)	2,60,71
8853B	m	(C)	15
9764B	m	(C)	15
11553B	m	(C)	Russell
11783C	a	(B)	89
12014C-12017C	d	(B)	84,92, 89,91
12288B	m	(C)	17
12354C	a	(C)	93
12382A-B	m	(C)	3
12355B	a	(C)	93
12798A	m		36
13343C-13346A	a,d	(B)	84,37,1, 2,85,39
13346B	av		
13443C	a,d		93
13444A	av		
13837C	m	(C)	97

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23		(A-C)	64

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2197B	a	(C)	26
2197B-2198A	c	(C)	26
2198A	av		
2207A			Waggoner

SENATE FLOOR

6321B-C	m		1
6340A	m		4
11784C	a	(C)	50
12796B-C	m		30

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23			64

MR

21-22			52

HOUSE FLOOR

1456A			17
1568B			Edwards

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1587C	d		52 et al
2206A	a	(A)	Waggoner
2206A-2206C	d,m	(A)	Waggoner, 21,63, Edmunson, 17,et al
2206C	av		

SENATE FLOOR

6321B	m	1
6340B	m	4
6604C-6605A	m	7
6607A-B	m	7
12616B-12617A	d	69,49,73 82
12620B-12630C	d	49,35,51, 86,69,73, 1,24,82, 2,62,11, 8,7,14, 81
12796B-12795A	m	30

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23	(A)	64

HOUSE FLOOR

2250B	m	(B)	Collier
2204A	a	(B)	Kyl
2204A-2206A	d,m	(B)	Kyl,Grant Gordell, et al
2206A	av		

SENATE FLOOR

11784C	a	(B)	50
12124B	a		86
12382B	m		3
12408A	a		49
12615B-12630C	d		49,35,51, 7,86,69,73, 8,1,24,82, 14,2,62,11,

12797A	m	30

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23	(A)	64

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93-C	m	
130	m	17,72

HOUSE FLOOR

1547C			Abernethy
2198B-C	m		17,Kyl
2201A	a	(A2)	Jones
2201A		(A2)	Jones, Edwards, Waggoner, Bromwell, Alger, etal
2202A	m	(A)	Edwards
2204A	av		
2204C	m	(A1)	Grant

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11784C	a	(A,2)	50
12408A	a		49
12615B-12630C	a,d		49,35,51, 86,69,73, 1,24,82, 2,62,11, 8,7,14, 81
12795A-B	m		30

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23	(A)	64

HOUSE FLOOR

2148B,C	m	17,Kyl
2200A	m	Kyl

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SENATE FLOOR

12408A	a		49
12615B-12630C	a,d		49,35 51,86,69,73,1, 24, 82,2,62,11 8,7,14,81

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12615B-12630C	a,d		49,45 51,86,69,73,1 24,82,2,et al

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[illegible]		(A2e)	53
[illegible]8		(A2e)	84 et al
[illegible]4		(A2e)	84 et al
[illegible]3-84		(A)	84 et al

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HRC

93			17
129-130	d		17,72
131-135	d,m	(A2e)	17,72 19

HOUSE FLOOR

1456A	d	(A2e)	17
1464B	m		17
1568B-C	d	(A1)	Edwards
1587C	d		52 et al
2729C	m		Ashbrook

SENATE FLOOR

5455C-5456A	m		43
6322B-C	m		1
6568B	m		2
6602A	m	(A2b)	7
6602A	m		7
6625B-C	m		15
6626B	d		6,15
6862B	m		90
8043B	m		90
8885B	d		62
9490B-9491B	d	(A2e)	89
9756B	d	(A2e)	89
9837B-C	d	(A2e)	41
10249B-C	a		69
10351C	m		80
10469C	m		60
11761C-11762A	m		39
11783C	a		89
11784C	a	(A2)	50
12124A	a		41
12174C	d	(A2e)	39
12256C-12259C	d	(A2e)	2,39
12263B	m	(A2e)	85
12288A	m	(A,a,c,e)	1
12289A	m	(A2e)	1
12294B-12295C	m	(A2e)	1
12353B	a		41
12382B	m		3
12436B	a		41
12452A-B	d	(A2e)	11
12492B-12493A	a		87
12797C-12798A	m		30
13726B-C	m		51
13784B-C	m	(A2e)	39
137[illegible]A-B	m	(A2e)	2
138[illegible]A	m	(A2e)	97

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153[illegible]C	m	(A2e)	46
15[illegible]	m	(A2e)	17
15[illegible]	m		17

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HOUSE FLOOR

1897B	d		21,63

SENATE FLOOR

5613C	n		90
6602A	m		7
6615B	m	(A)	7
6625 C	m		15
8043B-C	m		90
8885 B	d		62
10469C	m		60
12144A	a		41
12288B	m		1
12353B	a		41
12382B	m		3
12798A	m		30
13726C	m		51

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SENATE FLOOR

12353B	a		41
12382B	m		3
13726C	m		51

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15363A	m	(B)	17
15364A	m	(B)	17

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SENATE FLOOR

9319B-C	a	90
10194B-10195A	a,d	90

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HOUSE FLOOR

2208A	a	17

SENATE FLOOR

12382B	m	3
12798A	m	30

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SENATE FLOOR

11783B-C	a	89
12263B	m	85
12288A	m	1
12382B	m	3
13444A-13445B	a,d	89,1
13726C	m	51
13836C	m	97

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15364A	m	17

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250,1	m,d	71-52
377-79	m	59
562-75	m,n	Long

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1449A	d	47
1458A	d	17
1564A-C	d	75
1570B	d	Ryan
2180A	m	52
2215A-B	a	Andrews
2727C-2728A	m	Ashbrook

SENATE

4909A-B	d	83
6237C-6238A	m	3
6322C-6323A	m	1
6340C-6341A	m	4
6752B-6771B	m,d,n	16
6770B-6771C	m	85
6784A-6785A	m	13
6866C	m,d	40,54
7043A,C	m	34
8873B	a	62
9551A-9560A	d,a	51,7,39,41
9837B	d	41
9837C	d	41
10012B-10016A	d	51,60,50
10026A	a	51
10184B	m	32
11785A-B	a	50
12214A	a	62
12263B	m	85
12288B-C	m	1
12382B-C	m	3
12799B	m	30
13230C-13244A	a,d,m	87,7,41,17, 6
13244B-C	av-	
13726C	m	51
13798B	m	2
13803A	m	42
13824C	m	89
13836A-13837B	m	97
13960A-B	m	55
13969A-B	m	53

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15364A-B	m	17

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HOUSE FLOOR

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SENATE FLOOR

5247B	m		1
6755D-6756A	m	(E,G,J)	16
6756B	m	(K)	16
6770C6771A	m		85
6784B	m	(F)	13
6784B	m	(G)	13
6863A	m	(G)	90
8874B	a	(G)	62
8874B-C	a		62
12288B-C	m		1
12382B-C	m		3
12493A	a		87
12632C	a	(D)	94
12658A	a	(G)	93
13031C-13032A	a,d		62
13032B-C	av-		
13421A-B	a,d(G)		62,14
13421C	av-		
13447B-C	a,d(G)		93
13448	av-		

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24		(A,B)	64

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SENATE FLOOR

6756C	m		16
12658A	a	(A)	93

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24		(A,1,4,5)	64
40		(A5)	41
85		(A)	84 et al
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150	d	(A6)	

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1588B	d	(A1)	52 et al
2209A	a	(A6)	84
2209A-2210C	d,n	(A6)	84,17, Long et al
2210C	a	(A6)	53
2210C-2213C	d	(A6)	53,17,84 Holifield et al
2213C	av+		
2214A	a	(A1)	26
2214A-2214C	d,m	(A1,5)	21,17,26
2214C	av-		
2214C	a	(A1)	26
2215A	av-		
2216C	m		Andrews

SENATE FLOOR

6756C-6757A	m		16
6784B	m		13
6784C	m	(A6)	13
8031B-C	m		85
8872B-C	a	(2)	62
8872C	a	(6)	62
8873A-C	a	(4,1,5)	62
11785A	a	(A1,6)	50
12288C	m		1
12354C	a	(5)	93
12382C	m		3
12355B	m	(A5)	93
13446C	a,d		93
13447A	av-		

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25		64
85		84 et al
117		21

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135	m	17,72

HOUSE FLOOR

2213C	a	63
2213C-2214A	d	63,21
2213C	a	21
2214A	av+	

SENATE FLOOR

8872C	a	62
10026A	a	51
10026A-10027A	d	51
12382B	m	3
12632C	a	94

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25			64

HOUSE FLOOR

1565B	d		75

SENATE FLOOR

8872C-8873A	a		62
8873C	a		62
12658A	a		93

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HOUSE FLOOR

1565B	d		75

SENATE FLOOR

8873A	a	(B)	62
12382C	m		3

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1565B	d		75

SENATE FLOOR

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12658A	a	(A)	93

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		al
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		al
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		al
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144	d	17,72
192-193	d	17,23
197-200	d	5,24
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226-233	m,d	72,52
		5,71,27
247-248	m,d	71,52
321-322	m	Rogers
329-331	d	72,Rogers
345-348	d	Rogers
		72,24,70
353-357	m	53
444-459	m,n,d	83
523-527	m	26
547-551	m	Rains

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1449A	d	47
1455B-C	d	17
1456A-B	d	17
1458A	d	17
1464B-1465B	m	17
1474C-1475C	d	83
1476A	d	64
1479C-1480A	d	45
1531A	d	50
1534C	d	Dorn
1545B	d	4,Dorn
1548A-C	d	Abernethy
2180A	m	52
2378B	a	83
2381C-2382B	d	Rains
2383A-2386A	m,d	Gill,45,17,64 Libonati
2395A-B	m	83
2396B-2397A	m	Flynt
2405B-C	a	Harris
2407A	d	Boggs,17
2409B	av-	
2409B	a	53
2410B	m	53
2410C-2411C	d	17,45 Whitten
2414B	av-	
2425A-B	a	K. Roberts
2426B	av-	
2524C	m	Gurney
2689C	m	Williams
2716B-C	m	Rumsfeld
2728A-B	m	Ashbrook

SENATE FLOOR

4909B-4913C	m	83
4912C-4913A	d	1
4916B	n	1
5072C-5074B	d	1,92
5074B-5076A	d	1,6,17,90
5233A-B	d	1
5246B-C	m	1
5423A	d	2,41
5425A-5426B	d	2,45
5426C-5430A	m	41
5676B-5677C	d	1,37
5683A-5684C	m	37
5693A-B	n	29
5857A-5858A	d	8,92
5860B-5861B	n	55
6238A-B	m	3
6323A-6327A	m	1
6341B-6342A	m	4
6834A-6849A	m,d	8,55,82,90,14,6,26,78
6875C	m	90
6863A	m	90
6865B-6866B	m	90
6866C	m,d	90,59

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6869A-6872C	m,d	90,89
6881A-6885A	m,d	2,60,82
6985C	l	9
6986C	l	9
7043C-7044B	m	39
7159A,B	m	2
7323B-7340B	m,c	89,93,55,60,90,9
7450A-7451A	l	2
7462A	m	41
7801C-7804C	m	29
7932B-7933C	m,d	83,50
8162A-8166A	m,d	83,82
8352C-8368B	m,d	89,90,6,61,39,1
8809A-8824A	m,d	45,9,17,41,68
8837B-8839A	m,d	6,41
8850A-8855C	m,d	18,59,8,15,17
8872A	a	62
8873B,C	a	62
8991B-8993A	d	41,93,22
9293A	a	55
9381A,B	d	9
9756A,B	d	22
9756B	d	22
9763A-9764B	m	15
9837B-9841C	d	41,15
10020B-10026A	d	51,92
10041A-c	d	87,93
10051A-10052C	d	93,62
10058A	a	87
10098B-10099C	d	89,93
10101C-B	d	89,93
10184B	m	32
10330C-10331A	m	92,93
10351C	m	80
10352A-C	m,d	89,93,80
10653A-10654B	m	92,93
11551C-11552A	m	Russell
11552B-11553B	m	Att.Gen.Kennedy,Russell
11785B		50
11785C		50
11902C-11903C	d	29
12123C-12124A	a	41
12155C	d	1
12190A	d	74
12192B,C	d	74
12214A	a	62
12249B-12251C	m	19
12263B,C	m	85
12288C-12295C	m,d	1,2,29 68
12353B	a	41
12354A	a	45
12355A	a	93
12355C	a	93
12382A-12383A	m	3
12492A	a	41
12492A	a	41
12519B	d	1
12628C-12629B	d	84,45
12636C-12637A	d	89
12686C-12694B	d	45,82,15
12799C-12800B	m	30
12878C	a	45
12878C-12881B	d	45,82,12,82
12907C-12950C	d,m,n	45,8,2,12,82,19,94,16,60,62,92,87,90,84,70,51
12950C	av	
12997B	a	41
12997C	av	
13217B-C	a,d	55,8,11
13218A-B	av	
13221B-13223C	a,d	50,1,8,15,59,51,2,3,11
13224A	av	
13384B-C	a,d	41,92,90,17,9
13385A	av	
13387A-B	a,d	41
13387C	av	
13438A-13441A	d	89,59,1
13441B-13442C	d	17,89,59
13451C	a,d	93
13452A-B	av	
13726C	m	51
13803A	m	42
13824C	m	89
13934B	a	45
13935A-13943A	d	45,1,59,4,60,87,51,19,6,39,15,46,98,2,43
1394B,A,C	av	

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13971B	m	53

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1480A		45,64
1843A		Harris
2378B-2380A	d,m	83,63, 17
2394A	m	Mathers
2397C	m	Ryan
2801A-C	m,d	59,52, 64,45
2802C	m,d	59,21, 64
2808A,B		Waggoner,17
2808B-2809A	m,d	Meader 63
2809B	a	Meader
2812C-2413A		Cooley
2423C	a	Whitter
2424A	m	"
2424A	av	
2424A	a	Collier
2424A-C		Collier, 17
2424C	av	
2424C	a	Williams
2425A	av	
2426B	a	Collier
2426B	av	

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4911C-4912A	d		1,83
5049A-B	d		17
5074B-5075B	d		1,17
5427B-5428C	m		41
5857B	d		8,92
5858A	d		8,92
5859B	d		2,55
6323C-6324A	m		1
6324B-6326C	m		1
6341C-6342A	m		4
6838C	m		8
6857B-6860B	m,d		90,93
6865C	m		90
6870B-6871B	m,d		90,89
7324A	m		89
7326A-C	m		89
7334A,B	m		89
7338C-7339A	m		89,90
7933A-C	m,d		83,50
8378C	m		1
8809B-8824A	m		45,9,17, 41,68
8853B,C	m		15
8855B	d		17
8872A-B	a		62
8873C	a		62
8995A-C	d		22,41
9293A	a		55
9839B-9840			41
10184B	m		32
10352A	m		89
10652B-10654B	m		92,93
10863B-10864A	a		15
10864A	a	(IV)	15
11785B	a		50
11785C	a		50
12122C	a		41
12249B-12250A	m		19
12288C-12289A	m		1

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12289C-12294B	m,d		1,29, 68,2
12354A	a		45
12354C	a		45
12355B	a		93
12382C-12383A	m		3
12436B	a		41
12693C-12694A	d		45
12799C	m		30
12879C	d		45
12907C-12908B	d		45,19
13362B-c	a,d		41
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13441B-13442A	d		17,59, 5

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85		(A,B)	84 "
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87-88			84 "
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117		(A)	21
118		(A)	21

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94	m	(IIB1)	17
141-144	m	(IIB)	17,72, 9
176-177	d	(A)	17,19

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1456B		(B2b)	1
1464C	m		1
1469C			84
1516C			81
1524C-1525A			21
1530C		(A)	50
1550A,B		(A)	17,84
1559C			26
2379B-2381B	n,d		83, Grant,59
2383B	m	(B)	Gill
2385A-C	m,d	(B)	64,26
2398A-2399A	m,n		Ryan
2399C-2400C		(B)	Downing W.Rogers
2402A	m,d	(B1,2)	21,64
2403A	m	(B2)	21
2404C		(B2)	20
2409B	a		Meader
2414C	a	(B2,cd)	84
2414C-2415C	m,d		84,17, 64,41
2416A	av+		
2416C	a	(A)	17
2416C-2418A	m,d	(A)	17,52, P.C.Jones
2416C	av+		
2416C	a	(A)	17
2416C-2418A	m,d	(A)	17,H. Ryan,P. Jones,20
2418	av+		
2418A	a	(A)	21
2418A-2419A	m,d	(A)	21,Edmonson,17
2420A-2822B	m,d	(AB)	Flynt, Bromwell, 7,Taft et al
24[illegible]B	a	(A)	45
24[illegible]B*C	m,d		45, Griffin
24[illegible]A	av+		
2729C	m		Ashbrook

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4911A-C	d		1,83
4911C	d	(A)	1,83
4912A-B	d	(A)	1,83
4912B	d	(B1)	1,83
4912C	d	(A)	1,83

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5045B	n		60
5075A-C	d		1,17,90
5423C	d	(B2a)	41,45
6424A	d	(A1)	2,41
5424B-C	d	(A)	2,41,45
5425A-5426B	d	(B)	2,45
5857B	d		8,92
6323C=6324B	m		1
6838C-6841B	m,d		8,40,82
6840A-6841B	m,d	(B1a)	8,90,82
6840A-6841B	m,d	(B2)	8,90,82
6842A	m		82
6843A	m		8
6846B-6847A	m		82
6846B-6847A	m,d		90,93
6865C-6866A	m		90
6870B-6872B	m,d		90,89
7323C-7324A	m		89
7325C-7326C	m		89
73313A	m		89
7334B-7337C	m		89
7933B,C	m		50
8378B,C	m		1
8705C-8704A	m		1
8815C-8816B	m,d		45,9
8850A-8853A	d	(B1)	18,59,8
8853B	m	(A)	15
8853B	m	(B1)	15
8854A*B	d	(A)	8
8857C-8858A	d		83
8872A	a		62
8874A*B	a		62
8991B-8992A	d	(B)	41,93,22
8996A-8997B	d	(A)	41,22
9763A-9764B	m	(AB)	15
9837C			41
9839A-C			41,15
10469C-10470A	a		60
10653A-B	m	(IIB)	92,93
11551C	m		Russell
11552B	m		Att.G. Kennedy, Russell
11553A	m		Att.G. Kennedy, Russell

11785B	a	(A1a)	50
12123B-C	a		41
12123C	a		41
12250A-12251C	m		19
12263C	m	(A1a)	1
12289A	m	(B1)	1
12289C-12294B	m,d		1,29,68,2
12354A	a	(b2)	45
12354A-B	a	(B2a-d)	45
12383A	m		3
12436A	a	(B2)	41
12436B	a		41
12658A	a	(A1a)	93
12686C-A	d		45
12689C-12691C	m,d		82,45
12693C-12694A	d		45
12799C-12800B	m		30
12880C-12881B	d		45,82,12,8,2
12907C-12910A	d		45,1,6,19,60
12914C	m		62
13441B-13442A	d		17,59,5
13448A-13449A	a,d	(A1a)	93
13449B	av-		
13449B	c,d,n		69
13452C-13453A	a,d		41,45
13453C	av-		
13454A-B	a,d		41,1
13454C-13455A	av-		
13699A-B	a,d		41
13699B-C	av-		
13726C	m		51
13835C	m		3
13837A-B	m	(B1a)	97
13936A	d	(A1)	8
13938B-C	d	(B2a-d)	19
13942A-B	d	(A1)	2

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15363A-B	m	(B1a)	17
15364B	m	(B1a)	17

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144-145	m		17,72
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1514B-1515A	d		17,59 84
1525A	d		21
2380C-2381B	d		59
2383B	m		Gill
2397A	m		Flynt
2409B	a		53
2419A-6	d		37,17 Flynt
2420A-2422B	m,d		10,17, 76, et al
2422B-C	d		17,37
2423A	a	(B)	21
2423A-C	d		21,59 52,64
2423C	ay-		
2424C	a		Willaims
2425A	av-		

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5075B-5076A	a		1,17 6,90
5422B-5423A	d		2,41
5424A	d		2,41
5425B-C	d		2,45
5859A	d		2,55
6841A	m		8
6847C	m		82
7337C	m		89
7924A-B	a		83
7933B	m		50
8874A-B	a		62
9837B	d		41
10469C-10470A	a		60
11785B	a	(B)	50
12436A	a		41
12914C-12915C	m		62
13942A-B	d	(A)	2

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1458B	d	17

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7855A	a	41
12383A	m	3
13726C	m	51
13837B	m	97

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4911C-4912C	d	1,83
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12968B-12969A	d	60,45,1 8,82
12996A	a,d	60
13442B-C	d	17,60 55,1
13726C	m	51
13837B	m	97

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15362A	d	46
15364B	m	17

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57-58		53
66-67		84 et al
71		84 et al
73-74		84 et al
83		84 et al
87-88		84 et al
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1449A	d	
1455B-C	d	17
1458B-C	d	17
1465B-C	m	17
1469B	d	84
1487A	d	27
1528A-B	d	44
1559C	d	26
1560A-B	d	26
1562C-1563B	d	Reid
11565B-1566B	d	45
1589A-1590A	d	52 et al
2180A	m	52
2394B	m	Mathews
2473C	a	17
2473C	m,d	17,45, B. O'Hara
2474C	av+	
2477A-C	d	17,65 Gross,Johansen
2482B	a	17
2482C	av+	
2483A-2484B	m	59
2484C	a	72
2484C-2492B	d	72 et al
2503B	av+	
2503B-C	a	26
2503C-2507A	d	26,17 Waggonner et al
2507A	av-	
2507B	a	Landrum
2507B-2714B	d,n	Landrum, 17,W. Ryan, P. Jones et al
2519A-2520B	m	alger
2524C-2525A	m	Gurney
2626C	a	Bolton
2627A	av+	
2627A-2629C	a	26
2631B-2632C	m	26
2632C	av-	
2632C-2633A	a	59
2633A	av-	
2634C	a	26
2634A	av-	
2635A	a,av-	Gross
2637A-2639C	m	Griffin Dawson, Multer,Nix Hawkins et al
2642C-2643C	m	Libonati
2687B-C	d	Brock
2707C-2708B	m,av+	Kornegay et al
2728B-C	m	3

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4913C-4914C	m	83
4914B	d	1,83
4916A-B	n	1
5064B-C	d,n	9
5246C	m	1
5618B-C	d	6,90
5619B-5623C	m,d	90
5627C-5630C	m	90
5689A-5690A	m	29
5747A-5761C	m	83
5824A-5825C	d	1,87
5861C-5862C	m	55
6204C-6205C	d,n	17
6238B-6240A	m	3
6306C-6307B	m	17
6327A-6331A	m	1
6342A-6343C	m	4
6532A-C	m	72
6795B-6800C	m,d	51
6804C-6807C	m	51
6831C-6833A	n	1

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6834B-C	m	1
6863A-6864B	m,d	90,89 59
6865B	m	90
6866B-C	m,d	90,39
6869A-6872C	m,d	90,89
6872C-6873A	a,m	6
6982C-7005B	m,n,d	9,55,39 41
7019C-7029A	m,d	9,39
7031A-7039B	m,d	9,41
7044B-7049A	m,d	39,7,71
7157A-7159A	m	100
7188B-7198A	a,d	83,1,59 62
7280C-7283A	m,d	83,7,9 89
7331C-73321B	m,d	89,93
7537A-7549C	m,d	94,51, 62,50
7800A-7801C	m	29
7911B-7923C	m,d	94,50 87,89
7934C-7938A	a,d	3,11 83,6
8045A-8048B	m	90,14
8191C-8195C	n	2
8368B-8380C	m,d	89,90 1,18
8748B-8766B	m,n,d	94,92 90
8807C	m	2
8839A-B	m	6
8855C-8856A	d	17,18
8886A-B	d	62
9003A-9005A	d	93,90
9295B-9305B	d	43,41 2
9308B-9311A	d	43,39
9312A-9313C	d	43,2
9380C-9381A	d	9
9382C-9384C	d	9
9486B-9490B	d	85,89 90,8
9522B-9522C	n	17
9532B-C	n	95
9568C	n	17
9577C-9578A	a	19
9607A-B	a	87
9607B-9612B	d,n	89,87 50
9744A-C	d	2
9834B	n	16
10027B-10029A	a	79
10055B-10057C	d,m	94
10058A	a	87
10184B-C	m	32
10195A-C	a,d	94
10351C	m	80
10352A-B	m	89,93,80
10670A-C	m	89,56
10740C-10741A	m	39
10804A	n	1
10917A-B	m	90
11530C-11531C	m	90
11536B	a	90
11761B-11761C	m	39
11783B	a	89
11785C	a	50
11786B	a	50
12130B-12131A	d	90
12156A	d	1
12170B-12175A	d,m	9,17,39
12190A	d	74
12192C-12194A	d	74
12195C	d	74
12214A	a	62
12216B-12217A	n	84
12264B-C	m	1
12282C-12283A	m	1
12295C-12298C	m	1
12353B	a	41
12355B	a	93
12383A-12384C	m	3
12398C-12400A	d,n	96
12401C-12402A	d	80,96
12429A-12435C	a	9
12491C	a	41
12492A	a	41
12519B	d	1
12632C-12633B	a	94
12634A-12645B	a,d	41,89,15,9,1 17,2,51,3
12645B	av-	
12645C-12653C	a,d	34,34,3,9,1 12,17,85,2
12803A-12805C	m	30
12993B-12994B	a,d	69,1,2
13016B-13018B	a,d	87,17,3,35, 60,1,12,3,45
13218B-C	a,d	94,19
13219A-B	av-	
13455A-B	a,d	93
13455C	av-	
13455C-13456A	a,d	93
13456B	av-	
13686B-13689A	a,d	93

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13689A-B	av-		
13726C-13727B	m		51
13745C-13746A	m		1
13789C-13790A	m		39
13798B	m		2
13803A-B	m		42
13824C	m		89
13835C-13836A	m		3
13837B-13838B	m		97
13944A-B	m		2
13953A-C	m		6
13960C	m		55
13967A	m		53
13970A-B	m		53
13971C-13972A	m		53
13987B-13991C	m		94

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15342C-15344B	m		59
15356C	m		W. Ryan
15364B-C	m		17

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95	m	(B)	17

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1455C	d		17
1458B	d		17
1405B-C	m		17
1548C-1549A	d	(B)	Abernethy
2622B	a	(B)	84
2622B-2623B	m,d	(B)	84,45, 64,17
2623C	a		84
2624C	av+		
2633C	a		26
2633C	av-		
2634C	a	(B)	W. Rogers
2634C-2635A	m	(B)	W. Rogers
2635A	av-		
2643A-B	m		44

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6992A	m		9
6996A-B	m	(B)	9
6997B	m	(B)	9
7022B-C	m	(B,C)	9
7157C	m	(B)	100
7935B-C	a	(C)	3
8194A	n	(B)	2
8849B-C	d	(B)	18
8855C	d	(B)	17
8857C	d	(B)	83
8874A	a		62
12172A-B	m	(A,E)	9
12192C	d	(G)	74
12296C-12297A	m	(B,D,F)	1
12353C	a	(B)	73
12383A	m		3
12429C-12430A	a		9
12436A	a	(B)	41
12645C-12653C	a,d	(B,E)	34,35,3,9 1,12,17,85 2
12653C	av-		
12658A	a	(B,H)	93
12803A-C	m		30
13224B-13225B	a+,d		73,1
13727A	m	(E)	51
13838A	m	(B,E)	97

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15364C	m	(B)	17

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27			64

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151	d		12,17

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2459B	m,d		Gross
2495A-B	d		65,R. Roberts

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8849C	d		18
8855B	d	(2)	17
8857A-B	d	(2)	83,17
8873A	a		62
12172B	a		9
12297A	m		1
12383A	m		3
12430A	a		9
12436A	a		41

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15364C	m	(3)	17

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5	(I,J)	60
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27	(A1,2,B,C1 2,3,D,E)	64
67-68	(I,J)	84 et al
71	(H)	84 et al
71-72	(I,J)	84 et al
87	(A,B,C,D)	84 et al
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29	(I)	52

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1455C	d	(E,H) J	17
1566B	d	(D)	Reid,45
2456B-2457B	m,d	(G)	17,65,64 Ricinski et al
2483A-B	m		59
2492B	a	(D)	O. Reid
2492B-C	d	(D)	O. Reid, 17,45 et al
2493A	av+	(D)	
2493A	a	(E1)	Purcell
2493A-2499B	m,d	(E1)	Purce~~ll,17,~~ Edmonson,~~52~~. et al
2498B	a	(E1)	45
2500C	av+	(E1)	
2500C	a	(C2,D)	15
2500C-2502B	m,d	(C2,D)	~~15~~,Osmers, 65,Griffin et al
2502B	av-	(C2,D)	
2514B	a		Ashbrook
2514B-2518B	d,m		Ashbrook et al
2518B	av+		
2625B	a	(F)	19
2625B-2626B	m,d	(F)	19,17,65 et al
2626B	av+	(F)	
2631C-2632A	m		26
2633A	a	(A)	26
2633A-B	m	(A)	26
2633B	av-	(A)	7
2633C	a	(H)	26
2633C	av-	(H)	
2634A	a	(A*D)	26
2634A	av-	(A-D)	
2636A-B	a	(A,B)	Waggonner
2636B	av-		
2643A-B	m		44
2708V	av-		

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4595 B	d	(A)	50,41
4685B-C	n	(G)	37
6797B-C	d	(H)	50,51
6832C	n	(D)	1
6834B-C	m,d	(D)	1
6864B-C	m,d	(F,G)	90,89
6992A-C	m	(F)	9
6996B-C	m	(E)	9
6997A-B	m	(E-H)	9

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7022B	m	(E,G)	9
7027 B	m	(G)	9
7935C	a		9
8193B	n	(F,G)	2
8193C	n	(E)	2
8849C-8850A	d		18
8872A	a		.62
8873C	a		62
9307A-9308A	d		43
9319C-9320A	a		73
10249A	a		69
10352A	m		80,89,93
10470A	a		41
10804B-C	n	(J)	1
11785C	a	(C,D)	50
12172B-C	m		9
12193C-12194A	d		74
12297A-B	m	(B,E, F,G,I,J)	1
12383A-B	m		3
12385A	a		93
12436A	a	(I)	41
12633A	a		94
12803B-C	m		30
12857A	m		24
13018B-13031B	a,d,m		94,1,17 59,69
13031B	av-		
13246B	a+	(H)	94,1
13349A-B	a,d		62
13350A	av-		
13361B -C	a,d		62,17, 11,60,59
13362A	av-		
13727A	m	(F,G, H,J)	51
13745C-13746A	m	(G)	1
13835C	m	(G2)	3
13837C	m	(H,I, J)	9
13838A	m	(H,I J)	97

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15362A	d	(J)	46
15364C	m	(H)	17

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2456B	a	(B)	17
2456B-2457C	m,d	(B)	17,65,21,52 Goodell et al
2457C	a	(B)	Williams
2457C-2458A	m,d	(B)	Williams Abernethy et al
2459A-2460B	d	(B)	Gross,65,17 Rivers et al
2464A-C	d	(B)	Alger,17, O'Hara, 65
2465C-2471A	d	(B)	Curtis, 20 Holifield, 65 Williams, et al
2471A	av-		
2471B	av-		
2498C	d	(B)	59,45
2635B	a	(A)	Watson
2636A	m	(A)	Watson
2636A	av-		
6992A-C	m		9
9519A-9521A	d		29
10470A-B	a		41
11785C	a	(B)	50
12172C	m		9
12430B-C	a		9
12804A	m	(B)	30

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87			84 et al
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95	m		17

HOUSE FLOOR

1455B	d		17
1571A	d	(G)	Ryan
2477A	d	(A)	Gross,52
2479A-B	d	(G)	Gathings
2483B	m		59
2613B	a	(A,D)	Sikes
2613B-2614B	m,d	(A,D)	Sikes,17 Gross,45,52 et al
2614B	av-		
2632A	m		26

SENATE FLOOR

5056C	d	(G)	17,41
5057A	d	(G)	17,41
6307A	m	(G)	17
6328B-6329A	m	(G)	1
6343A-B	m		4
6992C-6993A	m		9
6997B	m		9
7022B	m		100
7157C	m	(A)	9
9935C	a	(G5)	3
8872A	a	(G1)	62
9308B	d	(G5)	43
10840B	d		55,83
12122A	a		69
12171A	d	(G)	9
12171B -C	d		9,17
12172C	m		9
12175A	d	(G5)	9
12193A	d		74
12297B	m	(G)	1
12354C	a	(A)	45
12383B	m		3
12430C-12431A	a		9
12632B	a		94
12632C	a	(D)	94
12658A	a	(G6)	94
12804A-B	m		30
12999B-C	a,d		69,1
13456B-C	a,d		93
13458A-B	av-		
13689B	a,d		93
13692C-13693A	av-		
13727A-B	m	(G4,6)	51
13838A	m	(G)	97

VI. Section 706

COMMITTEE REPORTS

ER

5		60
6	(B)	60
10	(A-E)	60
12	(H)	60
12	(B)	60

R

28-29	(A1-4)	64
29	(E1)	64
29	(G,H,K)	64
108	(A)	21,59
110-111		21,59

MR

29		52

SEE INSERT

HOUSE FLOOR

2471B	a	(A)	17
2471B-C	m,d	(A)	17,52,45
2472A-2473C	m,d	(A2)	21,65,45 et al
2473C	av+	(A)	
2474A-B	m,d	(E1)	21,65
2474C	a,m	(G1)	17
2477C	m	(G1)	Gill
2479B	av+		
2622A	a	(A)	21
2622B	av+		
2632C	a	(A)	59
2632C	av-	(A)	
2633B	a	(A)	26
2634A	a		Griffin
2634A	av-		
2635A	a,av-		Watson
2635B	a,av-		Watson

INSERT

TITLE VII. Section 706 con't

HRC

152	m	(B)	17,12

SENATE FLOOR con't

10249A	a	(A4)	69
10249A	a	(G)	69
10303C	m		49
10470B-C	a	(A,G,F)	41
10470B-C	a		41

INSERT

TITLE VII. Section 706 con't

HRC

152 (B) 17,12

SENATE FLOOR con't

10249A a (A4) 69

TITLE VII - Section 706 con't

2635C	m		Watson
2643B	m		44

SENATE FLOOR

4594C	d	(G)	50,41
4595A	d	(A5)	50,41
5056C	d		17,41
5057A	d	(C)	17,41
5824A-B	d	(A)	1,87
5824C	d	(E)	1,87
5825A	d	(F)	1,87
6328B	m	(F)	1
6329A	m	(E)	1
6862B-C	m		90
6993A-B	m		9
6995C	m		9
6996A	m		9
6996C-6997C	m		9
7022C-7023B	m		9
7157C	m		100
7189B-C	a		83
7284B-C	m		7
7935C-7936A	a		3
7936B-C	a		3
8194A-8195A	n		2
8330C-8331A	a		3
8873C	a		62
8886A-B	d	(B,E,F)	62
9301B-9302C	d	(A1-3)	43,41
9306C-9307A	d	(A)	43
9319B-C	a	(A)	41
9837C	d		41
10194B-10195A	a,d	(H)	90
12122A	a	(E3)	69
12170B-C	d		9
12172C-12173A	m		9
12174C	d	(B)	39

SEE
INSERT

12215A	a	(A)	84
12264B-C	m		1
12296A	m	(B,E)	1
12297B-12298B	m		1
12383B-12384B	m		3
12385B	a	(A)	3
12431A-C	a		9
12436A	a	(E3)	41
12493B	a		93
12632C-12633A	a		94
12633A	a	(E)	94
12658A	a	(E3,H)	93
13693A-13698C	a,d		41,1,31 59,7,8,98,34 12,2,et al
13698C	av-		
13699C-13700B	a,d		93,36
13702B-C	av-		
13703A	a,d	(B)	93
13703A-B	av-		
13703B	a,d	(E)	93
13703C	av-		
13703C-13704A	a,d	(H)	93
13704A	av-		
13708A	a,d	(E)	41
13708A-B	av-		
13784C	m	(B)	39
13838A	m	(A)	97
13838A	m	(G)	97

FINAL HOUSE FLOOR

15364B-C	m		17

VII. Section 707

COMMITTEE REPORTS

R

29	(A,B),	64
87	(B)	84 et al

SENATE FLOOR

9625C	a		85
9837B	d	(A)	41
12171A-B	d	(A)	9
12175A	d	(B)	9
12298A-B	m		1
12384A	m		3
12431A-C	a		9
12435C-12436A	a	(A)	41
12492B	a	(A)	87
12804B-C	m		30
13727B	m		51
13838A	m	(A)	97

FINAL HOUSE FLOOR

15343A	m	(A,B)	59
15343C-15344A	m		59
15363B	m	(A)	17
15364B-C	m	(A,B)	17

VIII. Section 708

COMMITTEE REPORTS

ER

12	(A)	60

TITLE VII- Section 708 con't

R

30		(A)	64

HOUSE FLOOR

2458B-C	d		17

SENATE FLOOR

5624A-B	d		75,90
6985A	m		9
6993B-C	m		9
6995C-699A	m		9
6997A	m		9
7022C	m		9
7157C	m		100
9834B	n		16
12173A	m		9
12296A	m		1
12298B	m		1
12384A-B	m		3
12431C	a		9
12804C	m		30

IX. Section 709

COMMITTEE REPORTS

ER

6		(B)	60
12		(A-C)	60

R

30		(A-C)	64

HRC

154-155.	m		72,17

HOUSE FLOOR

2479B	a	(A)	17
2479B-2481A	d	(A)	17,52,21 Gill et al
2481A	av+		
2481A	a	(C)	17
2481A-B	m,d	(C)	17,Harris, 52
2481B	av+		
2614B	a	(C)	72
2614B-2616B	m,d	(C)	72,Dorn,65 Gill, Harris
2621C-2622A	d		Goodell
2622A	av-		
2633A	a	(B)	21
2633A	av-	(B)	
2634B	a	(B)	McClory
2634B	m	(B)	McClory
2634V	av-	(B)	

SENATE FLOOR

6330A-C	m		1
6806C-6807A	m	(D)	51
6993A	m		9
6993C-6994A	m	(C)	9
6995B-C	m	(A,C)	9
7023A-7025B	m		9
7157C-7158A	m		100
7936C	a		3
8966A	d	(D)	57
9310B	d	(C)	43
10249A	a	(E)	69
12174C	d	(D)	39
12296B	m	(C)	1
12298B	m	(B)	1
12354C	a	(C)	45
12384B	m		3
12431C-12432A	a		9
12435C	a	(B,D)	41
12618A	a	(C)	17
12804C-12805A	m		30
13727B	m	(E)	51
13784C-13785A	m	(B,D)	39
13838B	m	(B)	9

FINAL HOUSE FLOOR

15343A	m	(D)	59
15364C	m		17

X, Section 710

COMMITTEE REPORTS

ER

12		(A)	21,Gill

TITLE VII - Section 710 con't

R

30-31		(A,B)	64

HOUSE FLOOR

2480A-C	d	(A)	21,Gill
2481B-C	a		17
2482A	av+		

SENATE FLOOR

6330A-C	m		1
6993A-6994B	m		9
7023A-7027B	m		9
7936C-7937A	a		3
12298B	m		1
12384B-C	m		3
12432A-B	a		9
13727B	m	(B-D)	51

XI. Section 711

COMMITTEE REPORTS

ER

13	(A,B)	60

R

31	(A,B)	64

SENATE FLOOR

8837B	m	6
12298B	m	1
12384C	m	3
12432B	a	9
12658B	a	93
12805B	m	30
13722B	a,d	93
13722C	av-	

XII. Section 712

COMMITTEE REPORTS

ER

13	(A)	60

R

31	(A)	64

SENATE FLOOR

12432B	a	9
13835C	m	3

XIII. Section 713

COMMITTEE REPORTS

ER

13	(A,B)	60

R

31	(A,B)	64

HOUSE FLOOR

2482C	a	(A)	17
2483A	av+	(A)	
2483A	a	(B2)	17
2483A	av+	(B2)	

SENATE FLOOR

12432B	a	9
12658B	a	93

XIV. Section 714

COMMITTEE REPORTS

ER

13	(A)	60

R

31	(A)	64

HRC

155-156	m	17,72

TITLE VII - Section 714 con't

SENATE FLOOR

6994B	m	9
12432B	m	9
12805B	m	30

XV. Section 715

COMMITTEE REPORTS

ER

14	(A)	60

R

32	(A)	64

SENATE FLOOR

6994C	m		9
7023A	m		9
7027B	m		9
10058A	a	(A)	87
12298B-C	m	(A)	1
12384C	m		3
12432B	m		9
12658B	a		93
12805B	m		30

XVI. Section 716

COMMITTEE REPORTS

ER

14	(A,B,C)	60

R

32	(A,B,C)	64
87	(A,B)	84 et al

HRC

95	(A,B,C)	17

HOUSE FLOOR

1458B	d	(A-C)	17
2634A	a	(B)	Sikes
2634A	av-	(B)	
2729C	m	(C)	Ashbrook

SENATE FLOOR

6992B	m		9
6994B-C	m	(C)	9
6997B	m		9
7022C	m		9
7023A	m		9
8873A	a	(B)	62
12173B	m	(A)	9
12193A	d		74
12384C	m		3
12432B-C	m		9

TITLE VIII

ENTIRETY

COMMITTEE REPORTS

R

32		64
58		53

MR

30-31		52

HRC

96	m	17

HOUSE FLOOR

1449B		47
1458C		17
1590A,B,C		52 et al
2180A	m	52
2643C-2645B	a	Berry
2645C-2659A	m,d,n	Berry et al
2653B	a	Reifel
2657C	av-	
2657C	a	Laird
2659A	av-	
4914C	m	83
6331A	m	1
6343C-6344A	m	4
7049B	m	39
10184C	m	32
11786A	a	50
12214A	a	62
12263C	m	85
12298C	m	1
12493A	a	93
12805C-12806A	m	30
1372B	m	51
13824C	m	89
13960C-13961A	m	55

FINAL HOUSE DEBATE

15364C	m	17

I. Section 801

COMMITTE REPORTS

R

32		(A,B)	64
39		(A)	41
88		(A)	84 et al

MR

31			52

HRC

96	m	(IA)	17
484-486	m,d		Henderson

HOUSE FLOOR

1819A	a		53
1819C-1825B			17,53
2659B	a		81
2659B-2660C	m,d		81,Williams,17,50,Roberts
2663C-2664C	m,d		83, Long et al
2666B,C	m	(A)	Huddleston
2671A	a		Gross
2671A,B	m		11
2672C-2673A	m	(B)	A.Olsen
2674A	av-		
2674A	a	(A)	Fuqua
2674A	av-		
2674A,B	a	(A3)	Huddleston
2674B	av-		
2674B	a		A.Olsen
2674B	av-		

SENATE FLOOR

12122B	a	(A1C1)	69
12263C	m	(C)	85
12298C	m	(C)	1
12384C	m		3
12435C	a	(C)	41

I. Section 801 cont.

12492A	a		41
12658B	a		93
12999C	a,d		39,1
13722C-13723A	a,d		93
13727B	m		51
13729B-C	av-		
13737A-B	a,d		93
13737B	av-		
13836B	m	(C)	97

FINAL HOUSE DEBATE

15364C	m	(A,B,C)	17

II. 13 USC 9

COMMITTEE REPORTS

HOUSE FLOOR

SENATE FLOOR

12298C	m	1
12384C	m	3

III. 13 USC 7

SENATE FLOOR

12298C	m	1
12384C	m	3

TITLE IX

ENTIRETY

COMMITTEE REPORTS

R
MR
HRC

96	m	17
380-281	m	59

HOUSE FLOOR

2674B	a	81
2674B*C	m	81
2675C-2679A	m,d	41,59, 81,26,etal
2688B-2889A	m	45,20, 59,Edwards
2689	av-	
2689	a	4
2691A*C	m	Randall
2691	av+	

SENATE FLOOR

4919C-4915B	m	83
6240A-B	m	3
6331A-B	m	1
6344A	m	4
7049B,C	m	39
7551B	m	87
10184C	m	32
11786A	a	50
12122B	a	41
12124C	a	2
12195C-12196B	a,d	2
12214A	a	62
12263C	m	85
12298C	m	1
12384C-12385A	m	3
12491C	a	41
12492 a	a	41
12493B	a	93
12632B	a	94
12806A-C	m	30
12993B-12994B	a,d	69,1,2
13727B	m	51
13740A-B	ad	93
13740B	av-	
13825C	m	89
13961A-B	m	55
13991C-13993A	m	94

FINAL HOUSE DEBATE

15364C-15365A	m	17

I. Section 901

COMMITTEE REPORTS

R

32		64
67		84 et al
59		53
88		84 et al
111-112		21,59
118		21

MR

31-32		52

HOUSE FLOOR

1458C	d	1
1517A-1520A	d	81
1520A-C	n	81
1590C-1519A	d	52 et al

SENATE FLOOR

5422A-B	d	2,41
6001C-6002A	d	41;92
6002A-C	d	2,92
12122B	a	41
12994B-C	a,d	41,1
12995A	av-	
13390B-C	a,d	302
13391A	av-	

II. Section 902

COMMITTEE REPORTS

R

22	(A,B)	64
41		41

TITLE IX - Section 902 con't

45			53
101-102			21,59
117			21
118			21

MR

16-17			52

HOUSE FLOOR

1457C-1458A			17
1513C-1514B			53,59
1515A			17,59
1558B-C			33
1585B-C			52 et al
2173B	a		84

SENATE FLOOR

8853C	d	(A)	15
8885A	d		62
9002B	d		90,93
9007B-C	d		94,93
9321B -C	d		2
9764B-C	d		15
11535C-11536A	d	(A2)	90,60
11784B	a		50
12122A	a	(A1)	69
12127C	a		41
12263A-B	m		85
12298C	m		1
12353B	a	(A1a)	41
12384C-12385A	m		3
12493B	a		93
12658B	a		93
12990A-12993A	a,d		41,51,2 8,59,62
12993A-B	av-		
13412A-13413B	a,d		90,1,2, 69
13413C	av-		
13616C-13417A	a,d		41,2
13417B	av-		
13727B	m		51
13739C	a,d		93
13740A	av-		
13798B	m		2

FINAL HOUSE FLOOR

15343B	m		59
15365A	m		17

TITLE X - Entirety

COMMITTEE REPORTS

R

39		64
84-85		84 et al

HRC

96	m	17

HOUSE FLOOR

1458C	d	17
2169B-C	d	4
2689A	a	4
2691A-C	m	Randall
2691C	av+	

SENATE FLOOR

6331B	m	1
6341A-B	m	4
7049C	m	39
10184[illegible]-10185A	m	32
12122C	a	41
12214A	a	62
12263C-12264A	m	85
12298A	m	1
12385A	m	3
12807A	m	30
13451A	a,d	41
13451B-C	av-	
13727B-C	m	51
13740C	a,d	93
13741A	av-	
13741A-C	d	59,36
13742B-C	a,d	93
13742C-13743A	av-	
13743A	a ,d	93
13743B	av-	
13743B-C	a,d	93,1
13743C-13744A	av-	
13798B	m	39
13825C	m	89
13961B	m	55

FINAL HOUSE FLOOR

15343C	m	59
15365A	m	17

I. Section 1001 (a)

SENATE FLOOR

8596B-8597B	m,a		85
12122A	a	(A)	69
12298C	m	(B)	1
12385A	m		3
12631A	a		94
12658B	a		93

FINAL HOUSE FLOOR

15343A	m	(D)	59
15363A	m		17
15365A	m	(A)	17

II. Section 1001 (b)

SENATE FLOOR

12385A	m		3

III. Section 1002

SENATE FLOOR

8031B-C	m		85
12492A	a	(A)	41
12658B	a		93

FINAL HOUSE FLOOR

15365A	m		17

IV. Section 1003

SENATE FLOOR

12298C	m	(B1)	1
12385A	m		3
12493B	a		93
13727C	m		51
13838A	m	(B)	97

FINAL HOUSE FLOOR

15343A	m	(A)	59

V. Section 1004

SENATE FLOOR

12298C	m		1

TITLE XI - Entirety

COMMITTEE REPORTS

R

32-33	64
59	53

HOUSE FLOOR

2692A	a	17
2692A	av+	
2695A	a	72
2695A	m	72
2696A	av-	
2696B	a	Abernethy
2697A	av-	
2698C	a	Waggonner
2699B	av-	

SENATE FLOOR

6240B-C	m	3
6344A	m	4
8036A-8040A	m	90,15, 56,92
8397A-C	a	92,
8393C-8403C	m,n,d	93,92 12
8715B	a	3
11786A-B	a	50
11958B-11975B	d	93
12122C-12123A	a	41
12124B	a	71
12145A-12154B	d	1,59,41
12214A	a	62
12264A	m	85
12298B	m	1
12299A	m	1
12384C	m	3
12385A	m	3
12436C	a	41
12632C	a	94
12807A-B	m	30
12996B-C	a,d	60,1,17
12997A	av-	
13247C-13248C	av-,d	93,1,2
13727C	m	51
13824C-13825A	m	89
13961B-C	m	55
13972C-13973A	m	53

FINAL HOUSE FLOOR

15365A	m	17

I. Section 1101

COMMITTEE REPORTS

R

22	(A-E)	64
75		84 et al
110-111		21,59
112		21,59

HOUSE FLOOR

1457C	d	17
2182A	a	4
2182B-2191B	d,m	4,33, 63,17,84,45, Edmonson, ~~Huddleston~~
2191C	av-	

SENATE FLOOR

4597B-C	d		50
4908A-B	d		50,83,93
5247B	m		1
5780C-5781C	d	(A)	82,87
5783A	d	(D)	6,87
6793C-6795B	d		50,51, 62
7155C-7156A	m		100
7279A-7283A	m,d		7,83
7457C-7462A	m,d		7,41,2
8429C-8444A	m,d		43,92,84, 37,35
8613C-8630B	m,d		87,7,2 50,59,33,90,12,41
8747B-C	a		3,5
8843A-B	n	(A)	90
8846B-C	d	(A)	92
8857B-8862B	d	(A)	83,50
8874C-8881C	d	(A,B)	62,80, 87,19,60
8882C-8887B	d	(A)	62,87,50
8896C-8910B	d	(A)	60,50, 87,83
8978C-8991B	d	(A)	93,92 15,41
8998B-9002C	d	(A)	93,90
9008C-9012C	d	(A,C)	93,94
9025C-9031B	d	(A)	90,89
9274A-9291C	d	(A)	55,41 60
9295A-B	d	(A)	43

TITLE XI - Section 1101 con't

9345A-9346B	d	(A)	33
9349A-9361C	d	(A)	37,50,62 60
9366B-9379C	d	(A)	50,55,87 60
9381B-C	d	(A)	9
9385C-9391	d	(A)	60,15
9392A	a	(A)	15
9392A-9393B	d	(A)	60
9482A-9484A	d	(A)	89,55
9491B -9502B	d	(A)	89,56,90 92
9512B-9517B	a,d	(A)	71,69,2, 84
9560A-9567A	d	(A)	39,17
9595A-9604A	d	(A)	87,37,39 50
9612C-9623C	d	(A)	83
9764A-9767C	d	(A)	41,92
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OUTLINE TO THE
CIVIL RIGHTS ACT OF 1964

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TITLE I VOTING RIGHTS

This title outline is geared to 42 USC 1971 as amended by the Act. See section 101 of the Act for the other citations.

I. 42 USC 1971
  A. 42 USC 1971 (a) 1 General statement of the law
    1. Citizens "who are otherwise qualified by law to vote"
    2. "at any election"
    3. constitution, law, custom, usage, or regulation of any state to the contrary notwithstanding
  B. 42 USC 1971 (a) 2 Deprivation of right to vote by acting under color of law
    1. standard, practice, or procedure to be applied the same as was applied to persons who have been found qualified (subsection (A))
    2. non-material error or ommission on record or paper relating to an act requisite to voting (subsection B)
    3. no literacy tests unless (subsection (C))
      a. administered to all individuals
      b. wholly in writing
      c. certified copy given to person within 25 days of request made during time during which records are required to be kept according to 42 USC 1974-74e (which is 22 months from last election) (subsection (C))
    4. Proviso: Attorney General authorized to agree with local officials that tests in accordance with state law constitute compliance with this subparagraph (which is 42 USC 1971 (a) 2)
  C. 42 USC 1971 (a) 3 Definitions of literacy test and vote
    1. 'vote' means the same as in 42 USC 1971 (e)
    2. "literacy 'test' includes ability to read, write, understand, or interpret any matter

II. 42 USC 1971 (b) Intimidation of voters
  A. intimate, threaten, coerce, or attempt same
  B. for purpose of interfering with right to vote or to vote as he chooses or not to vote
  C. for candidate for office of Pres, V. Pres, presidential elector, US Senator, Representative, Delegates or commissioners from the Territories
  D. at any general, special, or primary election
  E. held soley or in part for purpose of electing or selecting such candidate

III. 42 USC 1971 (c) Suits by the Attorney General
  A. has engaged or reasonable grounds to believe person about to engage
  B. in practice in deprivation of rights under (a) or (b)
  C. for or in the name of the United States
  D. civil action or other proper proceeding
  E. for preventive relief
  F. rebuttable presumption that person is literate if (Civ Rts Act title I 101b)

        1. not been adjudged incompetent
        2. completed sixth grade in public or private school accredited by state
        3. instruction in school predominately in English language
    G. US liable for costs as a private person

IV. 42 USC 1971 (d) Jurisdiction and exhaustion of other remedies
    A. district courts
    B. without regard to whether person has exhausted any other remedies

V. 42 USC 1971 (e) Order qualifying a person to vote
    A. Finding of pattern of practice
        1. in proceeding pursuant to subsection (a)
        2. if court finds deprivation of right to vote
        3. the court shall make a finding whether practice of pattern after:
            a. request by Attorney General
            b. notice to parties and opportunity to be heard
    B. Order declaring any person of same race qualified to vote entered if:
        1. court finds pattern or practice
        2. person applying for order lives in affected area within one year of finding but thereafter until pattern has ceased
        3. proof that at any election he:
            a. qualified to vote by state law
            b. deprived of opportunity to qualify to vote under color of law
            c. found not qualified by any person acting under color of law
    C. Length of effectiveness of order
        1. longest period for which he could have been qualified under state law.
    D. Effectiveness and enforcement of order
        1. applicant is qualified by order notwithstanding contrary state law
        2. Attorney General shall transmit copies of order to officials
        3. refusal with notice to allow vote at appropriate election is contempt
    E. Expediency of giving order
        1. court hearing within ten days of application
        2. no stay of execution of order if it would prevent vote in an election for which he would be otherwise qualified.
    F. Voting referees
        1. appointed by courts discretion and to serve as long as court determines
        2. findings to be made by referees:
            a. whether application is qualified under state law
            b. deprived under state law of opportunity to qualify to vote
            c. found not qualified by person acting under color of law

- 3. procedures
    - a. applicant shall be heard ex parte
    - b. statement under oath prima facie evidence of age, residence and previous efforts to vote
    - c. if literacy or understanding is a valid requirement the answer of the applicant is to be included in referee's report to the court
- G. Entry of order after report from voting referees
    - 1. Attorney General gives copy of report to state attorney general at request of court
    - 2. order to show cause why order pursuant to report should not be issued; state attorney general has 10 days to show cause
    - 3. order not issued in 10 days if exceptions have been filed
    - 4. exceptions:
        - a. fact: considered only if accompanied by affidavits
        - b. law: considered only if accompanied by appropriate memorandum
        - c. exceptions may be determined by court or, for sake of expediency, the referee
        - d. no hearing on matters of fact excepted to unless there is shown a material issue of fact in the supporting affidavits, etc.
    - 5. literacy not determined at hearing, but soley on basis of answers to voting referees
    - 6. court or voting referees shall issue certificate
- H. Master powers of voting referees
    - 1. has power conferred on master by rule 53 (c) of FRCP
- I. Compensation of referee fixed by the court
- J. Order for provisional vote
    - 1. only if application more than 20 days prior to an election
    - 2. only if applicant qualified by state law
    - 3. at court's discretion if application filed within 20 days of an election
    - 4. ballot to be impounded pending final determination
- K. Other appropriate action
    - 1. by court or referee or other person authorized by the court
    - 2. necessary to carry out provisions of subsection (e) and to enforce its decrees
- L. Definition of 'vote'
    - 1. all action necessary to make a vote effective
- M. Definition of 'affected area'
    - 1. any subdivision of a state in which state laws have been administered in violation of subsection (a)
- N. Definition of 'qualified under state law'
    - 1. according to laws, customs, or usages of the state
    - 2. not more stringent than qualifications used by persons found to have violated subsection (a) in qualifying other than those of the race discriminated against

VI. 42 USC 1971 (f) Definition of 'federal election'
- A. Any general, special, or primary election held solely or in part to elect or select any candidate for Pres., Vice-Pres., presidential elector, US Senator, US Representative

VII. 42USC 1971 (g) Contempt; assignment of counsel witnesses
- A. Right to counsel for person sited for contempt
  - 1. upon request of defendant, court assigns not more than two counsel
  - 2. if the court finds defendant unable financially, the court shall provide counsel
- B. Defendant has process of court to compel his witnesses to appear

VIII. 42 USC 1971 (h) Suit by the Attorney General; three judge court
- A. Request by the Attorney General
  - 1. that the court makes a finding of a pattern or practice
- B. Requests by Attorney General or defendant
  - 1. that a three judge court be convened
    - a. with power to hear entire case
- C. Appointment and duty of the three judge court
  - 1. copy of request for a three judge court furnished to chief judge of the circuit
  - 2. upon receipt of request it is the duty of the chief judge of the circuit to appoint three judge court
  - 3. composition of the three judge court
    - a. one must be circuit judge
    - b. one must be district judge from the district in which the proceedings were initiated
  - 4. expedition of proceedings
    - a. duty of three judge court to hear case at earliest date practicable and to expedite case in every way
- D. Direct appeal to Supreme Court fom final judgement of three judge court
- E. If no request for three judge court made by Attorney General or defendant
  - 1. duty of chief judge of district to designate immediately district judge to hear and determine the case
  - 2. if no district judge available, chief judge of district certifies such to chief judge of circuit who shall then designate a district or circuit judge to hear the case
  - 3. duty of judge designated to hear at earliest possible date and to expedite

TITLE II . PUBLIC ACCOMODATIONS

I. Section 201 (a) General statement of substantive law
- A. Goods, services, facilities, privileges, advantages, and accomodations

II. Section 201 (b) Establishments which are places of public accomodations
- A. Those which are listed below (under B of this outline) and which:
  - 1. affect commerce
  - 2. in which discrimination or segregation in it is supported by state action
- B. Establishments included
  - 1. those which provide lodging to transient guests

2. gas stations and those which are principally engaged in selling food
3. those which are places of exhibition or entertainment
4. those which are within or which enclose covered establishments
    a. physically located within the premises of covered establishments
    b. within the premises of which is physically located a covered establishment

III. Section 201 (c) Meaning of 'affect commerce' and 'commerce'
  A. Meaning of 'affect commerce'
    1. those which provide lodging to transient guests
    2. if it is a gas station or is principally engaged in selling food
      a. serves or offers to serve interstate travelers
      b. substantial portion of products sold has moved in commerce
    3. if it is a place of exhibition or entertainment
      a. it presents sources of entertainment which move in commerce
    4. if it is within or encloses a covered establishment
      a. the establishment which encloses it or is enclosed by it affects commerce
  B. Meaning of 'commerce'
    1. travel, trade, commerce, transportation, or communication
    2. between or among:
      a. the several states
      b. Dist. of Col. and any state
      c. foreign country or territory or possession and any state
      d. points in the same state but through any other state or Dist. of Col. or foreign country

IV. Section 201 (d) Meaning of 'supported by state action'
  A. Carried on under color of any law, statute, ordinance, or regulation
  B. Carried on under color of any custom or usage required or enforced by officials of state or political subdivision of state
  C. Required by action of the state or political subdivision

V. Section 201 (e) Exemptions from coverage by title
  A. Private club or other establishment not open to the public
    1. except to extent that facilities of the establishment are made available to customers or patrons of an establishment covered by subsection (b)

VI. Section 202 Substantive law with regard to state required discrimination
  A. At any establishment or place
  B. Is or purports to be required by law, statute, ordinance, regulation, rule, or order of a state or any agency or political subdivision thereof

VII. Section 203 Denial, intimidation, punishment
  A. With respect to rights secured by sections 201 and 202, no person shall of those rights:
    1. withhold, deny, attempt to withhold or deny or deprive or attempt to deprive
    2. intimidate, threaten, or coerce, or attempt to do same with purpose of interfering
    3. punish or attempt to punish one for exercising

VIII. Section 204 (aO Civil action and intervention by Attorney General
  A. Instituted by person aggrieved
    1. if person has engaged or there are reasonable grounds to believe that any person is about to engage in violation of Section 203

   2. for preventive relief

B. Intervention by Attorney General
   1. upon timely application
   2. at court's discretion

C. Appointment of attorney for complaintant; fees, costs
   1. in circumstances as court may deem just
   2. court may authorize action without payment of fees, costs, or security

IX. Section 204 (b) Costs pursuant to this title
   A. Court may allow, in its discretion, costs to the prevailing party
   B. US liable for costs same as a private person

X. Section 204 (c) When state has public accomodations law or agency to grant or seek relief from practices prohibited by this title
   A. No civil action may be brought under subsection (a)
      1. before thirty days after written notice of such alleged act or practice has been given to appropriate state or local authority by registered mail or in person
   B. Stay of proceedings
      1. at discretion of court (ie, it "may")
      2. pending termination of state or local enforcement proceedings

XI. Section 204 (d) If no state public accomodations law
   A. A civil action may be brought under subsection (a)
   B. Proviso:
      1. court may refer matter to Community Relations Service for as long as the court believes there is a reasonable possibility of obtaining voluntary compliance but for not more than 60 days
   C. Proviso:
      1. after 60 day period the court may extend such period for an additional period if it believes that there exists a reasonable possibility of securing voluntary compliance

XII. Section 205 Hearings by the Community Relations Service
   A. Authorized to hold such hearings as may be necessary in investigation of complaint referred to it by the court
   B. Hearings to be held in executive session
   C. Testimony not released except by agreement of all parties and permission of the court

III. Section 206 (a) Suits by the Attorney General
   A. Requisites to bringing suit in district court
      1. Attorney General has reasonable cause to believe that
         a. person or group is engaged in pattern or practice of resistance to full enjoyment of rights secured by this title
         b. the pattern or practice is of such nature and is intended to deny full exercise of rights herein described
   B. Complaint filed
      1. signed by Attorney General
      2. setting forth facts pertaining to the pattern or practice
      3. requesting preventive relief
         a. against persons responsible for pattern or practice

XIV. Section 206 (b) Request by Attorney General for three judge court
- A. Request and certificate
  - 1. Attorney General may file with clerk pf court of district request
  - 2. request to be accompanied by certificate that, in his opinion, the case is of general public importance
- B. Appointment and duty of the three judge court
  - 1. copy of request and certificate furnished to the chief judge of the circuit
  - 2. upon receipt of request it is the duty of chief judge of circuit to appoint three judge court
  - 3. composition of three judge court
    - a. one must be circuit judge
    - b. one must be district judge from the district in which prodeedings were initiated
  - 4. expedition of proceedings
    - a. duty of three judge court to hear case at earliest date practicable and to expedite the case in every way
- C. Direct appeal to Supreme Court from final judgement of three judge court
- D. If no request for three judge court made by the Attorney General
  - 1. duty of chief judge of district to designate immediately district judge to hear and determine case
  - 2. if no district judge available, chief judge of district certifies such to chief judge of circuit who shall then designate a district or circuit judge t
hear the case
  - 3. duty of judge designated to hear at earliest possible date to expedite

XV. Section 207 (a) Jursidiction of district courts
- A. shall have jurisdiction of proceedings instituted pursuant to this title
- B. shall exercise jurisdiction without regard to exhaustion of other legal remedies

XVI. Section 207 (b) Exclusiveness of remedies
- A. Remedies provided in this title shall be exclusive means of enforcing rights hereby created
- B. Rights not hereby created:
  - 1. nothing in this title precludes individual or state or local agency from asserting any right created by:
    - a. any federal or state law not inconsistent with this title including statute or ordinance requiring nondiscrimination in public accomaditions
  - 2. nothing precludes pursuing any remedy, civil or criminal, which may be available for vindication or enforcement of such right.

TITLE III DESEGREGATION OF PUBLIC FACILITIES

I. Section 301 (a) Person complains about discrimination and Attorney General brings suit
- A. Complaint in writing signed by the individual received by the Attorney General (see 304 for definition of complaint)
  - 1. individual deprived of or threatened with denial of equal protection of the laws
    - a. because of his race, color, religion or national origin
    - b. by being denied equal utilization of any public facility owned, operated or managed by or on behalf of State or subdivision

1) other than public school or public college as defined in section 401, Title IV

B. Attorney General authorized to institute a civil action in U.S. District Court
  1. if he believes the complaint is meritorious
  2. if he certifies that signers of the complaint are unable to initiate and maintain legal proceedings for relief (see 301 (b))
  3. if he believes that an action will materially further desegregation in public facilities

C. Attorney General brings action against the parties complained of
  1. action is for such relief as is appropriate
  2. Attorney General may implead as defendants additional parties necessary to the grant of effective relief

D. The District Court (in which suit brought) shall have and exercise jurisdiction in all proceedings pursuant to 301 (a)

II. Section 301 (b) Person unable to initiate and maintain appropriate legal proceedings
  A. unable directly or through interested persons or organizations to bear expense of litigation
  B. unable to obtain effective legal representation
  C. when litigation would jeopardize personal safety, employment, or economic standing of person, family or property

III. Section 302 U.S. liable for cost same as a private person in action under Title III
  A. including a reasonable attorney's fee

IV. Section 303 Right of person to sue for or obtain relief in any court against discrimination in any facility
  A. not adversely affected by anything in Title III

V. Section 304 Complaint is writing or document within meaning of 18 USC 1001
  A. 18 USC 1001: anyone within jurisdiction of US department or agency who makes or uses a false writing or document knowingly is guilty of a crime--maximum fine, $10,000; maximum imprisonment, 5 years.

TITLE IV DESEGREGATION OF PUBLIC EDUCATION

I. Section 401 Definitions used in this title
  A. Commissioner
  B. Desegregation
  C. Public School
  D. School Board

II. Section 402 Survey and Repart of Educational Opportunities
  A. To be made by the Commissioner of Education
  B. To the President and the Congress
  C. Concerning the lack of integrated public education facilities

III. Section 403 Technical Assistance
  A. The Commissioner of Education may approve application for technical assistance in desegregation plans

B. Information to cope with special problems
C. Specially equipped personnel to advise and assist in coping with special problems

IV. Section 404 Training Institutes
A. Arranged by the Commissioner of Education through grants or contracts with colleges for teacher training in special desegregation problems
B. Stipend provision

V. Section 405 (a) Grants
A. The Commissioner of Education may make grants to school boards to defray the cost of
1. inservice teacher and staff training in special desegregation problems
2. cost of specialized advice

VI. Section 405 (b) Method of Payments
A. Factors to be considered by the Commissioner in making a grant

VII. Section 406 Method of Payment
A. Payments or adjustments
B. In advance or by reimbursement
C. As Commission may determine

VIII. Section 407 (a) Suits by the Attorney General
A. On receipt of written complaints
1. from a parent or group of parents
2. from a college student or his parent who are unable to initiate and maintain appropriate legal proceedings and if:
a. the complaint is apparently meritorious
b. will materially further desegregation
c. then the Attorney General is authorized, after reasonable notice and time for adjustment to institute a civil action in U.S. District Court for appropriate relief;
d. jurisdiction of the court
e. no bussing to achieve racial balance
f. power to implead

IX. Section 407 (b) Criterion for determining whether a person is unable to initiate and maintain appropriate legal proceedings
A. Expense, availability of counsel, personal safety

X. Section 407 (c) Definitions of
A. Parent
B. Complaint

XI. Section 408 U.S. liable for costs same as private person

XII. Section 409 Status of other relief
A. Nothing adversely affects right to sue

XIII. Section 410 Nothing prohibits classification for reasons other than race

TITLE V COMMISSION ON CIVIL RIGHTS
(outline geared to Section 102 of Civil Rights Act of 1957 unless othewise indicated)

I. Section 102 Procedure for hearings
  A. 102 (a) 30 days' notice of hearing in federal register
  B. 102 (b) Commission rules given to all witnesses
  C. 102 (c) Right to counsel at hearing
  D. 102 (d) Breach of order punished by censure and exclusion from hearing
  E. 102 (e) If evidence or testimony tends to defame, degrade, or incriminate any person:
    1. such material shall be heard in executive session
    2. such person may testify in executive session and be afforded a reasonable number of witnesses
    3. if material is to be released to public in such manner as to reveal identity of person, such person may testify at a public hearing before release.
  F. 102 (f) Commission rules on requests for subpena except as provided in Section 102 and 105 (f) of Civil Rights Act of 1957
  G. 102 (g) No material introduced in executive session may be released without Commission's consent
    1. violation punishable by $1,000 or 1 year
  H. 102 (h) Statements by witnesses; pertinency of evidence
    1. at Commission's discretion, witnesses may submit pertinent sworn statements
    2. Commission determines pertinency of testimony and evidence
  I. 102 (i) Availability of transcripts
    1. transcripts are available to submitters of data and evidence except
      a. in executive sessions, a witness may for good cause be limited to inspection of official transcript of his testimony
    2. transcripts of public sessions available to public
  J. 102 (j) Witnesses paid $6 per diem; 10¢ per travel mile; $10 per diem if don't commute
  K. 102 (k) No subpena to witnesses which would require travel:
    1. outside state where witness is found or resides or is domiciled or transacts business or has appointed an agent for service of process
    2. outside 50 mile radius of such place
  L. 102 (1) Rules, organization, and rpocedure shall be published
    1. No person subjected to rules not published

II. Section 103
  A. 103 (a) each Commission member receives $75 daily plus travel expenses
  B. 103 (b) each Commission member who otherwise works for government gets travel expenses only

III. Section 104 (a) Duties of Commission
  A. Commission shall:
    1. investigate written and sworn allegations of vote deprivation due to color, race, religion, or national origin
    2. study and collect information of legal developments denying equal protection of law due to race, etc.
    3. appraise laws and policies of federal government concerning denial of equal protection of laws because of race
    4. be a national clearinghouse for information of denials of equal protection of laws because of race

5. investigate allegations that citizens are being denied the vote in a federal election, as a result of pattern or practice of discrimination
6. Commission may not investigate fraternal organization, college fraternities, private club or religious organization.

IV. Section 104 (b) Commission submits interim reports when desired by Commission, President, or Congress; final report 1968

V. Section 505 of Civil Rights Act of 1964, amendment of Section 105 (a) of Civil Rights Act of 1957; increase in pay

VI. Section 506 of Civil Rights Act of 1964 amends Section 105 (f) and 105 (g) to read as follows:

A. 105 (f) Hearings:
1. Commission, or, on authorization of Commission, a subcommittee of two or more members (one from each political party) may:
a. hold hearings
b. issue subpenas according to 102 (j) and (k)
2. hearings must be approved by majority of Commission

B. 105 (g) contumacy or refusal to obey subpena
1. on request of Attorney General district court may issue an order requiring person to appear before Commission
2. jurisdiction to issue order
a. where hearing is held
b. where person is found, resides, is domiciled, transacts business, or has appointed agent for service of process
3. scope of order
a. to produce pertinent, relevant, and non-provileged evidence
b. to give testimony
4. failure to obey court order is contempt

VII. Section 507 amends Section 105 of Civil Rights Act of 1957 (42 USC 1975d(h))

A. Commission may make rules to carry out purposes of act.

TITLE VI NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

I. Section 507 amends Section 105 of Civ Rts of 1957 (42 USC 1975d (h))

A (i). Commission may make rules to carry out purposes of act.

TITLE VI NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

I. Section 601 No person on grounds of race, etc., shall be subject to discrimination under any program or activity receiving federal financial assistance.

II. Section 602 Rules and Enforcement

A. Each Federal agency empowered to give financial assistance other than a contract of insurance or guaranty is directed to effectuate Section 601 by:

1. issuing rules of general applicability

   a. rules must be approved by President

B. Compliance effected by

1. termination of assistance after opportunity for hearing and express finding of failure to comply with rule

   a. termination limited to particular recipient and particular program

2. any other means authorized by law provided however

   a. person affected is notified

   b. agency determins compliance cannot be secured voluntarily

   c. if action terminates assistance, agency files report with House

   d. action not effective until 30 days after filing

III. Section 603 Reviewability of agency actions

A. Agency action under Section 602 is subject to judicial review, otherwise, as provided by law for similar action.

B. If not otherwise reviewable, it is under Section 10 of Administrative Procedure Act (5 USC 1009)

C. Such action shall not be deemed unreviewable under Section 10 of Administrative Procedure Act

IV. Section 604 Agency has no authority over employment practices except where a primary object of Federal assistance is providing employment

V. Section 605A. Nothing in title to add or detract from existing authority

1. with respect to program or activity under which federal assistance is extended by way of contract of insurance or guaranty.

TITLE VII EQUAL EMPLOYMENT OPPORTUNITY

I. Section 701 Definitions

A. Sec. 701 (a) person

B. Sec. 701 (b) employer

C. Sec. 701 (c) employment agency

D. Sec. 701 (d) labor organization

E. Sec. 701 (e) labor organization engaged in an industry affecting commerce.

F. Sec. 701 (f) employee

G. Sec. 701 (g) commerce (transmission or communication included)

H. Sec. 701 (h) industry affecting commerce; see Labor-Management Reporting and Disclosure Act of 1959

I. Sec. 701 (i) state

II. Section 702 Exemption

A. This title excludes

1. employer with respect to aliens outside any state

2. religious organization vis-a-vis employees connected with religious activity

3. eductional institution vis-a-vis employees connected with educational activity

III. Section 703 Discrimination Because of Race, Color, Religion, Sex, or National Origin

A. Sec. 703 (a) Unlawful for employer to

1. discharge, fail, or refuse to hire any individual; discriminate against him vis-a-vis employment terms or compensation because of race, color, religion, sex, or national origin.

2. limit, segregate, or classify employees in such a way to deprive or tend to deprive them of employment opportunities, etc., because of their race, color, religion, sex, or national origin

B. Section 703 (b) Unlawful for employment agency to engage in various types of discriminatory practices

C. Section 703 (c) Unlawful for a labor organization to:

1. exclude or discharge from membership or otherwise discriminate because of race, color, religion, sex, or national origin.

2. limit, segregate, or classify its membership, etc., which would adversely affect individual's status, etc., on basis of race, color, religion, sex, or national origin.

3. to cause or attempt to cause an employer to discriminate against an individual in violation of this section

D. Section 703 (d) Unlawful employment practice vis-a-vis job training or retraining, including on-the-job training programs

E. Section 703 (e) No unlawful to consider race, color, religion, sex, or national origin where these are bona fide occupational qualifications

1. Not unlawful for educational insitution to hire employees of a particular

religion where the institution is owned, controlled, etc., by a religious organization, or if the curriculum is directed toward propogation of a particular religion.

F. Section 703 (f) Unlawful employment practice does not include any action by employer, labor organization, etc., vis-a-vis an indiviual who is a member of the Communist Party of the U.S., etc.

G. Section 703 (g)

1. Unlawful employment practices vis-a-vis national security interest of the U.S.

2. Individual not fulfilled or ceased to fulfill requirement.

H. Section 703 (h) Bona fide seniority or merit system; differences in locality, etc., as affecting compensation, terms, conditions, or privileges of employment are all right, as long as such differences are not the result of an intention to discriminate because of race, color, religion, sex, or national origin.

I. Section 703 (i) Employment pracice vis-a-vis preferred treatment of employment practice is not covered by this title

J. Section 703 (j) Nothing in title shall be interpreted to require employer, etc., to give preferential treatment to an individual or group because of race, color, religion, or national origin, on account of imbalance with respect to total number of individuals in point.

IV. Section 704 Other Ulawful Employment Practices

A. Discrimination against an individual not permitted on the basis that he has opposed a practice made unlawful by this title; has charged, testified, assisted, or participated in a proceeding, etc., under this title

B. Unlawful employment practice to publish notice or advertisement indicating any preference for individuals on the basis of Race, color, religion, sex, or national origin unless these are bona fide occupational qualifications for employment.

V. Section 705 Employment Opportunity Commission

A. Section 705 (a) Creation of the Commission; political makeup; terms of service of members

B. Section 705 (b) Vacancy in the Commission

C. Section 705 (c) Official seal of the Commission

D. Section 705 (d) Reports of the Commission to the President and Congress -- subject matter of the reports

E. Section 705 (e) Amendment of Federal Executive Payment Act of 1956, as amended 5 U.S.C. 2201-2209

F. Section 705 (f) Location of Commission Office; regional or state offices

G. Commission power to

1. cooperate with agencies, public and private, and individuals

2. pay to witnesses

3. furnish technical assistance to persons subject to this title

4. assist an employer or labor organization in effectuating this title when there is resistance to it among employees or members respectively

5. make technical studies; make the results public

6. refer matters to Attorney General; recomment institution of civil action under Section 706; recommend institution of civil action under section 707.

H. Section 705 (h) Attorneys representing the Commission in court

I. Cooperation with other departments and agencies in educational and promotional activities

VI. Section 706 Prevention of Unlawful Employment Practice

A. Section 706 (a) Charge by aggrieved person or by a member of Commission of a violation of this title -- procedure

1. Commission furnishes respondent (the charged employer, employment agency, or labor organization) with a copy of charge

2. Commission conducts investigation -- charge not to be made public

3. Informal efforts to eliminate the unfair practice

4. Nothing said or done during this procedure to be made public or used as evidence in subsequent proceedings

5. Crijinal sanction against employees or officers of commission

B. Section 706 (b) Affect of a state or political subdivision of a state having a law prohibiting an unlawful employment practice which has been specifecally alleged -- upon the filing of a charge under subsection (a) above

C. Section 706 (c) Where a member of the Commission has filed a charge alleging an unlawful practice in such a state or political subidivision having a law as in 706 (d) above, the Commission shall take no action on the charge until such state or political subdivision officials have been notified and a reasonable time allowed for them to act under the local law.

D. Section 706 (d) Time for filing charge under subsection (a) and under subsection (b)

E. Section 706 (e) Time in which Commission may attempt to get voluntary compliance with this title; time for bringing civil action by

1. person claiming to be aggrieved

2. if the charge was filed by a member of the Commission by any person whom the charge alleges was aggrieved

3. Court appointed attorney; costs fees; intervention of Attorney General; stay proceedings

F. Section 706 (f) Jurisdiction of the district courts of the U.S. action brought in any judicial district:

1. where unlawful practice is alleged to have been committed

2. where relevent employment records

3. where plaintiff would have worked butfor alleged unlawful practice

4. if respondent is not found in any of the above, where he has his principal office

5. Change of Venue; waiver 28 U.S.C. 1404, 1406; for the pubpose of the above, the place where respondent has principal office is a district where the action might have been brought

G. Section 706 (g) Injunctive relief from engaging intentionally in unlawful practices; affirmative action; mitigation of damages

1. court order not to deal with mattess other than those occasioned by discrimination on account of race, color, religion, sex, or national origin or in violation of Section 704 (g).

H. Section 706 (h) The provisions of the Act -- "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes." (29 USC 101-115)

I. Section 706 (i) The Commission may bring proceedings to compel compliance with a court order in an action under subsection (e)

J. Appealability of actions under subsection (e) and proceedings under subsection (i)

K. Attorneys' fees and costs in action or proceedings under this title

VII. Section 707 Prevention of Unlawful Employment Practices

A. Section 707 (a) An action instituted by the Attorney General upon reasonable cause that a person or persons are engaged in resistance to the full enjoyment of rights secured by this title; request for relief including application for injunctive relief.

B. Section 707 (b) Jurisdiction of district courts of U.S.; request for three judge court; certificate of importance; procedural aspects; early hearings; appeal to the Supreme Court.

VIII. Section 708 Effect on State Laws

A. Section 708 (a) No effect except upon a law which purports to require or permit an act unlawful under this title.

IX. Section 709 Investigations, Inspections, Records, State Agencies

A. Section 709 (a) Commission's right to examine and copy relevant evidence in conjunction with an investigation of a charge filed under Section 706.

B. Section 709 (b) Commission's cooperation with State or local agencies; its utilization of the services of other agencies; reimbursement of such agencies and employees

1. Written agreements with such agencies; scope of agreements; rescission.

C. Section 709 (c) Records to be made, kept, and preserved by employers, etc., reports to be made as prescribed by Commission; records in conjunction with training programs to be kept. Where an employer, etc., believes that any order or regulation issued under this section would result in undue hardship it may

1. apply to the commission for an exemption

2. bring an action in the U.S. District Court for the district where such records are kept.

D. Section 709 (d) Provisions of subsection (c) don't apply to any employer, etc., subject to the fair employment practice law of a state or political subdivision with respect to matters arising in the state or subdivision; notations on records.

1. Executive Order 10925 or other Executive orders prescribing fair employment practices for government contractors and subcontractors.

a. if employer is required to comply with these, and he is in substantial compliance, the Commission shall not require him to file additional reports pursuivant to subsection (c)

E. Section 709 (e) No officer or employee of the Commission to make public any information obtained by Commission under this section prior to the institution of a proceeding under this title involving such information; criminal violation and sanctions for non-compliance.

X. Section 710 Investigatory Powers

A. Section 710 (a) In connection with an investigation under Section 706, Commission's authority to examine witnesses under oath; production of documentary evidence.

B. Section 710 (b) Upon failure of a respondent in a charge filed under Section 706 to comply with the Commission's demand under 709 (a) or to comply with the provisions of Section 709 (c), (d) or failure or refusal to comply with the Commission's demand to give testimony under oath, the US District Court, upon application of the Commission, has jurisdiction to compel compliance with Section 709 (c) and (d) and with the demand of the Commission.

1. Geographical limits for requiring a witness to attend or evidence to be produced

C. Section 710 (c) Time and procedure for bringing a petition in U.S. District Court for an order modifying or setting aside a demand made by the Commission pursuant to Section 709 (a)

1. contents and grounds for such a petition
2. waiver of objections not raised by petition in a proceeding brought by Commission under subsection (b); exceptions

D. Section 710 (d) In any proceeding brought by Commission under subsection (c), the defendant may petition for any order modifying or setting aside the demand of the Commission

XI. Section 711 Notices to be posted

A. Section 711 (a) Posting in conspicuous places on premises of employer, etc., of pertinent sections of this title as prepared or approved by the Commission along with information pertinent to filing a complaint

B. Section 711 (b) Sancions for wilful violations

XII. Section 712 Veteran's preference

A. Section 712 (a) Nothing in this title shall be construed to repeal or modify any Federal, State, etc., law creating special rights or privileges for veterans

XIII. Section 713 Rules and regulations

A. Section 713 (a) Commission's authority to issue or rescind procedural regulations of this title; standards and limitations of Administrative Procedure Act

B. Section 713 (b) In an action or proceeding by the Commissio it shall be the absolute defense to plead and prove:

1. in an action based on unlawful employment practices, that the practice was carried on in good faith conformity and reliance on a written interpretation or opinion of the Commission
2. in an action based on failure to publish or file information required by this title, that the failure was in good faith reliance and conformity with an instruction of the Commission

XIV. Section 714 Forcibly resisting the Commission or its representatives

A. Section 714 (a) Provisions of Title 18 of US Code will apply to officers, agents, and employees of the Commission

XV. Section 715 Special study by the Secretary of Labor

A. Section 715 (a) Secretary's study of factors tending to result in discrimination in employment due to age; deadline for Secretary's report to Congress; contents of report

XVI. Section 716 Effective Date
  A. Section 716 (a) Effective date of title --- one year after passage
  B. Section 716 (b) Sections other than 703, 704, 706, and 707 shall become effective immediately
  C. Section 716 (c) President's conference after enactment of this title; purpose; those who shall attend the conferences

TITLE VIII REGISTRATION AND VOTING STATISTICS

I. Section 801 Comilation of registration and voting statistics by the Secretary of Commerce in geographic areas recommended by the Commission on Civil Rights
  A. Survey and comilation shall include (to extent recommended by Commission on Civil Rights)
    1. count of persons of voting age by race, color, and national origin
    2. determign of extent to which such persons are registered to vote
    3. extent to which persons have voted in any statewide primary or general election in which members of US House of Reps are nominated or elected since January 1, 1960
  B. Information shall also collected and compiled in connection with 19th Decennial Census, and at such other times as Congress may prescribe
  C. Provisions of 13 USC 9 and 13 USC chapter & shall apply to survey, collection or compilation of registration and voting statistics under title VIII provided however:
    1. no person shall be compelled to disclose race, color, national origin, political party affiliation, how he voted, reasons for how he voted
    2. no penalty imposed for failture or refusal to make such disclosure
    3. every person interrogated orally, by written survey or questionnaire or any other means with respect to such information
      a. shall be fully advised with respect to his right to fail or refuse to furnish such information.

II. 13 USC 9 : Information compiled for statistical purposes is confidential and may be used for purposes other than statistical purposes for which it is compiled; persons cannot be identified
  A. Except:
    1. under section 8 of this title, information may be furnished to Govenors of the States and certain statistical experts
    2. shall not apply to censuses of governments provided for by subchapter 5, not to the interim current data provided for by subchapter IV of chapter 5 as to the subjects cover d by censuses of governments, with respect to any information obtained therefor that is compiled from, or customarily provided in public records

III. 13 USC Chapter 7 Offensus and Penalties
  A. Employees can be punished and/or discharged for falsifying information, refusal or neglect to perform duties, wrongful disclosure of information, giving suggestions or information with intent to cause inaccurate enumeration of population
  B. Refusal by owners, proprietors, etc., to assist census employees when they take surveys, etc., can be fined maximum of $500
  C. Persons failing to answer questions affecting companies, businesses,

religious bodies, and other organizations or giving false answers to employees of Department of Commerce can be fined or imprisoned or both

D. Section 225 of Chapter 7 covers when a person cannot be imprisoned

TITLE IX INTERVENTION AND PROCEDURE AFTER REMOVAL IN CIVIL RIGHTS CASES

I. Section 901 Amendent to 28 USC 1447d: order remanding case to State court from which it is removed not otherwise reviewable on appeal or otherwise (see A, this outline)

- A. ...except that an order remanding a case to the State court from which it was removed pursuanct to Section 1443 of Title 28 shall be reviewable by appeal or otherwise
  - 1. 28 USC 1443: Civil actions or criminal prosecutions which can be removed by defendant to US district court:
    - a. (action) against any person who is denied or cannot enforce in the courts of the State a right under any law providing for the equal civil rights of citizens of the US
    - b. for any act under color of authority derived from any law providing for equal rights, or for refusing to do any act on the ground that it would be inconsistent with such law

II. Section 902 Intervention of Attorney General in action under the 14th Amendent

- A. Action commenced in US court seeking relief from denial of equal protection of the laws under the fourteenth amendent on account of race, religion, color, or national origin
  - 1. Attorney General for or in the name of US may intervene
    - a. if he certifies that the case is of general public importance
- B. US entitled to same relief as if it instituted the action

TITLE X ESTABLISHMENT OF COMMUNITY RELATIONS SERVICE

I. Section 1001 (a) Establishment and appointments

- A. declaration of establishment within Department of Commerce
- B. director to be appointed by President with advice and consent of the Senate
- C. director's term is four years
- D. director empowered to appoint other personnel and to fix compensation by Classification Act of 1949
- E. director authorized to procure services as authorized by 5 USC 55(a)

II. Section 1001 (b) the director is included in the Federal Executive Pay Act of 1956

III. Section 1002 Functions of the Service

- A. to provide assistance to communities and persons therein in resolving difficulties relating to discriminatory practices based on race which impair rights under:
  - 1. Constitution of US, laws of US
  - 2. and which affect or may affect interstate commerce
- B. When services may be offered

1. when in Service's judgemnt peaceful relations among citizens are threatened
2. either on motion of Service or of stste or local officials or other interested person

IV. Section 1003 Conduct of the Service
A. Section 1003 (a) Service shall whenever possible seek and utilize cooperation of state or local, public, or private agencies
B. Section 1003 (b) non-publicized operations
1. assistance in confidence and without publicity
2. information to be held confidential if acquired upon understanding that it would be so held
3. no officer or employee shall engage in investigation or prosecution by any agency in litigation arising out of a dispute in which he acted on behalf of the Service
4. an officer or employee who makes public in any manner any information in violation of this sibsection is guilty of a misdemeanor punisable by $1000 or one year

V. Section 1004 Subject to sections 205 and 1003 (b), director shall submit a yearly report to congress.

TITLE XI MISCELLANEOUS

I. Section 1101 Jury trial for criminal contempt arising under title II, III, IV, V, VI, VII
A. accused upon demand entitle to trial by jury
B. trial by jury shall conform to practice in criminal cases
C. convictions: maximum fine = $1,000; maximum imprisonment = six months
D. Sec 1101 does not apply to:
1. contempts in presence of the court
2. contempts so near to presence of sourt as to obstruct administration of justice
3. misbehavior, misconduct or disobedience of officer of the court in respect to:
a. writs, orders, or process of the court
E. Civil contempt proceedings - without jury trial
1. nothing in 1101 construed to deprive courts of civil contempt power
a. without a jury
b. to secure compliance with or prevent obstruction of (as distinguished from punishment for violations of) any
1. lawful writ, process, order, rule, decree, or command of the court in accordance with the prevailing usuages of law and equity
c. power includes power of detention

II. Section 1102 Double Jeopardy

A. No person put twice in jeopardy for same act or omission.
1. acquittal or conviction shall bar proceeding for criminal contempt based upon same act or omission and arises under provision of this Act
2. acquittal or conviction in a proceeding for criminal contempt shall bar prosecution for specific act under laws of U.S. based upon same act or omission.

III. Section 1103 Right or authority of Attorney General of agency or officer of US to intervene in or institute any action or proceeding
  A. Nothing in Civil Rights Act to be construed to deny, impair, or otherwise affect right of Attorney General, etc. to institute or intervene under existing law

IV. Section 1104 No occupation of the field by Act
  A. Nothing in any title of act to be construed as indicating intent of Congress to occupy the field
    1. to the exclusion of State laws on same matter

(As many individual signatures as possible)

March 16, 1963

AN OPEN LETTER TO SENATOR JOHN H. HUGHES

Dear Senator Hughes:

We note with regret that a resolution to support the amended State Fair Housing bill was recently defeated in the Onondaga County Board of Supervisors. All dissenting votes were cast by members of your party. We find this action incomprehensible in the light of the following facts:

1. Housing is the number one problem confronting more than 12,000 non-white residents of Onondaga County.
2. Less than 30% of the housing units in the County are covered by the provisions of the present state law against discrimination.
3. The new bill before the legislature would extend coverage to virtually all housing.
4. In spite of low coverage by the present law there were more complaints of housing discrimination filed in the Syracuse office of the State Commission for Human Rights last year than in any other locality outside of New York City.

Need we remind you of the 100 years of deprivation of basic rights and freedoms of Negro citizens- Need we remind you that your party was the original champion of equal rights for these citizens? Need we call your attention to the basic inequity of the current law in that it singles out certain types of property owners for coverage rather than applying equally to all?

We will be looking to you and your colleagues in Albany to answer a basic question in the next month: Can the legitimate hopes and aspirations of minority groups in this county find expression and representation in the Republican party?

Sincerely yours,

George A. Wiley

THE CIVIL
BILL OF

A Comparative Ana
Versions Of The
Bill H.R.

Three versions of an omnibus Civil Rights
thus far in 1963: The Administration Bill pro
June 19, 1963; the amended version reported by
October 2, 1963, and the "compromise" bill app
Committee, October 29, 1963.

* * *

The following material was prepared by th
to serve as a ready reference in comparing the
in the major provisions of the three versions.

LEADERSHIP
CONFERENCE
ON
CIVIL RIGHTS

704-17th Street, N. W
Washington, D. C.
Phone: 783-8032

IL RIGHTS
OF 1963

Analysis Of Three
The Civil Rights
H.R. 7152

Rights Bill have come before the U. S. Congress
ll proposed by the President in his message of
rted by the House Judiciary Subcommittee,
ll approved by the full House Judiciary

* * * *

by the Leadership Conference on Civil Rights
ng the significant similarities and differences
sions.

, N. W.
C. 20006
32

Prepared by: J. Francis Pohlhaus
Counsel, Washington Bureau
National Association for the
Advancement of Colored People
Washington, D. C.

ADMINISTRATION BILL	HOUSE JUDICIARY S
	VOT
Prohibition of different standards for Negroes and whites in Federal elections.	Same, applied to ALL e
Prohibition of denial of vote in Federal elections because of immaterial error in records.	Same, applied to ALL e
Requirement that any literacy test to qualify to vote in a Federal election be in writing and copy of answers supplied to applicant on request.	Same, applied to ALL e for those who request law.
Create a presumption of literacy in any proceeding under 1957 Civil Rights Act that a 6th grade education qualifies a person as literate with respect to Federal elections.	Same, applied to ALL e
Authorize courts to appoint temporary voting referees where Attorney General certifies less than 15% of a racial group votes in a political sub-division.	SAM
Voting cases filed by the Attorney General under 1957 Civil Rights Act to be expedited.	SAM

CIARY SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
VOTING	
o ALL elections.	Same, applied to Federal elections only.
o ALL elections.	Same, applied to Federal elections only.
o ALL elections, with exception equest oral test under state	Same, applied to Federal elections with exception similar to subcommittee bill.
o ALL elections.	Same, limited to Federal elections.
SAME	Substitute Provision: Three Judge Court appointed upon request of Attorney General in cases filed by him under 1957 Civil Rights Act. Appeal will be to the U.S. Supreme Court.
SAME	SAME

ADMINISTRATION BILL	HOUSE JUDICIARY SUBC
	PUBLIC ACCOMMO
Coverage:	
Any hotel, motel or other public place providing lodging to transient guests.	Same, with exception of o establishment renting not rooms.
Any motion picture house, theater, sports arena, stadium, exhibition hall, or other public place of amusement presenting shows that move in interstate commerce.	SAME
Any retail shop, department store, market, drug store, gasoline station, or other public place that keeps goods for sale; any restaurant, lunchroom, lunch counter, soda fountain, or other public place selling food, and any other establishment where goods, services, facilities, privileges, advantages, or accommodations are held out to the public for sale, rent or hire, if 1-goods, etc., are provided to a substantial degree to interstate travellers, 2-a substantial portion of any goods held out to public has travelled in interstate commerce, 3-activities of establishment substantially affect interstate commerce, or, 4-it is integral part of establishment otherwise covered.	Same, plus any business pr dations, amusements, food, to the public, if it 1-operates pursuant to sta authorization, permission, 2-segregation is compelled sanctioned by state.

Y SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
CCOMMODATIONS	
n of owner-occupied ng not more than five	Same as Subcommittee Bill.
SAME	SAME
ness providing accommo- , food, goods or services t to state or local ission, or license, or mpelled, encouraged or .	All places underlined in Administration bill column are deleted. Coverage limited to eating establishments and gasoline station that offer services to interstate travellers or a substantial portion of whose good offered for sale moves in interstate commerce, and in establishments located within the physical premises of, or containing a covered establishment, which holds itself out as serving patron of the covered establishment. This last category seems to cover places such as stores with eating facilities within the building and specialty shops within hotels. Declares all persons to be free from state enforced discrimination in any "establishment or place." (Supreme Court has already established this principle by its decisions.)

ADMINISTRATION BILL	HOUSE JUDICIARY SUBC
Enforcement:	
1-Civil preventive civil action by aggrieved person.	SAME
2-Civil preventive action by Attorney General upon written complaint and findings that party is unable to proceed and purposes of bill would by materially furthered.	Same, except complaint m
Person aggrieved allowed attorney's fees if successful.	Court may allow prevailin U.S.) attorney's fees. U costs.
Attorney General before initiating suit, to refer complaint to state or local officials where law prohibits action complained of. Also refer to Community Relations Service.	SAME
Courts shall excercise jurisdiction without necessity of exhaustion of Administrative remedies.	SAME
	CIVIL RIGHTS PR
No Provision	Attorney General authoriz civil preventive action a and civil rights against a Attorney General authoriz any private action to pro and civil rights against action.

RY SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
SAME	SAME
aint must be under oath.	2-Civil action by Attorney General on finding purposes of bill would be materially furthered.
evailing party (except ees. U.S. liable for	SAME as subcommittee bill.
SAME	Attorney General shall refer complaint to state or local authorities and may utilize services of state, local or Federal agency for voluntary solution.
SAME	SAME
	Jury trial provision of 1957 Civil Rights Act made applicable to contempt proceedings under this title.
GHTS PROTECTION	
uthorized to protect by ction all constitutional gainst adverse state action.	Deleted
uthorized to intervene in to protect constitutional gainst adverse state	Attorney General authorized to inintervene in private action to prevent denial of equal protection of law on account of race, color, religion or national origin.

ADMINISTRATION BILL	HOUSE JUDICIARY SUBC
	EDUCATION AND PUBLI
Educational survey on lack of opportunity due to race, color, religion or national origin.	SAME
Technical assistance to school boards, etc., and training institute for teachers to assist in desegregation or correction of racial imbalance.	Same, except reference to is deleted.
Grants available to school boards to assist in problems of desegregation and racial imbalance.	Same, except reference to is deleted.
Loans to school boards where funds withheld because of desegregation.	Deleted
Attorney General authorized to initiate or intervene in school desegregation cases if parties are unable to pursue legal remedy.	SAME
No provision for public facilities other than schools.	Attorney General authoriz intervene in cases involvi to full use of any facili managed, controlled, or su authority, where parties a sue legal remedy.
	COMMUNITY RELATIO
Independent agency established to assist in voluntary solution of community problems arising out of discrimination.	Agency placed in Commerce sonnel limited to six pers

RY SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
PUBLIC FACILITIES	
SAME	SAME
ence to racial imbalance	Same as Subcommittee Bill.
ence to racial imbalance	Same as Subcommittee Bill.
eleted	Deleted
SAME	SAME
thorized to institute or involving denial of rights facility owned, operated, , or supported by public rties are unable to pur-	Similar to Subcommittee Bill, with deletion of "controlled or supported."
ELATIONS SERVICE	
mmerce Department, per- ix persons.	Deleted

ADMINISTRATION BILL	HOUSE JUDICIARY SUBC
	CIVIL RIGHTS COM
Life of Commission extended four years.	Commission made permanent.
Authorized to serve as national civil rights clearing house and render technical assistance to governments, communities, industries, etc.	SAME
	FEDERAL AI
Delcaration that no law providing Federal assistance by grant, contract, loan, insurance, guaranty, or otherwise, shall require such assistance to be furnished in circumstances in which persons are discriminated against because of race, color, religion or national origin.	Declaration that all perso right to participate free ation in all programs and ceiving Federal Financial
Authorization to President to precribe contract terms to assure non-discrimination in assisted programs.	Direction to each Federal financial aid by "grant, co insurance, or otherwise" to discrimination by 1-lawsuit assistance, or 3-other mean law.
	Judicial review of agency under this title is provide
	EMPLOYMENT
Establishment of Commission on Equal Employment Opportunity with stautory base to administer program similar to existing program under President's Committee on Equal Employment Opportunity.	Establishment of Equal Empl tunity Commission, composed Office of Administrator.

Y SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
TS COMMISSION	
anent.	Commission made permanent.
AME	Authority to provide technical assistance deleted. Authority granted to investigate vote fraud cases.
RAL AID	
persons shall have free from discrimin- s and activities re- ncial aid.	Same as Subcommittee Bill.
deral agency giving ant, contract, loan, ise" to enforce non- lawsuits, 2-denial of er means authorized by	Deletes Subcommittee reference to "insurance, guaranty, or otherwise. Deletes reference to enforcement by lawsuits.
gency action taken provided.	SAME
OYMENT	
al Employment Oppor- omposed of Board and tor.	Establishment of Equal Employment Opportunity Commission.

ADMINISTRATION BILL	HOUSE JUDICIARY SUBC
Coverage limited to employment under Federal contract and Federal employment.	Prohibition of discrimina employers of 25 or more e for first, 50 for second unions of 25 or more memb first, 50 for second yea ment agencies (including agencies assisted by U.S. employers covered under b
	Administrator authorized receive charges, make inv complaints before Board.
	Board authorized to condu findings, issue cease and enforceable by Court of A
	Board's findings appealab Courts of Appeals. Findi Board conclusive if suppo of record.
	If Administrator fails to aggrieved party would pet Court to require him to d
	Administrator given subpo investigations.
	President authorized to a discrimination in Federal

RY SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
crimination by most more employees (100 second year) and most re members (100 for nd year) and by employ- luding state employment by U.S.E.S.) supplying under bill.	SAME
orized to initiate and ake investigations, file Board.	Commission authorized to initiate or receive charges, conduct investigations, seek voluntary solutions.
o conduct hearings, make ase and desist orders, rt of Appeals orders.	In event of failure to secure voluntary solution, Commission authorized to file civil action for enforcement in Federal District Court.
ppealable to Federal Findings of fact by f supported by evidence	Trial of case in Federal District Court. Court makes own findings de novo and can appoint master to make findings.
ails to issue complaint, uld petition District am to do so.	If Commission fails to file suit, aggrieved party may do so, with permission of one member of Commission.
a subpoena power in	Commission given subpoena power.
ed to act to provide non- Federal employment.	Same as Subcommittee Bill.

ADMINISTRATION BILL	HOUSE JUDICIARY SUB
	VOTING CE
No Provision	Prompt census directed o by race, color, national information to be includ census.
	REMOVAL OF CIVIL
No Provision	Where a civil rights def court removes the case t Court, this title provid to the Federal Court of decision of the Federal remanding the case to th

ARY SUBCOMMITTEE BILL	HOUSE JUDICIARY COMMITTEE BILL ("COMPROMISE" BILL)
TING CENSUS ected of voting statistics tional origin. Similar included in next decennial	Prompt census in geographical areas recommended by Commission on Civil Rights. Information on voting to be included in next decennial census.
CIVIL RIGHTS CASES ts defendant in a state case to the Federal District provides a right of appeal rt of Appeals from any deral District judge to the state courts.	Same as Subcomittee Bill.

Ingrida Bergs
#2717

THE CIVIL RIGHTS BILL OF 1963

A Comparative Analysis of Three Versions of The Civil Rights Bill
H. R. 7152

Three versions of an omnibus Civil Rights Bill have come before the U.S. Congress thus far in 1963: The Administration Bill proposed by the President in his message of June 19, 1963; the amended version reported by the House Judiciary Subcommittee, October 2, 1963, and the "compromise" bill approved by the full House Judiciary Committee, October 29, 1963.

* * * * *

The following material was prepared by the Leadership Conference on Civil Rights to serve as a ready reference in comparing the significant similarities and differences in the major provisions of the three versions.

VOTING

ADMINISTRATION BILL	HOUSE JUDICIARY SUB COM. BILL	HOUSE JUDICIARY COM. BILL ("COMPROMISE" BILL)
Prohibition of different standards for Negroes & whites in Fed. elections.	Same, applied to ALL elections.	Same, applied to Federal elections only.
Prohibition of denial of vote in Fed. elections because of immaterial error in records.	Same, applied to ALL	Same, applied to Fed. elections only.
Requirement that any literacy test to qualify to vote in a Fed. election be in writing & copy of answers supplied to applicant on request.	Same, applied to ALL elections, with exception for those who request oral test under state law.	Same, applied to Federal elections with exception similar to subcommittee bill.
Create a presumption of literacy in any proceeding under 1957 Civil Rights Act that a 6th grade education qualifies a person as literate with respect to Fed. elections.	Same, applied to ALL elections.	Same, limited to Fed. elections.
Authorize courts to appoint temporary voting referees where Attorney Gen. certifies less than 15% of a racial group votes in a political subdivision.	SAME	Substitute Provision: 3 Judge Court appointed upon request of Attorney Gen. in cases filed by him under 1957 Civil Rights Act. Appeal will be to the U.S. Supreme Court.

Voting cases filed by the Attorney Gen. under 1957 Civil Rights Act to be expedited.	SAME	SAME

PUBLIC ACCOMMODATIONS

Coverage:

Any hotel, motel or other public place providing lodging to transient guests.	Same, with exception of owner-occupied establishment renting not more than five rooms.	Same as Subcommittee Bill.
Any motion picture house, theater, sports arena, stadium, exhibition hall, or other public place of amusement presenting shows that move in interstate commerce.	SAME	SAME
Any retail shop, department store, market, drug store, gasoline station, or other public place that keeps goods for sale; any restaurant, lunchroom, lunch counter, soda fountain, or other public place selling food, and other establishments where goods, services, facilities, privileges, advantages, or accommodations are held out to the public for sale, rent or hire, if 1. goods, etc., are provided to a substantial degree to interstate travelers. 2. a substantial portion of any goods held out to public has travelled in interstate commerce, 3. activities of establishment substantially affect interstate commerce, or, 4. it is integral part of establishment otherwise covered.	Same, plus any business providing accommodations, amusements, food, goods or services to the public, if it 1. operates pursuant to state or local authorization, permission or license, or 2. segregation is compelled, encouraged or sanctioned by state.	All places underlined in Administration bill column are deleted. Coverage limited to eating establishments and gasoline station that offer services to interstate travellers or a substantial portion of whose goods offered for sale move in interstate commerce, and in establishments located within the physical premises of, or containing a covered establishment, which holds itself out as serving patron of the covered establishment. This last category seems to cover places such as stores with eating facilities within the building & specialty shops within hotels. Declares all persons to be free from state enforced discrimination in any "establishment or place." (Supreme Court has already established this principle by its decisions.)

Enforcement:

1. Civil preventive by aggrieved person.	SAME	SAME
2. Civil preventive action by Attorney Gen. upon written complaint & findings that party is unable to proceed & purposes of bill would be materially furthered.	Same, except complaint must be under oath.	
Person aggrieved allowed attorney's fees if successful.	Court may allow prevailing party (except U.S.) attorney's fees. U.S. liable for costs.	Same as subcommittee bill.
Attorney Gen. before initiating suit, to refer complaint to state or local officials where law prohibits action complained of. Also refer to Community Relations Service.	SAME	Attorney Gen. shall refer complaint to state or local authorities and may utilize services of state,local or Fed. agency for voluntary solution.
Courts shall excercise jurisdiction without necessity of exhaustion of Administrative remedies.	SAME	SAME Jury trial provision of 1957 Civil Rights Act made applicable to contempt proceedings under this title.

CIVIL RIGHTS PROTECTION (TITLE III)

No provision.	Attorney Gen. authorized to protect by civil preventive action all constitutional & civil rights against adverse state action.	DELETED.
	Attorney Gen. authorized to intervene in any private action to protect constitutional & civil rights against adverse state action.	Attorney Gen. authorized to intervene in private action to prevent denial of equal protection of law on account of race, color, religion or national origin.

EDUCATION AND PUBLIC FACILITIES

Educational survey on lack of opportunity due to race, color, religion or national origin.	SAME	SAME.

	use of any facility owned, operated, managed, controlled, or supported by public authority, where parties are unable to pursue legal remedy.	

COMMUNITY RELATIONS SERVICE

Independent agency established to assist in voluntary solution of community problems arising out of discrimination.	Agency placed in Commerce Dept., personnel limited to six persons.	Deleted.

CIVIL RIGHTS COMMISSION

Life of Commission extended four years.	Commission made permanent.	Commission made permanent.
Authorized to serve as national civil rights clearing house & render technical assistance to governments, communities, industries, etc.	SAME	Authority to provide technical assistance deleted. Authority granted to investigate vote fraud cases.

FEDERAL AID

Declaration that no law providing Federal assistance by grant, contract, loan, insurance, guaranty, or otherwise, shall require such assistance to be furnished in circumstances in which persons are discriminated against because of race, color, religion or national origin.	Declaration that all persons shall have right to participate free from discrimination in all programs and activities receiving Federal Financial Aid.	Same as Subcommittee Bill.
Authorization to President to prescribe contract terms to assure non-discrimination in assisted programs.	Direction to each Fed. Agency giving financial aid by "grant, contract, loan, insurance, or otherwise" to enforce non-discrimination by 1. lawsuits, 2. denial of assistance, or 3. other means authorized by law.	Deletes Subcommittee reference to "insurance, guaranty, or otherwise." Deletes reference to enforcement by lawsuits.
	Judicial review of agency action taken under this title is provided.	SAME

EMPLOYMENT

Establishment of Comm. on Equal Employment Opportunity with statutory base to administer program similar to existing program under President's Committee on Equal Employment Opportunity.	Establishment of Equal Employment Opportunity Comm. composed of Board & Office of Administrator.	Establishment of Equal Employment Opportunity Commission.

* * * (End of page 4 insert)

Technical assistance to school boards, etc., & training institute for teachers to assist in desegregation or correction of racial imbalance.	Same, except reference to racial imbalance is deleted.	Same as Subcommittee Bill.
Grants available to school boards to assist in problems of desegregation & racial imbalance.	Same, except reference to racial imbalance is deleted.	Same as Subcommittee bill.
Loans to school boards where funds withheld because of desegregation.	Deleted	Deleted
Attorney Gen. authorized to initiate or intervene in school desegregation cases if parties are unable to pursue legal remedy.	SAME	SAME
No provision for public facilities other than schools.	Attorney Gen. authorized to institute or intervene in cases involving denial of rights.to full	Similar to Subcommittee Bill, with deletion of "controlled or supported".

(Page 4a should be inserted here)

Authorization to President to prescribe contract terms to assure non-discrimination in assisted programs.	Direction to each Fed. agency giving financial aid by "grant, contract, loan, insurance, or otherwise" to enforce non-discrimination by 1. lawsuits, 2. denial of assistance, or 3. other means authorized by law.	Deletes Subcommittee reference to "insurance, guaranty, or otherwise." Deletes reference to enforcement by lawsuits.
	Judicial review of agency action taken under this title is provided.	SAME

EMPLOYMENT

Establishment of Commission on Equal Employment Opportunity with statutory base to administer program similar to existing program under President's Committee on Equal Employment Opportunity.	Establishment of Equal Employment Opportunity Commission, composed of Board and Office of Administrator.	Establishment of Equal Employment Opportunity Commission.

Coverage limited to employment under Fed. contract and Fed. employment.	Prohibition of discrimination by most employers of 25 or more employees (100 for first, 50 for second year) and most unions of 25 or more members (100 for first, 50 for second year) and by employment agencies (including state employment agencies assisted by U.S. E.S.) supplying employers covered under bill.	SAME
	Administrator authorized to initiate and receive charges, make investigations, file complaints before board.	Commission authorized to initiate or receive charges, conduct investigations, seek voluntary solutions.
	Board authorized to conduct hearings, make findings, issue cease & desist orders, enforceable to Court of Appeals orders.	In event of failure to secure voluntary solution, Commission authorized to file civil action for enforcement in Fed. District Court.
	Board's findings appealable to Fed. Courts of Appeals. Findings of fact by Board conclusive if supported by evidence of record.	Trial of case in Fed. District Court. Court makes own findings de novo and can appoint master to make findings.
	If Administrator fails to issue complaint, aggrieved party would petition District Court to require him to do so.	If Commission fails to file suit, aggrieved party may do so, with permission of one member of Commission.
	Administrator given subpoena power in investigations.	Commission given subpoena power.
	President authorized to act to provide nondiscrimination in Fed. employment.	Same as Subcommittee Bill.

VOTING CENSUS

No provision.	Prompt census directed of voting statistics by race, color, national origin. Similar information to be included in next decennial census.	Prompt census in geographical areas recommended by Commission on Civil Rights. Information on voting to be included in next decennial census.

REMOVAL OF CIVIL RIGHTS CASES

No provision.	Where a civil rights defendent in a state court removes the case to the Federal District Court. this title provides a right of appeal to the Federal Court of Appeals from any decision of the Federal District judge remanding the case to the state courts.	Same as Subcommittee Bill.

January 29, 1964

THE CIVIL RIGHTS ACT OF 1963 (H.R. 7152)

The following is the "Compromise" bill approved by the House Judiciary Committee, October 29, 1963

TITLE I. Voting (Applies only to Federal Elections.)

Prohibits different standards for Negroes and whites and denial of vote because of immaterial errors in records.

Provides that literacy tests (if required for voting) be in writing (with exception for those who request oral test under state law) and copy of answers be supplied to applicant on request.

Creates a presumption of literacy in any proceeding under 1957 Civil Rights Act that a 6th grade education qualifies a person as literate.

Provides for three judge court appointed upon request of Attorney General in cases filed by him under 1957 Civil Rights Act. Appeal will be to the U.S. Supreme Court.

Provides that voting cases filed by the Attorney General under 1957 Civil Rights Act be expedited.

TITLE II. Public Accommodations

Provides for injunctive relief against discrimination in the following places of public accommodation:

(1) Any hotel, motel, or other public place providing lodging to transient guests except owner-occupied establishments renting not more than five rooms.

(2) Any theaters, motion picture house, sports arena, stadium, exhibition hall, or other public place of amusement presenting shows that move in interstate commerce.

(3) Any restaurant, lunchroom, lunch counter, soda fountain, or other public eating establishment whose goods offered for sale move in interstate commerce or which offer services to interstate travellers.

(4) Any establishment which is physically located within the premises of any of the above mentioned establishments (e.g. specialty shop within a hotel) or within the premises of which is physically located any such covered establishment (e.g. stores with lunch counters) and which holds itself out as serving patrons of such covered establishment.

Enforcement is by civil action for preventive relief including an application for an injunction by the aggrieved person or by the Attorney General. Attorney General shall refer complaint to state or local authorities and may utilize services of state, local or Federal agency for voluntary solution. Jury trial provision of 1957 Civil Rights Act is made applicable to contempt proceedings under this title.

TITLE III. Desegregation of Public Facilities

Attorney General is authorized to institute civil action on behalf of those complaining of discrimination on account of race, color, religion and national origin by being denied access to public facilities (owned, operated, or managed by or on behalf of any state or subdivision) except

Public schools (provided for in Title IV) when such complainants are unable, in his judgment, to seek relief themselves.

Attorney General is authorized to intervene in private actions to prevent denial of equal protection of law on account of race, color, religion, or national origin.

TITLE IV Desegregation of Public Education

Provides for education survey on lack of opportunity due to race, color, religion, or national origin.

Provides for technical assistance to school boards, etc., and training institute for teachers to assist in desegregation.

Attorney General is authorized to initiate or intervene in school desegregation cases, if partners are unable to pursue legal remedy.

TITLE V Commission on Civil Rights

Provides that Commission on Civil Rights shall be a permanent agency.

Provides authority for the Commission to investigate vote denial cases, serve as a national clearinghouse for civil rights information, appraise Federal civil rights laws and policies, and investigate vote fraud cases.

TITLE VI Nondiscrimination in Federally Assisted Programs

Declares that all persons shall have right to participate free from discrimination in all programs and activities receiving Federal financial aid.

Each Federal agency with power to provide Federal aid for any program shall enforce nondiscrimination by denial of such aid or by any other means authorized by law provided that such action is not taken until voluntary compliance is sought.

Judicial review of agency action taken under this title is provided.

TITLE VII Equal Employment Opportunity

Establishes Equal Employment Opportunity Commission.

Prohibits discrimination by most employers of 25 or more employees (100 for first, and 50 for second year) and most unions of 25 or more members (100 for first and 50 for second year) and by employment agencies supplying employers covered under the bill.

Commission authorized to initiate or receive charges, conduct investigations, seek voluntary solutions. Where voluntary solution fails, Commission is authorized to file civil action for enforcement in Federal District Court, which makes own findings de novo and can appoint master to make findings.

If Commission fails to file suit, aggrieved party may do so, with permission of one member of Commission.

Commission is given subpoena power.

President is authorized to act to prevent discrimination in Federal employment.

TITLE VIII Registration and Voting Statistics

Provides for prompt census of voting statistics by race, color, or national origin in geographical areas recommended by the Commission on Civil Rights.

TITLE IX Procedure after Removal in Civil Rights Cases

Where a civil rights defendant in a state court removes the case to the Federal Court, this title provides a right of appeal to the Federal Court of Appeals from any decision of the Federal District judge remanding the case to state courts.

TITLE X Miscellaneous (Nothing significant to civil rights.)

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Laws

American Civil Liberties Union

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April 3, 1962

Committee for Nonviolent Action
158 Grand Street
New York 13, New York

Gentlemen:

You have informed us that the Committee for Nonviolent Action is sponsoring a Walk for Peace which will begin in Nashville, Tennessee on Easter Sunday, April 22 and will proceed through Tennessee and Virginia, and reach Washington, D.C. on June 22, 1962. You intend to conduct peaceful demonstrations along the way by means of picketing and leaflet distribution, both within the communities through which you will pass and at military installations and defense industries en route. You have asked that we advise you of the rights which attend these kinds of activities and the extent to which they are protected by the United States Constitution.

1. Leaflet Distribution.

Since the decision in 1938 by the United States Supreme Court in Lovell v. Griffin, 303 U.S. 444, the public distribution of non-commercial circulars, leaflets, pamphlets and other publications has been recognized as one of the activities protected by the First Amendment's guarantees of freedom of speech and of the press. The ordinance under which the petitioner in Lovell was prosecuted prohibited distribution of literature without having first secured a permit from the City Manager. Holding the ordinance unconstitutional, the Court said:

> "...Whatever the motive which induced the adoption, its character is such that it strikes at the very foundation of the freedom of the press by subjecting it to license and censorship." At 451.

Washington Office — 1612 Eye Street, N.W., Washington 6, D.C.; Lawrence Speiser, *Director*; Julie N. Barrows, *Executive Assistant*

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THE ATLANTA CONSTITUTION

"The American Civil Liberties Union . . has been praised for its work by such men as President Truman, Thomas E. Dewey and Gen. Douglas MacArthur. The ACLU is a group which fights for the rights of men everywhere to free speech, fair trial and equality before the law. Its leadership is as far removed from communism as General MacArthur himself . . ."

Bergen Evening Record

Hackensack, N.J.

"If the battle for democracy in the United States is ever lost it will be lost, in a manner of speaking, over the dead body of the American Civil Liberties Union . . ."

THE CAPITAL TIMES

Madison, Wisconsin

"The American Civil Liberties Union . . . for 32 years has been fighting for real Americanism . . . It defends the right of everyone to exercise the privileges of citizenship in a free country. It has defended the right of fascists also and won the undying enmity of the Communists. While it defends a Communist's right for equal treatment before the law, as it will defend the right of any American, it is an unyielding foe of the tyranny of communism and bars Communists and other totalitarians from its governing bodies and staffs . . ."

CHICAGO DAILY NEWS

"In its long history the ACLU has befriended persons of all shades of political and religious opinion . . . It would be a grave injustice to leap to the conclusion that insistence upon civil rights for alleged Communists, any more than for alleged murderers, indicates the slightest sympathy for unpatriotic or antisocial behavior. Concern for free speech, equal treatment under the law, and a fair trial before conviction is the essence of Americanism, the opposite of Communist tyranny. If this country ever acquiesces in a denial of civil rights to its humblest or most degraded citizen, it has taken a step on the road to despotism."

THE CHRISTIAN SCIENCE MONITOR

"'I do not agree with a word you say,' said Voltaire, 'but will defend to the death your right to say it.' It would be hard to find a more searching test of the genuineness of democratic sentiments than is implicit in this famous dictum. And it would be equally hard to find an organization that subjects itself to this test more often and more willingly than does the American Civil Liberties Union . . ."

THE DENVER POST

"The ACLU has stood firmly against waves of near-hysteria that have threatened, at times, to sweep away long treasured civil liberties of free speech, fair trial and equality before the law of all citizens in this country. The organization has asserted a thoughtful and justifiable viewpoint on close questions of Communists' rights. And while its concepts of civil liberties have not always been either popular or sustained by the courts, few informed persons or organizations have ever questioned the purity of its motives, the quality of its patriotism, or the depth of its courage."

The Des Moines Register

"The Civil Liberties Union . . . has defended the rights of free speech, free press, religious freedom, and academic freedom for *all sorts* of political groups and individuals — including race-baiters, semi-fascists, Communists, and other reactionaries as well as liberals . . ."

Durham Morning Herald

Durham, N.C.

"The ACLU's mission is to fight for the preservation of the fundamental rights guaranteed by the Constitution of the United States, and it is a fight that's never won . . ."

The Evening Star

Washington, D.C.

"The A.C.L.U. is composed of individuals of varying political faiths . . . its record is one of steadfast devotion to and defense of the civil liberties which are guaranteed to all of us by the Bill of Rights . . ."

Minneapolis Morning Tribune

"Over a long period of years conservatives and radicals, employers and labor unions, Americans in every walk of life and of every political complexion, have found the ACLU fighting on their side. The only provocation to action has been a civil liberty endangered . . ."

New York Herald Tribune

"The American Civil Liberties Union has won for itself an acknowledged role as watchdog or the citizen's liberties . . ."

The New York Times

"The American Civil Liberties Union [is a] useful and thoroughly patriotic organization. . . . To equate patriotism with conformity, orthodoxy and name-calling is dangerous nonsense; and this cannot be pointed out too often . . ."

Pittsburgh Post-Gazette

"What the ACLU really stands for is the essence of Americanism, once so well expressed by Supreme Court Justice Frank Murphy when he said: 'Only by zealously guarding the rights of the most humble, the most unorthodox and the most despised among us can freedom flourish and endure in our land.'"

ST. LOUIS POST-DISPATCH

"The ACLU has established its fearlessly independent reputation, and particularly its freedom from Communist control, by 32 years of evenhanded defense of a principle—the freedom principle of the Bill of Rights . . ."

San Francisco Examiner

"You may sometimes disagree, as we do, with the ACLU's choice of cases or its interpretations of the Bill of Rights and other constitutional guarantees. But this is an area where disagreement and dissent have gone on throughout the life of our Nation; if agreement were universal, no ACLU would be needed. The ACLU is worthy of the support of all freedom loving citizens in its current drive for new members and funds to continue its defense of American liberties."

TOLEDO BLADE

"Formed more than 30 years ago to fight for the constitutional rights of all persons without regard to their political, religious or other beliefs, the American Civil Liberties Union has nevertheless scrupulously disassociated itself from the views of those whose rights it was defending. Although the Union has upheld the freedom of Communists to speak or to write, it has at the same time earned the hatred of Communists by demanding the same freedom for Fascists . . ."

The Washington Post

"The ACLU . . . has proven, over the years, that it knows and understands what true Americanism means."

Subsequent decisions have strengthened the authority of the Lovell case. In Schneider v. Irvington, 308 U.S. 147, in an opinion striking down a local ordinance restricting the public distribution of handbills and circulars as a sanitary measure, the Court said, "...the purpose to keep the streets clean and of good appearance is insufficient to justify an ordinance which prohibits a person rightfully on a public street from handing literature to one willing to receive it." Several years later, in a similar case, Jamison v. Texas, 318 U.S. 413, the Supreme Court said, "...One who is rightfully on a street which the state has left open to the public carries with him there as elsewhere the constitutional right to express his views in an orderly fashion. This right extends to the communication of ideas by handbills and literature as well as by the spoken word. See too Talley v. California, 362 U.S. 60; Marsh v. Alabama, 326 U.S. 501; Martin v. Struthers, 319 U.S. 141.

These cases sustain the conclusion that there can be no limitations upon the peaceful distribution of non-commercial literature upon the streets of any municipality or on the public highway by local, state or federal officials, as long as traffic is not unreasonably impeded.

2. The Right to Picket.

Picketing is a form of expression protected by the First Amendment, Thornhill v. Alabama, 319 U.S. 88, but the law with respect to picketing raises slightly more complex questions than are faced in considering the right to circulate literature. The reason lies in the practical distinctions between the two. Normally, circulars will be handed out by a limited number of persons and will not result in any noticeable disruption of the flow of traffic. A picket line on the other hand is not infrequently composed of a larger number of people, and whether conducted, for example, on a sidewalk in front of a store, or in a more open area adjacent to a plant entrance, it may in fact present a greater possibility of interfering with free passage. Consequently, it has been held that such activity is subject to greater regulation. The degree of regulation, of course, is not unfettered but must be exercised in a reasonable manner solely to prevent serious inconvenience to traffic.

The general rule in related circumstances was expressed by the Supreme Court in Hague v. C. I. O., 307 U.S. 496. The ordinance there in issue prohibited parades or assemblies without a permit. A permit could be refused "for the purpose of preventing riots, disturbances, or disorderly assemblage." Holding the ordinance unconstitutional, the Court said:

> "...(The ordinance) does not make comfort or convenience in the use of streets or parks the standard of official action. It enables the Director of Safety to refuse a permit on his mere opinion that such refusal will prevent 'riots, disturbances, or disorderly assemblage.' It can thus, as the record discloses, be made the instrument of arbitrary suppression of free expression of views on national affairs, for the prohibition of all speaking will undoubtedly 'prevent' such eventualities. But uncontrolled official suppression of the privelege cannot be made a substitute for the duty to maintain order in connection with the exercise of the right." At 515-516.

In general, a statute will satisfy constitutional requirements if the officer authorized to administer it may not exercise his discretion with respect to the content of activity for which the permit is sought but rather is empowered only to grant or deny a permit on the basis of his good faith judgment whether the demonstration will hopelessly impair the use of the streets and highways by the general public. In addition, officials have the affirmative duty to insure that the constitutionally protected right of expression is not sacrificed because a crowd which has gathered to observe the proceedings blocks traffic. The appropriate remedy is to regulate the crowd so that a reasonable amount of traffic will flow. Likewise, if a crowd becomes disorderly and threatens the picketers, the remedy is to control the crowd, not suppress the pickets.

Since picketing may be subject to reasonable regulation, it is by all means necessary to inquire of the local police to learn what ordinances may be in effect with respect to picketing, and whether a permit is required.

3. Military installations and Defense Industries.

There are special considerations that should be borne in mind in connection with demonstrations conducted at the site of military installations and defense industries. Persons can lawfully be prohibited from trespassing both on government enclaves and privately owned property. Consequently, special care should be taken to determine in advance the boundaries of such areas to assure that the demonstrations are conducted without trespassing. Generally, the entrances to such areas front on public ways and thoroughfares and, of course, literature may be distributed and pickets posted on such public property to the same extent and with the same protection as in other circumstances.

To sum up, leaflet distribution and picketing are forms of expression protected against abridgment by any government offical by the First Amendment. The right to distribute literature is virtually absolute as long as conducted in an orderly manner. The right to picket, although somewhat more circumscribed, is nonetheless substantially protected subject only to reasonable regulations to assure the continuation of a reasonable flow of traffic, both pedestrian and vehicular. In neither case, however, may the law of trespass be ignored with impunity.

Sincerely yours,

Rowland Watts

Rowland Watts
Legal Director

CORE CONVENTION

LEGAL WORKSHOP

I. Every action program should have someone assigned to write up the precise facts as to what transpired, location of each incident, names of witnesses, names of arrestees, charges against them, amount of bail for each person, and, where possible, name of arresting officer(s), and where arrestees are being held, and date of arraignment.

II. The person in charge of this mustn't go to jail; he or she must stay out of jail to be effective.

III. If there is evidence of police brutality, it should be immediately written up and given to the leader of the project, or to the attorney. It is inadvisable to go to the police officer and ask for his name and badge. This is an invitation to additional arrests, and will spoil the possibility of proving brutality. Presenting of facts of brutality should be done away from the scene of the brutality.

IV. A local lawyer should be alerted in advance of a project, not from the point of view of telling the project leaders what to do, but to ascertain and advise about what the legal possibilities will be, and how to avoid unnecessary complications in light of the objective.

V. Policy should be decided with regard to bail not jail, or jail not bail, and where there is a bail policy, arrangements should be set up in advance if possible. The bail bondsman should be alerted, particularly if there may be more arrests. He must be able to set up his machinery. Persons arrested should be advised in advance of:

A. What policy has been decided upon in re jail and bail.

B. That all should understand, even when they expect to be bailed out, that it takes time to iron out the details of bailing people out, particularly when there are mass arrests:

1. in the mechanics of release
2. in arranging for money
3. in understanding and dealing with the technicalities raised by local authorities.

C. That when they are arraigned they should not plead without a lawyer present.

VI. There are three types of pleas: Guilty
Not Guilty
Nolo Contendere

The meaning of the first two is obvious, and requires no explanation beyond saying that if you plead guilty you are admitting guilt. Depending upon the nature of the crime charged (remember that a misdemeanor is a crime) this becomes a matter of permanent record and may affect one's future career in becoming a professional person, or working in government or, sometimes, private positions.

A nolo plea is not an admission of guilt, but simply a declaration that you do not wish to contest the charge. The penalties can be the same as if there were a guilty plea, however.

VII. Trial Tactics.

A. How to try the case should be left to the lawyer.

B. When your attorney asks you to go out and locate certain witnesses, do it. Too often activists think the Court Room is unimportant.

C. Without in any way minimizing the importance of the action program, the Court Room is very important in the total picture of action.

D. Only on television or in the movies is the case won by inspired cross-examination. In real life, hard work and preparation in advance produce the best cases. This can only by done by everyone cooperating before the trial. Going to jail in particular instances may be very important, but going needlessly doesn't help the movement; in fact it takes you, an important person in the movement, out of action.

E. Save all newspaper clippings and photographs of particular incidents. They are useful on cross-examination.

VIII. Appeals.

A. Appeals generally take a long period of time; often several years.

B. As often as we win appeals, we must not forget that certain cases cannot or will not be won. In such cases the sentence will have to be served.

C. Appeals are very expensive; not every case ought to be or can be appealed.

D. Unless unlimited sums of money are available, appeals should be limited to:

1. where penalties are very severe.
2. where there are unusual legal features involved.
3. where there are special health or other aspects of the case.

E. From a lawyer's position, appeals are very time-consuming. Much more time has to be spent in analysing facts, reading law, preparing the outline, writing and rewriting the brief, supervising and editing the printing of the brief, arguing the appeal. Unnecessary appeals take him away from work more directly concerned with the action program.

IX. Role of the lawyer in the action program:

A. He does his work in close relationship to the action program.

B. He is not merely interested in the "best" cases.

C. He puts his special skills to work as a shield of the movement so that the action program can continue.

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WILL AMERICUS FREE DON HARRIS?

Mr. WILLIAMS of New Jersey. Mr. President, we all pride this country of America as the land of the free and the home of the brave.

But we know there are some areas and towns in the United States where this is not so, at least not for all Americans.

One of them, I am sorry to say, is the small town of Americus, Ga.

For in Americus most of those who are brave are not free.

Mr. President, I am compelled to call to the attention of the Senate the story of what is going on today in the small town of Americus, Ga.

It is a story of fear and hatred, of mass arrests, police brutality, incredible legal proceedings, and intimidation.

The story is more poignant to me for it involves a 23-year-old graduate of Rutgers University, New Brunswick, N.J., who has been imprisoned by the authorities of Americus, Ga., on a charge of attempting to incite insurrection, which could result in the death penalty.

DON HARRIS' CRIME

His crime? Making the mistake of believing that people have a right to vote in Americus.

Mr. President, my information comes to me from a group of students at Rutgers and Douglass College who have organized to try to save Don Harris, the young man in question.

The Don Harris Committee is headed by Rita Murphy and Susan Kass, and includes Nola Safro, president of the Government Association, and Pat Carty, president of the National Student Association, among others.

These dedicated students are trying desperately to make sure that some semblance of justice and decency is rendered to Don Harris. A rally is being held tomorrow at Rutgers both for Harris and the Birmingham church bombing, in an effort to raise funds for his legal defense and to help repair the church.

I bring this story to the Senate in the earnest hope that it might touch the conscience of decent people everywhere, most especially the responsible officials of Americus, Ga.

I have urged the Justice Department to explore every possibility for lending assistance in this case. While I am told the powers of the Justice Department are exceedingly limited under present law in situations of this kind, I am in a position to say that some help is being given, and for this I am grateful.

Mr. President, Sumter County, Ga., where Americus is located is a rural area of some 25,000 people. About 5,600 of them are registered to vote. At the beginning of this year only 483 of those registered were Negro. And this is in an area where Negroes represent about 50 percent of the population.

It was this patent discrimination in a most fundamental human right that led to the formation of the Sumter County movement early this year in an effort to increase voter registration.

After graduating from Rutgers, Don Harris went to Americus as a field secretary with the Student Nonviolent Coordinating Committee to help do something about this glaring inequity.

THE CHARGES AGAINST DON HARRIS

On August 8 about 250 Negroes met in the Friendship Baptist Church and then proceeded to a Negro cafe about a block away, where the group stood outside singing hymns.

The police arrived, told the crowd to disperse and when they would not, began firing in the air. They then grabbed Harris as one of the leaders of the group. He went limp, refusing to cooperate with the police arrest. He was rewarded by being beaten in the street and dragged to a squad car. Other arrests were also made.

It could be expected that the police might charge Harris with something like unlawful assembly and failure to obey the orders of an officer. And so they did. And because of the melee created when the police arrived, it is not hard to imagine the authorities of Americus going so far as charging Harris with disorderly conduct, resisting arrest, and even inciting riot. And so they did.

But it passes all understanding that he should also be charged with an attempt to incite insurrection, for which he faces a possible death penalty. Yet he was.

And this is a charge which, according to the Georgia law books, has been used only once before, in a case involving an Atlanta Communist during the 1930's. Even this one case was overturned by the U.S. Supreme Court in a manner that, to say the least, casts a serious cloud on the constitutionality of the statute.

And yet the authorities of Americus had no compunction in applying this grave but unused and perhaps unconstitutional charge against this young man for merely engaging in a peaceful civil rights demonstration.

HOW MUCH IT TAKES TO GET OUT OF JAIL

Mr. President, because Harris faces a possible death sentence under the insurrection charge, no bail need be set under Georgia law. And none has been. But even if the charge were dropped or bail set, the people of Americus have made sure that Don Harris will stay in jail a long, long while.

In Georgia, a citizen may ask a judicial officer to issue what is called a peace bond against any person who repeatedly threatens life or property. Such a bond may be set in any amount under Georgia law and is intended as a guarantee of good behavior. It is imposed in addition to regular bail.

So far Harris has been charged with eight peace bonds, totaling $40,000. And the bail for some of the other secondary charges hasn't even been set yet.

This despite the fact that application for bail was made more than 10 days ago. The local circuit court had promised a decision by September 20, but still no action has been taken on what is a matter normally given immediate court attention.

Now, Mr. President, just think of $40,000 placed on the head of this 23-year-old Rutgers' graduate. I am not an expert on bail charges, but $40,000 charged against this young man is simply incredible.

And this is a young man who spent the summer of 1961 helping to build a dam in Rhodesia under operation "Crossroads of Africa."

This is a young man who spent other time working with a group providing tutorial programs in Harlem and Philadelphia.

This is a young man who was selected by Rutgers University for inclusion in who's who among students in American universities and colleges in recognition of merit and accomplishment.

This is a young man who went to Americus, Ga., because he believed the people there have a right to vote.

And just to add to the irony, this staggering amount of money has been lodged against Don Harris in a State whose own constitution declares that:

> Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

Mr. President, Don Harris is not the only person who has been arrested in Americus, Ga. Some were jailed in July for having the effrontery of using the front entrance to a movie theater.

The day after the August 8 arrests, a group of about 175 Negroes marched to protest the beatings and arrests of the previous night. They were cut off by police wielding police clubs and electric cattle prodders. Several of the demonstrators required stitches. Many of them were arrested.

On August 11 another group of about 25 young people knelt in prayer in front of the police station and they too were arrested. Several other Negroes not in the demonstration were also arrested during those days.

On August 17, another group of about 35 was arrested for praying in front of the police station.

JAIL CONDITIONS ARE DISGRACEFUL

All told, about 200 young people, many of them in their early teens, have been arrested in Americus, Ga.

Lacking adequate jail facilities, the authorities have placed many of the youngsters in an old abandoned newspaper building without furnishings, without bedding, without working toilet facilities, and without adequate ventilation. One shower tap provides the only drinking and bathing water. The stench throughout is unbearable.

Mr. President, I wish the RECORD could show the jail facilities in use in Americus. But I have with me some pictures that were secretly taken and smuggled out. They really make you wonder whether they could have been taken in the United States of America at this point in the 20th century. I invite any Senators who may be interested to examine them.

For food the youngsters are given four hamburgers daily, for which they are privileged to pay $2 a day, as a result of a local ordinance passed August 9.

Mr. President, I can only say that these conditions are disgraceful.

WHAT WILL THE VERDICT BE?

And what will be the outcome? I do not know. But I suspect that many Negroes in Americus will think long and hard before making more protests on behalf of their own constitutional rights. No doubt this is what the local authorities have in mind.

In fact, Mr. President, the gravity of the charges in this case point to what seems to be a growing trend in the South—the leveling of charges that carry a penalty of death or long imprisonment and thus steep bail as a way of cutting the heart out of the civil rights movement. The Americus incident is by no means an isolated one.

As for Don Harris, assuming a grand jury indicts him in November, he can expect to remain in jail for some 6 months awaiting his trial which is expected some time in January. And then there is the question of appeals.

I am told that he is allowed no visitors except his lawyers. He is not permitted to meet any members of the press.

Don Harris can only wait, not even completely sure of his safety pending his trial.

And his trial? Will it be fair?

I would like to think so. But I would feel much better if the eyes of the world were focused on Americus, Ga., and the case of Don Harris and his colleagues who have been similarly charged.

Mr. President, this is a story that has not been reported by the national press. Perhaps it is not sufficiently dramatic or unusual to warrant the attention of the press, but I do not think so.

It seems to me, Mr. President, that if ever a case deserved national attention, Don Harris' loss of freedom merits it. And it is my hope that if the American people are told what is happening to one of their fellow citizens, the responsible officials in Americus will find some way of bringing this travesty of justice to an end.

file

DISCRIMINATION AND THE LAW:

A Report on a Conference

Sponsored by

The Law School, The University of Chicago

and the

Anti-Defamation League of B'nai B'rith

November 22-23, 1963

The Anti-Defamation League, as one aspect of its observance of its 50th anniversary, organized a conference in cooperation with the School of Law of the University of Chicago on "Discrimination and the Law." The conference took place at the Law School on Friday, November 22nd, and Saturday, November 23rd. Participating were a total of 26 persons, among whom were law school deans, law professors, a federal court of appeals judge, legal scholars who have been prominent in dealing with civil rights cases and three experts from other disciplines: sociology, political science and economics.

The purpose of the conference was to consider basic problems arising out of the role of government — federal and state — in reinforcing or combatting racial and religious discrimination in four fundamental areas of community life: education, employment, housing and public accommodations. The conference sought to consider how far the federal government constitutionally may go in curbing discrimination and how far the concept of state action, under the Fourteenth Amendment, could be extended to curb such discrimination; also to what extent there are limits on the state in its exercise of the police power to prohibit discrimination in activities which are normally considered private. While the conference dealt with constitutional problems, it viewed them as one aspect of a general examination of the role and limitations of law in solving problems of discrimination.

Preparation of Papers

Prior to the conference, specific participants were asked to prepare major papers on the four basic aspects of the problem. Prof. Vern Countryman, Dean of the Law School, University of New Mexico and visiting professor at Harvard Law School, prepared a paper entitled "The Constitution and Job Discrimination." This paper was duplicated and sent to each of the conferees well in advance of the conference, as were the other three papers and the critiques on them. Two other conferees, Prof. Jerre Williams of the University of Texas and William R. Ming, a Chicago attorney prominent in civil rights litigation, prepared brief critiques on Prof. Countryman's paper.

Prof. Alexander M. Bickel of Yale University Law School prepared a paper entitled "Discrimination in Education." The critiques on Prof. Bickel's paper were prepared by Prof. John Kaplan of Northwestern University and by William Coleman, a practicing attorney in Philadelphia who handled the Girard College case.

Prof. Thomas P. Lewis of the University of Kentucky delivered a paper entitled "The Role of Law in Regulating Discrimination in Places of Public Accommodation." Critiques on his paper were composed by Dean Robert F. Drinan of the Boston College School of Law and Prof. Jo Lucas of the University of Chicago.

The fourth major paper was prepared by Harold W. Horowitz, Associate General Counsel of the Department of Health, Education and Welfare. It was entitled "Fourteenth Amendment Aspects of Racial Discrimination in the Selling and Leasing of 'Private' Housing." The critiques on it were written by Prof. Francis Allen of the University of Chicago and Prof Norman Dorsen of New York University.

Conference Participants

Attached for the reader's information is a copy of the printed program of the conference. It lists the schedule of sessions and all the participants in the conference. It will be noted that in addition to those mentioned above as participants, the conference also was attended by Dean Erwin N. Griswold of the Law School of Harvard University, Dean Jefferson P. Fordham of the Law School of the University of Pennsylvania, Dean Jacob D. Hyman of the Law School of the University of Buffalo, and last but not least, Dean Phil C. Neal of the Law School of the University of Chicago, the host school. Also in attendance were Prof. Boris I. Bittker of Yale Law School, Prof. Louis Henkin of the Law School of Columbia University, Prof. Nat Nathanson of the Law School of Northwestern University and Prof. Louis Pollak of Yale Law School.

In addition, the conference was attended by Elliot L. Richardson, Esq., a practicing attorney in Boston and former Undersecretary of the Department of Health, Education and Welfare; Ralph S. Spritzer, First Assistant to the Solicitor General of the Department of Justice; Judge J. Skelly Wright of the U. S. Court of Appeals for the District of Columbia; and the three non-lawyers: Prof. Arnold Rose of the Department of Sociology of the University of Minnesota; Prof. John P. Roche, chairman of the Department of Political Science of Brandeis University; and Louis Bean, a prominent economist of Washington, D. C.

The conference opened at 9:30 a.m. on Friday, November 22nd. The first session, which ran until a little after noon, approached the questions under consideration by the conference in terms of discrimination in employment. Prof. Countryman opened the discussion by presenting the essence of his paper orally. Prof. Williams and Mr. Ming then presented the substance of their critiques. The balance of the morning session was spent in a give-and-take discussion of the subject in which practically all of the conferees participated. The discussion was at an extraordinarily high and exciting level, and by the end of the morning session it was clear that the conference would make great progress in helping to develop new legal approaches to the problems under consideration.

This opening session was presided over by Dean Griswold of Harvard, who assumed the chair after the conferees had been welcomed officially by Dean Neal of the Law School. The conference sessions were held in the well of the courtroom of the Law School.

While the conferees were at lunch, the horrifying news came of what had happened in Dallas — the assassination of President Kennedy. The conferees decided that they would be unable to proceed with the afternoon session. They decided, however, to convene a half hour earlier on Saturday to determine whether they could then continue the conference and cover the remaining three subjects in one day.

The next morning the group convened at 9 a.m. Despite the overwhelming air of sorrow, the conferees, well aware that they were helping to carry on the program of strengthening democracy for which President Kennedy had given his life, undertook to carry out the previously planned program of discussion.

Saturday Program

The first session, rescheduled from the preceding afternoon, dealt with education. It was chaired by Dean Neal and opened by Prof. Bickel with a brief oral presentation of the essence of his paper, followed by even shorter oral critiques by Mr. Coleman and Prof. Kaplan. Discussion resumed at the same exciting level as had been manifest Friday morning. After two hours a brief recess was called, after which the conference went on to its third session, the topic of which was discrimination in places of public accommodation.

This session was chaired by Dean Hyman and was opened by Prof. Lewis who presented the substance of his paper. This was followed by oral presentations of the two critiques by Dean Drinan and Prof. Lucas, respectively. The conferees took up the discussion and continued it into the afternoon with only a brief lunch break.

After a short recess, the final formal session of the conference was opened under the chairmanship of Dean Fordham. Mr. Horowitz presented the gist of his paper on housing discrimination, which was followed by brief oral presentations of their critiques by Professors Dorsen and Allen. Once again there was full discussion by the conferees with the fourth and last session concluding at 5 p.m.

All of what was said at the conference was taken down by a court reporter and the transcript is now available for inclusion in a book based on the conference consisting of the papers, the critiques and an edited version of the discussion.

Conference Ends

The conference closed with a dinner on Saturday night at which Professors Rose and Roche and Mr. Bean gave their reactions as non-lawyers to how the lawyers were handling the problems considered by the conference. This was followed by a discussion and reaction from the floor by the participating attorneys. The gist of these presentations and the ensuing discussion will also be included in the book embodying the conference activities.

It is noteworthy that only two participants in the conference were unable to stay for the Saturday sessions. Judge Wright had to return to Washington because of official needs arising from the tragic loss of the President. Prof. Pollak had to return to New Haven because of personal commitments.

The remaining conferees stayed for the Saturday sessions and participated fully.

Since the conference we have received letters from a number of the participants. Each one of them commented on how much he had enjoyed the conference, that it was unmatched in his experience, and expressed the view that it had been both constructive and creative. An example of such comments is the following from a letter received from Dean Erwin N. Griswold:

> "I thought that the meeting was extremely good. It seemed to me clearly the best prepared and conducted of such programs that I had ever attended. It was, of course, only a part of the greater tragedy that it was affected as it was by sad events."

One of the guests at the informal dinner which closed the conference on Saturday night was President George Wells Beadle of the University of Chicago. At the close of the dinner he came up to the ADL staff members who had been primarily responsible for planning and carrying through the conference, Sol Rabkin and A. Abbot Rosen, and thanked them for the excellent job they had done in organizing and carrying through the conference and in helping to make it so outstanding. Sol Rabkin is director, ADL Law Department; and A. Abbot Rosen is director, ADL Midwest Regional Office.

Publications Planned

The conference was made possible by a grant to the ADL from the Charles Weinfeld Memorial Foundation. Melvan Jacobs, Esq., who was responsible for the grant, also indicated that he was pleased with the success of the conference and called for the speediest possible printing of the papers and proceedings of the conference so that they could be made available to legal scholars and others currently dealing with problems in this field. Each of the papers and its accompanying critiques will appear in a major law review in the near future. The Columbia Law Review is publishing the Bickel paper and its critiques in its February issue. The University of Buffalo Law Review is publishing the Lewis paper and its critiques. The California Law Review will publish the Horowitz paper and its critiques; and the University of Washington Law Review will publish the Countryman paper and its critiques.

In addition to the book on the conference consisting of the papers and the conference discussions, there will also be published a popularized paperback edition of the papers and the conference discussion so that the material can be made available to all who are interested in civil rights problems.

We have available a small number of copies of the major papers and of the critiques. As long as they last, we will be happy to make them available to those who request them. In any case, they will become available generally in book form and also as reprints of the law review articles mentioned above.

The success of the conference and the enthusiasm of all those who played a role in its preparation and realization has demonstrated the desirability of this type of activity. It has also shown that there is a need among legal scholars and scholars from other disciplines concerned with equality of opportunity to get together on a planned basis to exchange views on how their respective challenges can best be met. It is hoped that this conference will pave the way for similar conferences in the future on other aspects of the problem as they develop.

Those responsible for the planning, organization and carrying through of this conference deserve a vote of thanks. Sol Rabkin, A. Abbot Rosen, Assistant Dean James Ratcliffe, the members of the Law School Conference Committee and especially Professors Kurland and Blum, the members of the ADL Conference Committee and especially its chairman Bernard Nath, and ADL's Executive Director, Benjamin R. Epstein and its General Counsel, Arnold Forster, who gave so fully of their time and energy to make this conference a success and, last but not least, Melvan Jacobs, who was responsible for the allocation from the Edward Weinfeld Foundation which made the conference possible—all deserve congratulations on a job well done.

Anti-Defamation League of B'nai B'rith
315 Lexington Avenue
New York, N. Y. 10016

REPORT ON VARIOUS LEGAL INSTALLATIONS DURING THE WEEK OF JULY [illegible], 1964.

TO: James Farmer
Gordon Carey
Marvin Rich
James McCain
Norman Hill
Jim Peck

FROM: Carl Rachlin

For the first time since major civil rights demonstrations have commenced in the South, we have nearly adequate legal assistance in all significant areas.

As you know, the Lawyers Constitutional Defense Committee was organized at our instigation for the assistance of our projects and activities. Of necessity, L.C.D.C. has undertaken support of other kinds of activities in addition to our own.

It should be kept in mind that currently there are nine or ten lawyers in Jackson; five in Memphis to cover northern Mississippi; nine or ten in New Orleans to cover Louisiana plus the southern tier of Mississippi as far north as Hattiesburg and McComb; four in St. Augustine; one in Tallahassee (especially sent to assist Pat Due) and some in Birmingham.

Fortunately we are able to remain sufficiently flexible to send more than originally anticipated, and to different locations. As a result, far more lawyers are in New Orleans and Jackson than originally anticipated, covering a wide territory. No intention was ever held to send lawyers to St. Augustine. Because of the problems there, four are working in Dr. Hayling's office. I have offered Floyd McKissick one or two lawyers to assist him in the trials which begin in the middle of August in Chapel Hill.

There is a remarkable esprit de corps in all offices, in spite of the difficult and limited conditions under which they work. For example, in St. Augustine, four lawyers, two students and a voluntary secretary are working in Dr. Hayling's dental office, involved in major litigation covering that area. In Tallahassee a lawyer is working in nobody's office, although I understand some efforts are being made to find him a chair. He is at Pat Due's command.

In New Orleans we had told Collins, Douglas and Elie that there would be three lawyers using their offices; there are, in fact, nine, and two students. In order not to deserve permanent enmity from our Louisiana counsel, I rented a store in their building for the excess so that the situation would not be unbearable for our friends. Here again, major litigation is involved; e.g. an action to desegregate Charity hospital, as well as the handling of the numerous defensive and harassing actions in Louisiana and southern Mississippi. Two of the lawyers here have been going back and forth to Monroe and Shreveport, working with Ronnie and Mike Lesser and their group.

In Jackson, our lawyers use the Inc. Fund office at 528½ North Farish. In Memphis the lawyers work out of Sugarmon's office.

While many difficult problems arise, and will continue to arise, the mere presence of all these lawyers has, from all objective evidence, inhibited the illegal conduct of some public officials. Before the summer is over almost one hundred and fifty lawyers will have spent two to three weeks in various southern communities. Without contradiction this is the most unique effort in Anglo-American legal history.

Because of the great amount of activity, Henry Schwarzschild has been hired to coordinate all events and to make certain that no project fails to receive the assistance required. It should be noted that Leo Pfeffer, Ed Lukas, Jack Pratt and Mel Wulf are the others actively involved in L.C.D.C. matters.

For example, Ed Lukas is going to Jackson July 30th for the purpose of filing a major lawsuit whose objective is to declare the vicious new Mississippi laws unconstitutional.

At my request, Andy Norman accompanied me throughout the entire trip. I had arranged with Ronnie Moore and Dave Dennis in advance to make certain that Andy was able to observe at first hand the various activities under their jurisdiction. Last Tuesday night Ronnie got on the plane with us at Baton Rouge, flew with us to Monroe, where we had a midnight meeting with that task force. At 5 a.m. Wednesday morning we took off with Ronnie and Dick Haley by car from Monroe, stopping off at various centers and ending up at Baton Rouge. This included crossing the Mississippi by way of the famous ferry at St. Francisville, where, in 95° heat we sat with our windows closed because Ronnie had been shot at there a short time before.

Andy was also able to have extensive conversations with people in Jackson, and in the several schools and centers in Canton.

Problems will continue to exist. Let me indicate a few:

After the summer is over, and the lawyers have gone home, a lot of the legal actions instituted will still be in progress. This difficulty will have to be faced. Ronnie Moore would like a permanent lawyer at his disposal. The situation is similar in all the other communities I visited. Otherwise, the local lawyers will find it impossible to continue.

Political problems are serious, many vis a vis the lawyers Guild. In more and more openings, the public officials in the South are attacking the Guild, SCEF, as well as some of the individuals associated with these organizations and COFO. George Crockett, Ben Smith and some of the others are being attacked in the Press for Communist associations. As of this moment I have seen no such attack on either CORE or LCDC, nor should there be one, though, of course, that doesn't mean there won't be.

I arrived in New Orleans to face a major crisis which, without going into too much detail, required a lot of effort and the handling of different people in different ways to resolve it. There is no doubt that our program is successful and is, on the one hand, resented by the Guild, and, on the other, is seen as being an opportunity for the Guild to merge and hide their identity within L.C.D.C. with a view to controlling it. To this end they have obtained the support of Mel Wulf, who represents a point of view held by several people not in the Guild. This point of view concerns Robert Moses and COFO.

Wulf, Kunstler, and a few others take the position that Moses can do no wrong (apparently they have confused him either with the patriarch of ancient days or, more currently, the one in New York.) This has led to a mental process along the following lines: Moses will use Guild lawyers, or, for that matter, any lawyers available. Whatever Moses does is correct; therefore, it is wrong not to cooperate and identify with the Guild.

This was the heart of the problem in New Orleans. It could only be straightened out because I was able to put the combined ACLU-Guild into a rather embarrassing position, and then was able to get them to withdraw a demand for an L.C.D.C. lawyer or lawyers to work in Ben Smith's office. Wulf had taken the position that if we did not do this he would withdraw ACLU from the L.C.D.C. and take his $15,000 with him. Without giving in to this demand we have solved, at least temporarily, this problem.

In St. Augustine, may I suggest that perhaps a major effort by the Chapter should be encouraged? While I was only there for a day, there did not seem to be much evidence of activity. By and large what activity there is seems to center around the personality of Dr. Hayling, the dentist. I have not had too much contact with him, but I know he has no strong, positive feelings about either NAACP or SCLC. This is merely an observation and not meant to indicate a profound knowledge of the matter. I think we would serve a useful function there by picking up where King has left off.

A CORE CHARGE TO THE WHITE HOUSE CONFERENCE

November 17-18, 1965

Congress of Racial Equality
38 Park Row, New York, New York 10038

Introduction

1965 has been a pivotal year in the civil rights movement. It has seen a massive out-pouring of sympathy in response to the bald brutality of Selma. It has seen the Chief Executive of the United States adopt the rhetoric of the movement in expressing determination to overcome discrimination and poverty. It has seen landmark legislation in the form of the Voting Rights Bill of 1965. It has seen the first skirmishes of a "War on Poverty" and the beginning of the implementation phases of the Civil Rights Act of 1964. Finally is has seen the president use the prestige of his office to marshal those deeply concerned with civil rights to a White House Conference to help shape the national policy toward the fulfillment of the American promise to the Negro.

Against this backdrop of hopeful developments stand the stark, present-day realities of life for Negro Americans - staggering unemployment; inferior segregated education; substandard, segregated housing; and poverty-level living standards even for most of the employed Negroes.

To close the gap between these untenable realities and the ideals of "The Great Society," we must take a penetrating look into the root causes of racial problems and mobilize a national consensus around programs for their solution. The White House Conference on Civil Rights must accept this challenge. In doing so, it must face the realities of structural deficiencies where they are found to exist in the institutions of our society. It must avoid the easy answers of single-approach panaceas, as well as the comfortable paternalism of token efforts. It must reject notions which demand that the Negro change himself and accept the requirement that the society itself must change. The conference must measure the scope and breadth of the problems and fashion programs commensurate with their solutions. It must set definite objectives, some immediate and some of longer range, and it must draft a time-table for the national achievement of these objectives.

The following analysis and proposals are advanced as a contribution toward this kind of conference.

"Advanced Tokenism"

More than any other word "tokenism" characterizes America's treatment of the Negro. With little more than "tokenism" an array of laws have been passed, each in turn heralded as "the answer" to the "Negro problem." Often with considerably less than "tokenism" these laws are being enforced, or frequently and more precisely not being enforced.

The summer and fall of 1965 were marked by major events in three areas of America's race relations: 1) On July 2nd Title Vll of the Civil Rights Act of 1964 came into effect; 2) On August 6th the Voting Rights Bill was signed into law; and 3) In August and September public school opened under the coverage of the "guidelines" issued by the Office of Education persuant to Title Vl of the Civil Rights Act of 1964.

Let us look for a moment at what these heralded "breakthroughs" have meant.

1) The Equal Employment Opportunities Commission has yet to file a single order against a company or union charged with discrimination.

2) The Attorney General has seen fit to send federal registrars into only 32 of more than 400 eligible counties of the South, although only 30% of the eligible Negroes in the five affected southern states are now registered.

and 3) 92.5% of the South's Negro students attend 5,800 all-Negro schools, while 7,800 schools remain all white.

Where There is no "Legal Framework"

If this is the vaunted "breakthrough" in the areas where a "legal framework" for equality has been established, in the areas where no such "framework" has been established, there has been as much retrogression as progress. Negro unemployment, approximately equal to that of whites a generation and a half ago, is now twice that of whites.

In the immediate post-World War 11 years, the unemployment rate for teenage Negro boys was less than that for whites. Today it is about twice as high.

In the last decade the median income of Negro families compared to white actually dropped and is now only 53% of white family income.

While comprehensive figures are not available, reports from individual cities indicate that northern schools are at least as segregated today as they have ever been , if not more segregated.

Further, there is little indication, despite considerable talk of "cultural enrichment", that the quality of the schools which Negroes attend is any better today than it was.*

Housing segregation was higher in 1960 than it was in 1940, and only slightly below the peak of 1950. (Scientific American, CCX11,2 (August, 1965), pp. 12-19)

New Theories to Hide Old Failures

It is now fashionable in some circles to proclaim that the major problems of giving to the Negro equality in American society have been solved and we now must only deal with the individual deficiencies of Negroes to make them "ready". To mask the fact that the economy has failed to generate a sufficient number of of new jobs we attribute the Negro unemployment rate of 8.3% (ever twice that of whites and moving higher while white unemployment moves lower) to the Negroes failure to train himself.

To excuse the failures of the public school system we ascribe the Negroes lack of success in school to the "fact" that he is "culturally deprived".

To cover the inadequate supply of decent lost-cost housing we invent the attribute of the "untenantable" nature of Negro families.

* See the shocking statistics in the recent Russell Sage Foundation report on the New York City public schools. As of 1962-1963 there was net a signle school with over 90% minority enrollment where the pupils' average sixth grade reading scores were at grade level. There was not a signle junior high school with 85% or more minority enrollment where the eighth-grade pupils scored at the eighth-grade level. A 1963-1964 study showed the preparation of teachers in the white schools was far better than in the Negro and Puerto Rican schools. There is a direct correlation between the percentage of minority enrollment in a school and the percentage of teachers with regular licenses, viz.in the elementary schools only about 20% of the schools with 90% or more minority enrollment had at least 65% or more of their teachers holding regular licenses, while 72% of the schools with 90% or more white enrollment had 65% or more of their teachers with regular licenses. Further,there was not a signle junior high school with over 85% minority enrollment which had at least of its teachers with regular licenses while over half the white

And most recently, in a new and all-embracing canard, we hear about the "pathology" of the Negro family instead of the sickness of American society.

We reject each of these explanations as false and misleading, resulting in (if not actually designed for) the avoidance of the real problems.

The Negro in America continues to face the double jeopardy of caste and class.

The problems which face us, today as yesterday, are deep-seated and structural in nature. They demand bold and imaginative rethinking and reshaping of many of the institutions of our society. They will not be solved by seeking to manipulate the individual Negro, seeking to have him "shape-up" and "clean-up", or as some would have him do - join the army !

Freedom and Power

The character of American life, indeed the very meaning of the "Great Society," is shaped by the extent and kinds of freedom and power available to each individual- freedom from the constraints of discrimination and bigotry, of poverty and the life of the slum, of hopelessness and alienation, and power to shape the meaningful decisions of one's life.

To cleanse itself of the horror of racial discrimination, America must declare all-out war on discrimination. Discrimination must be seen not as the aberrant behavior of some individuals, which we today deplore, through frequently tolerate, but rather as an evil which must be rooted out of the very warp and woof of our society. The act of discrimination - be it the denial to another of a job, a home, a fair trial, a quality education - must be treated as a *criminal* act, punished by jail to the perpetrator and recompense for the victim. We must vigorously punish the social criminal who denies Negroes of a job, a home, an education, or justice.

Beyond this however, we must recognize the degree to which segregation and discrimination have become institutionalized in our society. For example, zoning restrictions and other defenses against "undesirable elements" are often *de facto* racial barriers. Even such a goal as metropolitan government for our cities must be examined for its effect on diluting Negro political power now concentrated in the center city.

Our society denies to the Negro a sense of personal worth and a meaninful role in the entire community. There has been no more hopeful beginning in our time to deal with this problem than the wise opening presented in the words "maximum feasible participation" of the affected poverty population, contained in the Economic Opportunity Act. And there is no more dangerous design than the efforts of many to now eviscerate the anti-poverty program by reducing or eliminating the role of "citizen participation" in the Community Action Programs. The recent reports of pressure on the Office of Economic Opportunity to cut-back on policy-making by the poor disturbs us deeply.

Not reduction or elimination but expansion and deepening of the role of citizen participation is required; but not limited to anti-poverty efforts but expanded to each and every area of community life. The guiding principle of those agencies who serve our communities must be "no service without representation." Schools, hospitals, welfare programs must all give to their clients a deminant role in the shaping of the programs which serve them. No longer should the welfare client be ground down further as the passive recepient of a begrudging dole handed out by a social worker made more spy than aide by a system established to catch "cheaters." Instead the client himself should shape and mold the program so that it comes to serve his needs as he perceives them and in this very process gives to him a new sense of dignity and honor through the exercise of power.

In the fields of welfare and public housing administrative encroachments have reduced the legal *entitlements* of the poor, especially Negroes. Midnight searches of the homes of welfare recipients have made welfare a police function to insure "moral" behavior. Eligibility regulations have been tightened to keep people from welfare and housing who are entitled to receive these services. Negroes particularly have been damaged by the absence of *full legal rights of the poor.*

Just as the right to vote for freely chosen candidates offers to the individual the power to shape his political life, so too must he have the power to shape the physical, social and aesthetic parameters of his life.

The Job Market

More than anything else the Negro needs a decent job -- a job which provides a regular income above the poverty-level, a job which offers opportunity for advancement, and a job which makes possible a sense of satisfaction which comes from service to self and others.

The present near exclusive emphasis on training which characterizes the anti-poverty program focuses on the wrong problem, while many Negro youth, as white, need training, they need even more an assurance that having been trained they will find a job fitting their skills rather than becoming members of an unemployed and under-employed army of the higher skilled alumni of training programs.*

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*While the unemployment rate for high-school dropouts is substantially greater than for high-school graduates, ages 16 to 24, among males (11.2 and 6.8 respectively), females (18.9 and 9.5), and whites (12.8 and 7.3), as would be expected, among non-whites there is in effect no difference (16.3% for dropouts and 16.1% for high-school graduates). Thus we find the Negro youth, with or without a high-school diploma, Increasingly, training should be on-the-job training. Instead of the two-step program of training then job, the two should be combined. During the period when training is necessary, there should be a sliding scale of federal subsidies to eligible employers, initially high to cover the greater need for training and the lesser output received from the trainee, and then the lower as the trainee's output increases and his training needs lessen. Ultimately, of course, the trained employee would receive his full salary from the employer. The general policy should be no training without jobs; no jobs without training. (To protect workers against the erosion of their job skills.)

The focus of attention must be on the generation of new jobs and access to them for the oppressed and the deprived. And this responsibility primarily must be borne by the federal government. In two areas immediate action could be taken to produce significant increases in employment opportunities, while at the same time providing goods and services which are in desperately short supply.

The first area of job generation is a massive public works program, supplying the nation with needed schools, libraries, recreational facilities, and hospitals. As the construction industry is a labor-intensive one with between 50 and 60% of money expended going into salaries, funds poured into a public works program will produce a high return in jobs. (Although primarily skilled jobs.) Central to the efficacy of such a program is that the traditions of exclusion of Negroes from the construction trades and the presently established system of kinship-based job inheritance must be brought to an end. To insure that Negroes benefit from expanded public works activity each project should only receive funds on the basis of employing (and training - if necessary) Negro workers, both skilled and unskilled.

Second, there must be a major breakthrough in the use of non-professionals. The serious shortages in such occupations as teaching, recreation, hospitals (surely to be made even more acute by the implementation of the

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facing the same abnormally high unemployment rate. Race not education appears to be the relevant factor when examining unemployment for Negro youths. Forrest A. Brogan, "Special Labor Force Report," Monthly Labor Review (June, 1965)

Medicare Bill) call for a new method for supplying these necessary services. There is ample indication that the non-professional can both relieve the present professionals of many duties and thus increase the professionals efficiency, as well as to increase the quality of service offered. These non-professional jobs must be made attractive to men as well as women by offering adequate wages as well as the opportunity of advancement for all toward professional status and the chance for at least some to achieve such status.

The needs of rural families must not be ignored. Government moneys should be made available to subsidize the establishment of cooperatives of a variety of types. Collective bargaining rights and minimum wage protection must be extended to agricultural workers. Ways need be found to provide year round employment for migratory farm workers so that the degrading institution of migrancy can be eliminated.

*****As an expression of our commitment and to rovide a measure of our achievements, we must set definite targets and a time table. We must act at the very least to commit the nation to reduce Negro unemployment to no higher a level than it will tolerate among the entire population. Through new job generation, meaningful training with jobs attached and through the end of racial discrimination. We must dedicate ourselves to reduce unemployment for all segments of the job-seeking population to below 4% by the end of this decade, and as a step in this direction to cutting Negro unemployment in half by 1968.

*************Definite steps to meet this goal can and must be taken at the next session of Congress. These should include a public works program of at least $25 billion, and an allocation of federal funds to begin an employment program for non-professionals which will produce a minimum of one million and a half such jobs in the next two years with priorities for employment in both programs being given to the unemployed and the underemployed.

*************To assure an end to employment discrimination throughout the nation, the second session of the 89th Congress should extend Title Vll of the Civil Rights Act of 1964 to all employers above "mom and pop" establishments.

To quicken the exercise of federal action the Equal Opportunity Employment Commission should be given the power to issue "cease and desist" orders and to grant "compensatory damages" to those adversely affected by racial or religious discrimination of an employer or union.

Income

Not only must there be jobs, but they must provide adequate income for their holders. Present proposals for tinkering with the minimum wage law are inadequate. Simply put, what is necessary is a $2.00 an hour minimum wage convering all employers of four or more persons - be they agricultural, laundry, textile, or industrial. Most of the industries currently excluded from federal minimum wage provisions are precisely those with the highest proportion of Negro workers.

For those who cannot work, or those whom the society is unable to employ, there must be a guarantee of a minimum standard of living either through the mechanism of a guaranteed annual wage or a negative income tax. Such a guarantee must come to all as a matter of right, not beneficence, and we must eliminate a social welfare system which often appears more concerned with snooping and spying upon its clients than in assuring them a decent life.

********** This goal of a minimum level of assured income for all can be begun at the forthcoming session of Congress and must be achieved before the end of this decade. The forthcoming session can and should raise the minimum wage to $2.00 an hour for all workers.

Housing

Inextricably bound up with the need for a sufficient number of decent jobs is the providing for all Americans of safe and sanitary housing - a goal proclaimed in the Housing Act of 1949, but as yet unfulfilled for over ten million families. Urban renewal has meant the construction of few and the destruction of tens of thousands of units of housing - much of it unsound, but others of it simply in the way of those who placed higher priority on housing the wealthy or providing a new downtown for business. Needless to say, urban renewal must come to live up to the slogans of its protagonists and renew our cities for their citizens.

********** We must not only reiterate the 1949 Housing Act's goal, but we must set a target date by which time this goal will be reached and then provide the resources to meet this goal. As a minimum there must be at least 600,000 new housing starts a year for a minimum of ten years for low and lower-middle income families.

********** Simply to build housing is of course useless unless those who need this housing can afford to live in it. To do this the rent subsidy program passed in the first session of the 89th Congress must be funded in the second session, not on a "pilot" basis, but with sufficient funds (in any case with no less than $30 million a year) to make a real breakthrough in the area of housing for all. Because a person is poor he must not be deprived of the opportunity for choice in housing. Rent subsidies offer the opportunity to end the racial and class ghettoes of public housing and thus contribute not only to the desegregation of housing itself, but to all those other factors which revolve around housing - schools, recreation, friendship patterns, etc.

At present, the housing of the non-poor is subsidized to a greater extent than is the public housing of the poor; the tax deduction for interest on privately owned housing of the the upper 20% is greater than the amounts spent on public housing in the United States. Our reluctance to right the inequalities in housing in our nation is a monument to the intransigence of a narrow private lobby of real estate interests.

********** Immediate administration action is necessary to extend the late President's Executive Order (which was no more than a half-stroke of the Presidential pen) to cover all housing which is in any way built , supported, guaranteed, mortgaged, or assisted by federal funds. Then congressional action is necessary to apply on a national basis a fair-housing law covering the rental and sales of all housing (excepting perhaps, as do Massachusetts and New York, owner-occupied two-family houses).

Schools

The schools which the overwhelming majority of American children now attend are both segregated and inferior. Both segregation and the lack of quality must be ended and their end is undividedly intertwined. Just as leading educators have done, the nation as a whole must recognize that schools which are segregated cannot be high quality and to be of high quality they cannot be segregated.

Unless there is a drastic change in the present "guidelines" of the Office of Education for the implementation of Title VI of the 1964 Civil Rights Act, the net result will be the replacing of southern *de jure* segregation by northern style *de facto* segregation. The present pattern of placing the entire emphasis on the number of grades to be desegregated rather than the number of children integrated offers no assurance that there will be any significant desegregation. For example, the nominal desegregation of two grades of Bogalusa's (Louisiana) schools has meant that but five of the city's more than fifteen hundred Negro pupils attend school with white children. A better system is to consider children and not grades and provide assurance that in a short period of time - a year or two or at most three - all of the schools in a community will have a racial composition not significantly at variance with the entire school system's ratio. One method to achieve this end is to begin with all school assignments declared void and begin to assign pupils on the basis of some arbitrary system which will not produce segregation - *de facto* or *de jure*. Such systems might include the alphabetical assignment of pupils in a small school system, a variant of the Princeton Plan, redistricting, changed "feeder" patterns, site selection for integration, etc.

If we are to make a breakthrough in the quality of schools we must allocate to American education the level of resources and national commitment which we have devoted to the nation's space program. New measures must be introduced such as the massive use of non-professionals; the introduction on a nationwide basis of new teaching techniques such as programmed instruction, team teaching, new urban readers and other curriculum materials, new literacy techniques, etc; special parent-teacher groups to provide effective liaison between home and school.

Our educational system cannot "give-up" on the students presently in the upper grades. The attention and resources given to pre-school education will be both squandered and misapplied if we do not seek to change the present elementary and secondary systems. Already there is evidence that the gains made in pre-school programs are largely eroded in the backwardness of the regular grades. Not only must we give a "headstart" to those ready to enter school but we must maintain the gains. We must also intervene in the present system to salvage the older youth.

********** All school systems must be desegregated by the fall of 1967 - desegregation meaning not token numbers of Negro children in each grade in a few schools, but a distribution of Negro and white students throughout the entire school system not substantially out of proportion with the racial composition of the system as a whole. This must be true of all school systems North and South, presently de jure or de facto segregated.

********** The upgrading of the quality of the nation's schools must accompany the desegregation of these schools. While the present Elementary and Secondary Education Act provides a needed beginning with emphasis on those schools serving (or more appropriately mis-serving) the children of the poor, the forthcoming session of Congress should begin to provide federal funds and seek to establish federal guidelines for reaching a standard of excellence for all schools. General funds should be provided to all chool systems and special bonuses offered to those which introduce new techniques or exceed the minimum performance standards.

Voting and Citizen Participation

It is no more than a commonplace to note that a democracy is weakened by that degree to which its citizens are denied the right to participate in their own government. And it is equally a commonplace to note that Negroes have in the past and are today denied such an opportunity for participation.

Further, we must define participation as having far broader scope than voting every two or four years in an election. Participation in our increasingly complex society, as we have said, should include the principle wisely included in the language of the Economic Opportunity Act of "maximum feasible participation" of the affected groups. This principle should be applied far and wide throughout American life - thus parents and students should be able to participate in the governing of the schools; clients of a welfare system in its operation; those affected by urban renewal in its plans and progress (the present citizen participation in urban renewal hardly rises to the level of being a sham); and employees need to gain an increasing voice in the determination of the affairs of their union and their employer.

********** The concept of "maximum feasible participation" of the affected groups should be applied to each and every federal (state and local, too) program. The deepening and broadening of this principle offers people the opportunity to achieve a quality of participation in the affairs which affect their lives, which must come to be the very characteristic of our society.

********** Administration action must be taken this winter in each and every political subdivision where the Voting Rights Act of 1965 applies to assure the immediate opportunity of each and every Negro who seeks to register to do so. Reliance upon southern voluntary compliance in the "by and by" should not deny Negroes the right to register immediately. Further, these federal registrars and the entire federal government must end the passive role of the shop-keeper waiting on the clients who happen upon his place of business, but must begin an aggressive recruitment campaign to recruit eligible applicants. Such a procedure is the very least recompense that can be given to people denied the right to vote for a century.

Protection and Justice

It is a state of lawlessness and impotent government when citizens cannot be protected in the exercise of their fundamental rights. The recent charade masked as a court of justice in Hayneville is but the latest reminder that for the Negro there is little or no justice in the South. And this is as true in his day-to-day activities as when he seeks to exercise his civil rights.

And a system of justice which operates more justly or with greater safeguards for the rich than for the poor is no system of justice.

Further, a government which has laws which it cannot or will not enforce is no government.

The first order of business of the second session of the 89th Congress must be the passage of a personal protection law which will make a federal crime of any act which seeks to deprive a Negro of exercising his civil rights or to prevent another from assisting in that exercise, and which provides punishment no less severe than comparable state provisions only excluding the death penalty.

The President of the United States must bring to an end the practice of rewarding faithful political retainers of the very system which denies Negroes justice. No more should the federal bench be polluted by the likes of Cox. West, and Coleman. Nor can we any longer accept a federal court system in the South which is lily-white-- 65 white judges, 28 white court clerks, and 109 white jury commissioners.

The provision of a system which provides justice must take precedence over any tradition of adherence to a particular means of providing such justice. For to maintain a jury system which fails to punish those who commit crimes against Negroes or their friends or to render justice to a Negro defendant is no system of justice and indeed invites and encourages disrespect for the entire system of law. As a matter of general principle, all juries--state and federal-- should be recruited from a cross-section of the entire population being served, eliminating only those who conscientiously do not believe in the punishment prescribed by law (and it would contribute to the level of American civilization to eliminate the death penalty entirely), or who are connected with one or another party to the case, or who believe that a person is entitled to less than equal treatment, because of his race or religion or with whom he associates.

An immediate measure which can be taken by the Justice Department is the enforcement of the 1875 statute which makes jury discrimination a crime punishable by a fine up to $5,000; a law, such as so many which defend Negro rights, which has never been used in the present century. And at the next session of Congress there should be passed a Federal law which would provide that where a pattern of jury exclusion has existed or presently does exist, a federal jury registrar will automatically be appointed to register all adults to the panel of veniremen from which by mechanical and random selection techniques jury panels will be selected.

We must bring to an end a system of justice which depends upon the ignorance or the poverty of people to secure convictions. As soon as possible after the first contact with the constabulary, the arrested must be free to contact a lawyer, without prior examination. If he cannot afford a lawyer, the state should provide the funds for one, After having been charged, a person should not be detained in jail pending a trial unless he is a clear danger to society or evidence is presented indicating that he is unlikely to be available for the trial. In all other cases the present system which allows the rich to "make bond" and the poor to linger in jail should be ended.

first contact with the constabulary, the arrested must be free to contact a [illegible] lawyer, without prior examination. If he cannot afford a lawyer, the state should provide the funds for one, After having been charged, a person should not be detained in jail pending a trial unless he is a clear danger to society or evidence is presented indicating that he is unlikely to be available for the trial. In all other cases the present system which allows the rich to "make bond" and the poor to linger in jail should be ended.

******Immediate steps can be taken by the Justice Department to end their unwarrented narrow interpretation of the power of the federal government and of federal officials. The powers granted to the federal government in the U.S. code Title 18, Sections 241, 242 and 243, must and should be used. Either the F.B.I. must become the agency which make arrests and provides protection for those seeking to exercise their constitution rights or some other federal enforcement agency should be established immediately.

******As the arm of the government which comes into the most frequent contact with the citizenry as well as one which encounters citizens in at least a quasi-punitive role, the members of the nation's police forces need to be of high caliber, judgement and training. Mandatory human relations training provided through the assistance of federal funds; minimum educational or experience requirements; a massive recruitment program among minority groups; the raising of wage scales comparable to the responsibilities symbolized by the gun, the club, and the badge; and access for citizens to a review board made up entirely of civilians to examine charges of police excess are a minimum program.

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To do less than to provide justice and equality for Negroes is to deny both to all Americans. This conference has been charged with high responsibility. We believe it should consider the proposals here and elsewhere presented and then convert them into a detailed program for action -- a program which specifies goals, allocates priorities, and assigns deadlines, and to which the Administration, the Congress, and the nation are asked to commit themselves.

file

Legislation - EOA of 1964

STATEMENT OF GEORGE MEANY, PRESIDENT
AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS
BEFORE THE AD HOC SUBCOMMITTEE ON THE POVERTY WAR PROGRAM
OF THE HOUSE COMMITTEE ON EDUCATION AND LABOR
ON H.R. 10440, THE "ECONOMIC OPPORTUNITY ACT OF 1964"

April 9, 1964

Mr. Chairman, my name is George Meany. I am president of the AFL-CIO, and I am glad to appear here today on behalf of that organization to lend our support to the war on poverty.

This is not a new war for us in the labor movement. The trade union movement has been engaged in a campaign against poverty and for the improvement of conditions of life and work and opportunity since the first day of its establishment, generations ago in America. The elimination of poverty is and always has been, a primary goal of organized labor and a basic reason for its existance.

We have not been satisfied merely to elevate and improve the income and opportunities of our own members. We have sought to eliminate the cancer of destitution and want from the vitals of society at large - by our advocacy of free public education, social security legislation, minimum wages and many other measures designed to improve the standards, security and opportunity of all Americans, whether union members or not. Were it not for the efforts and accomplishments of organized labor in America, over the years, I am confident that the problem of poverty in this country would not be one common to a minority of our citizens, but a majority.

Not all of us in the labor movement have had the personal experience of going hungry in our youth, or were evicted from our homes, or saw our hopes shattered by some act of fate -- an industrial accident to the father, the closing of a plant, the illness of a grandparent. But if it did not happen to us, we saw it happen to our friends and neighbors.

We also saw the workings of those other disasters -- being born the "wrong" color, or raised in the "wrong" religion, or having the "wrong" kind of ancestors.

So as president of the AFL-CIO, I tell you we hate poverty in all its forms and for whatever reason it exists.

Therefore we are here to support -- with all our vigor -- the objectives of the bill before you. We are also here to say that this bill, worthy though it is, will not end poverty in America.

We hope this committee will speedily approve the bill. We also hope the committee will seriously consider making certain improvements in the bill that I will propose in a few moments. We ask for speed because the longer action is delayed, the worse the problem becomes.

But let no one suppose that this bill is enough. It is a step forward. It is an important step forward. Yet is is only one of many which, in our opinion, are equally important.

This becomes clear when we consider the identity of the poor -- the various groups who suffer under family incomes of $3,000 a year or less.

More than half of these families include someone in the labor force -- someone who has a job or is looking for one.

This means that more than half the poverty problem is directly connected with unemployment, low wages and involuntary part-time work. Much more of it, of course, is indirectly connected with these matters.

Another one-third of the poverty-stricken families are made up of people past retirement age. Therefore a third of the problem is related to proper provisions for the elderly.

The remainder of the poor families are those where the traditional breadwinner is dead or disabled, or has run away from his obligations. Most of these families are headed by widows or deserted wives, who cannot at the same time care for their children and earn a subsistence income.

Even this brief summary illustrates the need for a wide range of legislation in addition to the bill we are discussing. Without attempting to offer a comprehensive list, let me mention just a few of the measures which are currently pending.

There now lies before this committee a bill to extend the coverage of the Fair Labor Standards Act to millions of workers who now have no wage-hour protection. Also before you are companion proposals to raise the statutory minimum wage to $2 an hour; to increase the overtime penalty from time and a half to double time; and to shorten the basic work-week to 35 hours.

These measures -- especially the extension of coverage and the increase in the minimum wage -- are an integral part of the anti-poverty campaign. Consider these facts:

Nearly one million Americans are now working for 50 cents an hour or less; that is, $20 a week or less; $1,000 a year or less.

About 12 million Americans are working for $1.50 an hour or less; that is, $60 a week or less; $3,000 a year or less.

This is poverty; poverty among people who are fully employed.

When you translate this down to the community level, the results are shocking. Only a few days ago one of my colleagues on the AFL-CIO Executive Council, John Grogan, who is also an elected official of the city of Hoboken, N.J., gave me a specific example.

Hoboken, as many on this committee know, is located in Hudson County, across the river from New York City. This is an old industrial area, with all the usual problems. Many of the substantial companies have abandoned obsolescent factory buildings and moved elsewhere. They have been replaced by companies whose chief aim is to pay as low wages as the law allows -- and lower if they can get away with it.

So we find that in the small city of Hoboken, there are now 200 fully-employed residents who draw from $100 to $125 a month in supplementary relief. They work a full 40 hours a week; but their earnings do not meet the minimum standards set by the state for families of the size they are supporting.

Bear in mind that these workers -- unlike millions of others -- are actually covered by the Fair Labor Standards Act. They are employed in companies that make small electrical appliances; in candy factories, and in at least one brand-name bakery. They are paid $1.25 an hour, but they cannot live on it.

If this is the condition of workers who enjoy the protection of the federal law, just think of those who are presently excluded from it.

No single step could do more to strike at the roots of poverty in America than universal coverage of all wage-earners under the Fair Labor Standards Act, coupled with an increase in the minimum wage to $2 an hour.

We urge you to make this your next order of business, once the present legislation has been reported.

Also pending before this committee is the whole problem of aid to education at the primary and secondary school levels. This, too, is a vital element in the war on poverty.

The anti-poverty bill you are now considering includes several different educational programs. This is all to the good. But a far broader need is for adequate schools in the first place.

It is necessary at the present time, unfortunately, for the federal government to establish a program that compensates for the shortcomings of the public schools. The problem is there, and it needs to be met. But surely a more sensible approach -- once the emergency has been taken care of -- is for the federal government to promote the improvement of primary and secondary education at the source.

Every chief executive since President Truman has proposed this. A substantial majority in Congress supports it. We urge you to make it a reality.

We do not deny the present necessity for scurrying around putting patches on a faulty educational system. We do reject this as a permanent process. This committee and the Congress did a truly historic job on higher education in the last session; we ask you now to make the job complete.

The paramount issue here is adequate education for our young people. Yet it would be foolish to overlook the fact that providing the necessary school buildings would also provide jobs. This is a classic example of the proposition that social progress produces economic progress, at a rate that many conservatives do not recognize.

There are other vital legislative measures still pending. Three are in the hands of the Rules Committee -- extension of the accelerated public works program; continued and expanded support for the Area Redevelopment Administration; federal aid for the development of mass transit facilities in urban centers.

Awaiting action by the Ways and Means Committee are two more -- hospital insurance for the aged as part of the social security and railroad retirement systems, and federal standards for unemployment compensation.

These five bills -- and there are others I could mention -- are essential to the war on poverty. I will not take your valuable time to discuss them here. I do want to note, in passing, that more than 200,000 jobs are involved in the present accelerated public works program; and, as I said a moment ago, that almost a third of the poor are 65 or older, making the King-Anderson bill more relevant than ever.

Even though these five bills are not in your hands as members of this committee, they are in your hands as members of the Congress. We urge you, as experts in the whole field of poverty, to use your influence, to lobby among your colleagues, in order to bring these and other related measures to the floor of the House of Representatives for a vote.

Perhaps the most striking example of my basic point -- that is, the many-sided nature of the fight on poverty -- is the civil rights bill.

I am well aware that this bill was passed by the House of Representatives by an overwhelming margin. The vote was an inspiring demonstration of the democratic process, which richly earned the gratitude of the nation. And this committee made an invaluable contribution by reporting out a fair employment practices bill, which was incorporated into the omnibus measure.

Yet I say to you now, as I have said many times before, that the achievement of civil rights -- equal opportunity for all -- will never come about through laws aimed only at racial discrimination.

Yes, these laws are needed, and should be passed. Racial discrimination -- and every other kind of discrimination -- is a disgrace to America. Bigotry must be abolished everywhere and that, of course, includes the labor movement.

But our goal -- yours in the Congress and ours in the labor movement -- is not just principle, but practice.

We do not simply want a Negro to have the right to a job. We want a job for him.

We are not content because a Negro may soon have the right to live where he chooses and eat where he chooses, anywhere in America. We want him to have money enough to make a free choice.

I will not belabor the point. I am sure you see it clearly. The bill before you -- and all the others I have mentioned, all the measures that are needed to fight poverty -- are also needed to make the civil rights bill truly effective.

Against this background, let me now turn to the bill itself.

As it now stands, Title I -- and this applies to all three parts -- does not make it clear that existing government programs will be utilized, where appropriate, in carrying out the stated objectives of this title. We have been assured that there is no intention of setting up duplicating government agencies or operations, under this title or elsewhere. We accept those assurances. Surely the fullest use should be made of established government programs where they exist.

Otherwise, members of the committee realize, as we do, that the bill was hastily drafted. Your committee, in the best traditions of the Congress, will undoubtedly tighten and clarify its language.

For example, we are disturbed by the vague description in Title I, Part A of the kind of job training that will be offered to young recruits. Let me put it this way: The Youth Opportunities Act was confined to work on conservation projects, with the recruits clearly limited to work that would not otherwise be done. The present bill -- unintentionally, we are sure -- befuddles the point.

We heartily agree that these recruits should be taught all they can learn, under the circumstances, about the use of tools, about good work practices, and -- when they need it -- reading, writing and arithmetic.

We hope that every one of them who was a school dropout can and will, after his term of service, pass a high school equivalency examination.

But it is not possible -- and it should not be expected or promised -- that these trainees will emerge from the program as skilled machinists, electricians, plumbers and so on. These crafts, as they have now developed, are far too complex and too sophisticated for that.

However, this section -- Title I(A) -- has great potential. These young people can be taught the routine of holding a job, the rhythm of it; the use of tools, the feeling for them, the familiarity with them, how to take care of them; the whole concept of being part of a work-group, with common obligations and, sometimes, common grievances. These simple experiences, which most of us take for granted, are of the greatest importance.

The trainees can gain from this the self-confidence they may have lacked before. They can emerge from the program fully able to read, write and figure, knowing what it means to have a job. And they will thereby be better equipped to make their way in the world.

To mention only one point, they may know what kind of work they want to do -- what appeals to them, and where their aptitudes lie. And if their choice happens to be a craft, many of them will have the right kind of preparation to meet the requirements of apprenticeship.

In general, these same observations apply to Parts B and C of Title I. Work experience is valuable -- quite apart from its financial return -- even on a half-time or quarter-time basis. We heartily endorse the concepts the bill sets forth. We do want to call the attention of the committee to a few specific questions with respect to the language of the work-training and work-study proposals.

The first, I am sure, is simply a technical error. Sections 113 and 123 both include language forbidding work on "projects involving the construction, operation or maintenance of any facility to be used for sectarian instruction or as a place for religious worship." The implication, which we know was not intended, is that "construction" of other kinds may be involved. We suggest that this passage could read "projects to be used for sectarian instruction," and so on, striking the words "involving the construction, operation or maintenance of."

Next, we feel very strongly that the rates of pay described in Section 113 (5) should not be less than the federal minimum wage. We do not believe that any lower amount is, in the words of the bill, "appropriate and reasonable." Setting up a sub-minimum category of $1-an-hour workers is wholly indefensible. In effect it would extend and perpetuate the very evils I discussed earlier. It embraces a concept which this country rejected a generation ago -- that it is all right to pay starvation wages to people who desperately need money. We urge that the language of this section be amended to make it clear that "appropriate and reasonable" starts with the federal minimum and goes up from there.

Turning to Part C: Even if it is taken for granted that there is no intention of putting students to work on jobs for which others would ordinarily be hired, we believe the bill should include the same categorical statement to that effect which is found in Part B.

Title II, Urban and Rural Community Action Programs, strikes us as being in the best tradition of partnership between local communities and the federal government.

There are hundreds, perhaps thousands, of towns, cities and counties throughout the country whose citizens have devoted their most intensive efforts toward meeting the evils that cause poverty.

They have taxed themselves to the utmost to maintain and improve their school systems. They have gone to the limit of their resources in such fields as health, housing, rehabilitation and welfare. They know what else needs to be done, but they lack the money to proceed. Local labor leaders, we are proud to say, have been among the leaders in these efforts in the past, and will remain so.

To cite only one example: Some states and communities, motivated by social responsibility and enlightened self-interest, have tried valiantly to provide decent conditions, including schools, housing and health services, for migrant agricultural workers. They deserve the kind of help this bill offers.

We are pleased that the bill would authorize federal assistance up to 90 percent of the total, and that there is specific emphasis on programs that promise, not just relief, but a permanent escape from poverty for those affected. The provisions for effective coordination of these undertakings are also welcome.

We have an administrative suggestion under this title. We urge that the United States Commissioner of Education be instructed to undertake a study -- with the cooperation of state and local school officials -- to devise ways to make more intensive use of these facilities. An unused classroom is an inexcusable waste when so many Americans need educational opportunities.

As to Title III, we in the AFL-CIO do not pretend to be farm experts. We are aware, however, that agriculture has undergone a technological revolution. We know that production is increasingly concentrated in huge, mechanized "factories in the field"; that vast numbers of small farmers and farm workers have been driven off the land, and that the plight of the remaining small farmers is often desperate.

The result is not only rural poverty but a further increase in urban poverty. We are concerned on both counts.

We hope to see the American farmer able to take full advantage of modern agricultural technology, without losing the social values of the family farm. This, as we read it, is the purpose of Title III; and therefore it has our support.

We also endorse the objectives of Title IV. The AFL-CIO has long recognized the many difficulties faced by small business, including, among others, shortage of capital and inadequate management know-how. It is now proposed to link assistance to small business with jobs for the long-term unemployed. This is an imaginative concept, well worth trying.

We do call your attention to one possible pitfall. Great care should be taken to insure that the small businesses which are assisted or established under this program pay their workers a living wage. We see no advantage in using federal funds to help an enterprise whose employees -- as in the Hoboken example -- need public relief to make ends meet. The purpose of this bill is to fight poverty, not enlarge it.

In this connection, full use should be made of the experience and know-how of the Area Redevelopment Administration, which has been coping with very similar problems.

The pilot projects set forth in Title V, which, as we understand it, are aimed at finding more effective ways to keep families together when the head of the household is jobless, are surely worthwhile. This is one of poverty's most tragic aspects. We are glad that the safeguards established in the Social Security Act, with respect to compensation of those trained or assisted, are specifically included.

It is undoubtedly clear to the committee at this point that our suggested changes -- although we feel they are important -- are aimed at strengthening the bill, not affecting its basic nature.

As I said at the outset, we support this legislation. We support it strongly. We believe it is urgently needed.

But let me emphasize again, this bill, by itself, will not solve the problem of poverty. When the Congress enacts this measure -- and we hope the action will be forthcoming without undue delay -- neither the members of Congress nor Americans generally can sit back, brush their hands and say, "Well, that's that; we have taken care of poverty."

This bill can mean much to the people of America, and especially the young people. It will help to overcome their educational shortcomings. It will give them work experience - a form of basic training, if you will, for their future careers. It will help to keep deserving but needy students in college.

But all of this will be of no avail, in the long run, unless they have somewhere to go when they finish. The job corps, work-training, work-study -- fine. But then what?

I have seen, as you have, a number of studies proving that there is a direct connection between education and unemployment -- that very few college graduates, and a relatively small proportion of high school graduates, are out of work.

True enough. But there are some who interpret these statistics to mean that if only everyone finished college, everyone would have a job. This is upside-down logic.

What the figures really mean is that better-educated people have a far better chance of landing the jobs that are available. If every one of the 4½ million workers who are now unemployed could suddenly be equipped with a Ph. D., we would still have a great many unemployed. They might not be the same people, and there might not be quite as many, but they would still be counted in the millions. And poverty would still be with us.

To fight the poverty that now grips one-fifth of the nation; to build a society in which every youngster has a full and equal opportunity to develop his talents and to use them, there must be jobs at good wages for every American who is able and willing to work.

Where are these jobs coming from?

There is no sign that they will be forthcoming, in adequate numbers, from private, profit-making enterprises.

Over the decade from 1953 through 1962, according to our analysis of the government's figures, the number of full-time jobs provided by such enterprises actually declined by some 400,000.

This is the basis for our deep conviction that public works must take up the slack, and thereby bring about -- by stimulating consumer purchasing-power -- a reversal of the trend in the private sector as well.

When I say public works I use the expression in its broadest sense -- not just highways and airports and postoffices but schools, housing and hospitals. I know there is a deep-rooted feeling in America that public works by government is mere "spending," while the outlays of private capital are "investment." This is just not so.

When this country, through the Congress, appropriates money for education, for health, for the services and facilities the people need -- yes, and for the jobs that result from all these -- it is making the best of all possible investments.

We are here to urge you to expand this investment, an investment aimed at ending poverty in America.

This bill will not do it. No single bill will do it.

The tax cut was a good start. The measure now before you will go another part of the way. But the other bills I mentioned at the start -- and more besides -- are vital if the war on poverty is to be won.

It can not be said too often or too strongly: The final answer is jobs, jobs, jobs. Jobs -- jobs at good wages, jobs for all -- are the only real answer to poverty, and, indeed, to the future of our nation.

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THE ECONOMICS OF RACISM by Michael Harrington

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If all the discriminatory laws in the United States were immediately repealed, race would still remain one of the most pressing moral and political problems in the nation.

Negroes in this country are not simply the victims of a series of iniquitous statutes. The American economy, the American society, the American unconscious are all racist. If suddenly all the laws were framed to provide equal opportunities, a majority of the Negroes would not be able to take full advantage of the change. There would still be the vast, silent, and automatic system directed against men and women of color. For to belong to a racial minority is to be poor, and poor in a special way. It is to live within a vicious circle of poverty which has been institutionalized for well over a century. Legislation which segregates buses or lunch counters is only part of this process.

Some optimistic people do not understand how deeply racism is established in American life. Given time, they argue, these people will rise in the society like the Irish, the Jews, the Italians and all the rest. But this notion misses two decisive facts: that the Negro is colored, and no other group in the United States has ever really faced this problem; that the Negro of today is an internal migrant who will face racism wherever he moves, who cannot leave his oppression behind like a Czar or a potato famine. To be equal, the Negro requires something much more profound than a way "into" the society; he needs a transformation of some of the basic institutions of the society.

Perhaps the simplest way to point up the racism of the American economy is to recall a strange case of jubilation. Late in 1960, the Department of Labor issued a study, "The Economic Situation of Negroes in the United States." It noted that in 1939, non-white workers earned, on the average, forty-one per cent as much as whites; and that by 1958, their wages had climbed to fifty-eight per cent of those of whites. Not a little elation greeted this announcement, with some editorialists citing these statistics as indicating that slow and steady progress was being made. (At this rate, the Negro would reach parity with the white some time well past the year 2000.)

To begin with, the figures were somewhat more optimistic than the reality. Part of the Negro gain reflected the shift of rural Negroes to cities, and Southern Negroes to the North. In these cases, the people involved increased their income by going into a more prosperous section of the economy as a whole. But within each area - Northern city, Southern City, agriculture, - their relative position remained the same: at the bottom. Part of the gain, then, was the result of economic geography rather than of the workings of the society. Then taking a depression year (1939) as a base and comparing it to a year of recession (1958) also tended to exaggerate the advance, for Negroes in 1939 were particularly victimized.

Another important aspect of the problem was obscured by the sweeping comparison most editorialists made between the 1939 figures and those of 1958. Even the Department of Labor figures themselves indicate that the major gain was made during World War II (the increase from 1939 to 1947 was from 41.4 per cent of Negro males to 54.3 per cent.) In the postwar period, the rate of advance slowed down by two thirds. Moreover, most of the optimism was based upon figures for Negro men. When the women are included, and one takes a median family income from the Current Populations Reports, Negroes form from 51 per cent of white family income in 1947 to 57 per cent in 1952 and then declined back to the 1947 levels by 1955;

But even without these qualifications, the fact is stark enough; that the United States found cause for celebration in the fact that Negro workers had reached 58 per cent of the way to the wage level of white workers. And this situation is deeply imbedded in the very structure of the American economy.

For one thing, Negroes in the United States are concentrated in the worst jobs. A third continue to live in the rural South, most of them merely subsisting within an economy of poverty and a society of more or less open terror. The third who live in Southern cities, and the third who live in Northern cities, have bettered their position when compared to the sharecropper. But they are in the lowest paying jobs, the jobs hardest hit by recession, and they are in any case hired last and fired first.

Thus, according to the Department of Labor, in 1960 four per cent of Negro employees were "professional, technical, and kindred workers" (compared to 11.3 per cent for the whites). 2.7 per cent were "managers, officials and proprietors" (compared to 14.6 for the whites). At the economic and status top of the occupational structure, in short, there were 6.7 per cent of the Negroes -- and 25.9 per cent of the whites. And this, in itself, represented considerable gains for the Negroes as compared to 1940.

Going down the occupational scale, the Negroes are primarily grouped in the lowest-paying, dirtiest jobs. In 1960, 20 per cent of the whites had high skill industrial jobs, while the Negro share of this classification was 9 per cent. Semi-skilled mass production workers and laborers constituted around 48 per cent of the Negro male populations (and 2.53 per cent of the white males.) When it comes to Negro women, one confronts a discriminated minority within a minority. According to a New York State study, Negro female income as a percentage of white actually declined between 1949 and 1954 (and, in 1960, over a third of Negro women were still employed as domestics.)

In part, this occupational structure of the Negro community in the United States is the inheritance of the past. It reflects what happens to a people who have been systematically oppressed and denied access to skill and opportunity. If this exhausted the problem, there would be a basis for optimism. One could assume that the Negro would leave behind the mess of pottage which the white American has bequeathed him, and move into the future at a much improved rate. But that is not the case. For the present position of the Negro in the economy has been institutionalized. Unless something basic is done, the situation will reproduce itself for years to come.

Take, as an example, the problems of automation. This has caused "structural" unemployment throughout the American work force, i.e., jobs have been destroyed and not just temporarily suspended. When this happens, the blow falls disproportionately upon the Negro. As the last significant group to enter the factory, the Negroes have low seniority (if they are lucky enough to be in union occupations) and they are laid off first. As one of the least skilled groups in the work force, they will have the hardest time getting another job. The "older" Negro (that is, above forty) will certainly never find another job as good, and he may well be condemned to job instability for the rest of his life.

All of this is immediate and automatic. It is done without the intervention of a single racist; yet it is a profound part of racism in the United States. In the long run, however, automation will pose an even larger problem. The new structure of American industry is doing away with semi-skilled jobs and dividing the workers into polar groups; the highly skilled technicians, the unskilled sweepers and janitors, the low-paid workers of various service industries, the unemployed. At this particular point in time, the deficiency in skill and education which America has imposed upon the Negro becomes a special burden. It means, in some cases, wiping out the gains made by semi-skilled workers in mass production industries. Generally, it points toward the concentration of Negroes in even lower sectors of the economy.

Much of this is "automatic", that is the consequence of an economic structure which has absorbed the consequences of racism and thereby hurts the Negro whether there is malice or not. However, there is another aspect of the situation which does involve conscious racism. In 1960, according to the report of Herbert Hill, Labor Secretary of the National Association for the Advancement of Colored People, Negroes made up only 1.69 per cent of the total number of apprentices in the economy. (The exact figure offered by Hill has been disputed; the shocking fact which he describes is agreed upon by everyone.) In short, Negroes were being denied the possibility of changing their plight.

The main cause of this problem is the attitude of management, which fundamentally determines hiring policy. But in the case of apprenticeship programs, the labor movement and the Federal and state agencies involved also bear part of the responsibility. The exact assignment of blame has been a controversial subject recently, yet no one has really questioned the existence of a problem of tremendous magnitude and consequence.

Thus Negroes in the United States are concentrated in low paying jobs, in non-union jobs, in jobs without seniority. Where they are union members, they have low seniority. They suffer discrimination in both hiring and firing, and they tend to be grouped in occupations which are peculiarly vulnerable to unemployment (in the current recession, the Negro unemployment rate is over fourteen per cent, i.e. about twice that of whites). And they are not becoming the prime victims of the revolution in technology taking place in the United States.

These facts should make it possible to define the peculiar characteristics of Negro poverty, its special miserable place in the general American culture of poverty. The Negro finds himself in this plight because of what has been done to him throughout American history: he has been systematically prepared for taking the lowest position within the economy. In this context, the past weighs upon the Negro present. But at the same time, the Negro arrives at this impasse at a particular time in American history; not, as was the case for the great immigrant waves, during a period of movement west, of growth and expansion but rather when growth rates are slackening, when automation is destroying the mechanism whereby a man could gradually work his way up the skill ladder even if he lacked education. In this context, the present weighs upon the Negro future. If the "automatic" trends are left to themselves, American industry will continue to produce racism as a basic commodity.

It would, however, be a mistake to reduce the plight of the Negro to a consequence of the workings of unconscious economic laws. The attitudes and prejudices of American Society reinforce the tendency to keep the Negro at the bottom of the occupational structure. And the fact that the Negroes have the worst jobs, the lowest incomes, the most miserable neighborhoods, in turn reinforces racist attitudes. It confirms all of the stereotypes: that Negroes are lazy, inefficient, stupid, and so forth. Not only are these people held down, a majority of them at levels well below and standard of decency, they are then reviled for being where society put them.

Perhaps the easiest way to pinpoint the effect of a non-automatic and conscious racism is to see what happens when a Negro does get an education and begins to move up within the economy North, South, East, and West, the pattern is the same: Negroes are paid less than whites, with the same educational background; and the more educated a Negro, the more he is discriminated against in this regard. Herman Miller, one of the best known authorities on income statistics has computed that the white Southern college graduate receives 1.85 times the compensation of his Negro counterpart; and in the North, the white edge is 1.59. This kind of situation is the result of something more than automatic laws of the market, for it demonstrates that the Negro is paid less even when he has the skill, and that this aspect of discrimination increases as he becomes educated.

Indeed, the office is one of the main problem areas in the system of discrimination. Office work is regarded as more personal, more social than the factory. To at least some of the people involved, integrated working verges on the integration of the neighborhood or the home, and it is resisted mightily. The result is that Negroes are cut off from advancement into the better paying, higher status jobs by a wall of management and white-collar prejudice. (In 1960, almost a third of white women were in the office; the figure of Negro women was 8.9 per cent.)

This social isolation finds its classic expression, of course, in the ghetto. As a result of the segregation of neighborhoods, it is possible for a city like New York to have a public policy in favor of integration, and yet to maintain a system of effective segregation. In the mid-fifties, for example, New York public school system took a look at itself, dividing the schools into Group X with a high concentration of Negroes or Puerto Ricans, and Group Y where the Negro and Puerto Rican population was less than ten per cent of the student body. They found that the X schools which Negroes attended were older and less adequate, had more probationary and substitute teachers, more classes for retarded children and fewer for bright pupils. This situation had developed within the framework of a public, legal commitment to integrated education (some steps have been taken to remedy this situation, but it is still basically the same.)

But the other groups in the United States live in ghettoes when they first came. Isn't this simply a repetition of the pattern which obtained for the Irish, Jews, Italians, and the others? The enormous difference here is one of visibility. The talented and adventurous white immigrant could establish a store outside of the ghetto, could get a better job outside of the ghetto, eventually could rise in a profession outside of the ghetto and then move. But the Negro takes the sign of the ghetto with him wherever he goes: like the Jew under Nazism wearing a Star of David, he is always identifiable, he will always excite what prejudice there is.

This becomes more of a problem the higher up in the economy one moves. The bright son of an immigrant family who got an education could begin to move in the society at large. He could be an Irish lawyer, or a Jewish doctor and have white, Anglo-Saxon Protestant clients and patients. But, outside of government service and a few other areas, the Negro professional is confined to the Negro world. Even when there is success, racism limits it.

All of this has had a profound effect upon the Negro psychology. Some theorists believe that Negroes have a lower level of aspiration, of ambition, than whites because of their position in the economy and in the society. But, in a study of the New York State Commission Against Discrimination, an even more serious situation was described; one in which Negro children had more aspiration than whites from the same income level - but less of a chance to fulfill their ambition.

In this study, Aaron Antonovsky and Melvin Lerner described the result as "a pathological condition...in our society." The Negro child, coming from a family structure, was forced to reject the parents, and to put forth new and different goals for himself. At the same time as the level of aspiration was thus higher than that of the white children (who would feel the bitterness of their material poverty less, since it was not mixed with the degradation of racism) their ambitions were much more unrealistic, for they continued to live in essentially the same world as their parents.

In a sense, there is a symmetry in the social impact of racism in the United States. White American keeps the Negro down, and then uses the fact that the Negro is on the bottom of the pile as an argument for keeping him there, as a definition of what the Negro naturally is. On the one hand, the Negro is enough of an American to participate in the cult of success and of advancement believing that he should rise in the society like everyone else.

On the other hand, the Negro is not enough of an American (because the whites will not let him be) to participate in the fact of success and advancement in proportion to his numbers. Prejudice and hatred from the whites join with impossible ambition and disillusion from many Negroes and together they create a psychology or racism, a society of racism, even when all the statutes say very nice things.

This whole process of economic and social discrimination is a vicious circle (the concept of the vicious circle was originally put forward in this field by Gunnar Myrdal). In the last quarter of the nineteenth century, racist laws played an important part in establishing this pattern by effectively nullifying the emancipatory potential of the Civil War. Today, almost a century later, the laws are a small part of the problem, and the pattern has become institutionalized.

All of this can be expressed quite simply: that America has decreed a particular kind of poverty for its racial minorities, that it will not let them out. This impoverishment breeds an inability to take advantage of the opportunities of the society, even when they do open up. If this situation is to be changed, it will be the result of a massive shift in public policy. That is the only force strong enough to deal with this complex situation.

Once it is realized that the problem of the Negro is the problem of institutionalized poverty, then the fate of the Negro is inextricably mixed with the fate of the poor generally. If, for instance, the scandal of American housing were really challenged, that could have an enormous impact upon this whole problem. Miserable housing is probably the largest single problem of the poor generally, the force that creates and recreates poverty in generation after generation. Sharing this plight with all poor people, the Negro adds to it the indignity of the ghetto. If there was a public housing program which built the value of integration into its work, if it were decided that the ghetto was to be eradicated from the cities of America, it would mean more than decent housing for the Negro. It would mean a frontal assault on one of the prime mechanisms of racism in American Society.

On the job, the situation is perhaps even more difficult. The Negro is the most injured victim of automation: the Negro "type" of job is being destroyed at a much faster rate than those in which white workers are concentrated. To deal with the whole problem is going to require an enormous governmental effort, one which will include funds for retraining, for a different type of educational system, and for some kind of planning of industrial growth and location.

In a sense, this technological crisis offers America a unique opportunity. For if the nation were to attack the problem as a whole, if it were to deal with structural unemployment, it could at the same time change the position of the Negro within the economy. Any serious program aimed at providing displaced workers with skill and opportunity will automatically help the Negro as a Negro, if it does not contain racist features. The authority to act against discrimination in governmental and government-related employment already exists. If it is coupled with a program to deal with the consequences of automation, the social gain would be enormous.

Yet, one wonders. Housing and automation are two of the most crucial and controversial problems of American society generally. As they become more and more obvious in the late fifties, resistance to the effort required to deal with them increased. The forces of conservatism prepared for a bitter fight. Politically, the Negro is a minority and consequently incapable of putting across these programs on his own. His fate, as so often happens in this nation of profound "unofficial" racism, depends largely on what the white folks do.

If, as is quite possible, America refuses to deal with the social evils of structural unemployment and miserable housing, it will at the same time have refused to deal with the problem of race. There will be speeches on equality, there will be good Court decisions, and the United States will move toward a constitutional definition of itself as completely egalitarian. The Negro, from within his world of double poverty (almost as if there were a race class condemned to be poor) will watch all this bitterly. There will be occasional celebrations - perhaps the next one will be called in twenty years when the Negro nears seventy per cent of the white wage level. But nothing basic will have changed.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, FIRST SESSION

Discrimination in Employment

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 31, 1961

Mr. CURTIS of Missouri. Mr. Speaker, in the recent Republican Policy Committee's study project, Operation Employment, a number of facets of the employment question were discussed. In the process of making that study, one major emphasis was on the problems of progress, the fact that the dynamism of our economy has brought about severe manpower shortages in the skilled labor categories at the same time the economic value of other skills has been lost through new procedures and new machines. Herbert Hill, the labor secretary of the National Association for the Advancement of Colored People, recently addressed himself to that matter, and the related matter of discrimination in employment, in his testimony before the House Committee on Education and Labor on H.R. 8219. Mr. Hill's statement is a significant one and I believe that it deserves wide attention. For this reason, I am placing it in the RECORD at this point:

STATEMENT OF HERBERT HILL, OF NEW YORK, N.Y., LABOR SECRETARY OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, BEFORE THE COMMITTEE ON EDUCATION AND LABOR OF THE HOUSE OF REPRESENTATIVES, AUGUST 22, 1961

Mr. Chairman and members of the committee, my name is Herbert Hill and I am labor secretary of the National Association for the Advancement of Colored People whose national office is located in New York City at 20 West 40th Street. I wish, first of all, to thank the committee for this opportunity to appear and to comment on the bill relating to apprenticeship training now under consideration.

I appear in support of H.R. 8219 which proposes to withdraw Federal support and approval from apprenticeship programs which operate on a discriminatory racial basis.

We strongly urge the passage of this bill because we believe that the Federal Government and all of its agencies must as a matter of basic policy withhold its sanction and its financial support from apprenticeship training and other programs refusing to admit Negroes and members of other minority groups.

Today, the American economy is characterized by a great paradox in relation to manpower utilization, for in the midst of the serious rise in unemployment during the past 2 years many jobs are going begging because of a lack of skilled workers. Even in such a critically jobless area as Detroit and other industrial communities where there has been a continuous and alarming rate of unemployment, industry has been unable to find an adequate supply of skilled craft workers and there is every indication that this problem will continue to become ever more serious.

For every 100 skilled workers that the Nation had in 1955 it will need 122 in 1965 and 145 in 1975, yet all of the available data clearly indicates that the Nation's apprenticeship programs as well as other training programs are not even turning out enough new craftsmen to replace those who retire. Automation and other technological changes in the economy have greatly increased the demand for skilled workers and currently, the large appropriations for national defense also significantly increase the demand for skilled workers and technicians. It is now clear that in the next decade the entire American economy will be faced with a serious crisis because of the lack of skilled manpower.

A major factor contributing to the irrational, wasteful and socially harmful operation of the Nation's apprenticeship training programs is the color discrimination and racial exclusion which characterize apprenticeship training programs in major sectors of the economy in the North as well as in the South. Discrimination in apprenticeship training programs is also greatly responsible for the fact that for the past 3 years Negro unemployment has been almost consistently two or three times greater than the total unemployment rate and that nonwhite workers today make up a very large portion of the hard core permanently unemployed group in American society. In Chicago, 17.3 percent of Negro workers are jobless whereas 5.7 percent is the community's total unemployment rate; in Detroit, with over 185,000 unemployed, 112,000 are Negro; 10 percent of the Negro work force in New York City is unemployed compared to 6.4 percent of the total work force; in Pittsburgh, 24 percent of Negro workers are unemployed as against 11.6 percent for the community total; in St. Louis, Mo., the unemployment rate is 8.4 percent while Negro unemployment is 20 percent; in Philadelphia, Negro unemployment is 28 percent as against the total unemployment rate of 7 percent; in Gary, Ind., Negro unemployment is 44 percent while 6.3 percent is the rate of unemployment for the community and in Columbus, Ohio, where the total unemployment figure is 5.6 percent, Negro unemployment is over 10 percent.

The current status of the Negro wage earner is characterized by drastic change and crisis. Many traditional sources of Negro employment as on the Nation's railroads and in mass production industries are rapidly disappearing as a result of automation and other technological changes in the economy. The fact that there is such a great concentration of Negroes in the ranks of the unskilled and semiskilled means that the increasing introduction of advanced methods of production causes the large scale displacement of Negroes previously employed in unskilled jobs. Already one can cite many instances where a highly trained white man and a new machine have replaced a significant number of unskilled Negro workers. The virtual exclusion of Negroes from apprenticeship and other training programs forces them to remain as marginal employees in the economy and directly affects the economic well-being of the entire Negro community as it removes potential sources of stable employment in high-income occupations from the group.

For many occupations the only way a worker can be recognized as qualified for employment is to successfully complete apprenticeship training programs. This is true for the printing trades, among machinists and metalworkers, in the various crafts in the building and construction trades industry and many others. By apprenticeship we mean registered programs that consist of formal on-the-job training and related classroom instruction in the theory, content and techniques of a great variety of skilled craft occupations involving a minimum or 4,000 hours of instruction with a rising scale of wages for each 1,000 hours of participation.

Recent studies such as that made by the New York State Commission Against Discrimination, as well as by the National Association for the Advancement of Colored People, clearly indicate that no significant advances have been made by Negroes in those craft union apprenticeship training programs which have historically excluded nonwhites. An examination of available data makes evident that less than one percent of the apprentices in the building and construction industry throughout the United States are Negro. In the 10-year period, 1950–60 in the State of New York, the increase of Negro participation in building trades apprenticeship programs rose only from 1.5 percent to 2 percent. The executive secretary of the NAACP, Roy Wilkins, recently stated that "given a continuation of present rates of advance, it will take Negroes 138 years, or until the year 2094 to secure equal participation in skilled craft training and employment. Surely this condition will not be accepted by Negroes and we hope it will not be countenanced by others."

Open access to plumbing and pipefitting apprenticeship controlled by the Plumbers Union is a very rare experience for young Negroes in the North as well as in the South. Similarly Negro youth are almost completely excluded from apprenticeship programs operated by the Sheet Metal Workers Union, the Lathers and Plasterers Union, the Ornamental and Structural Iron Workers Union and from other craft unions operating in the construction industry.

Among the most important of the building trades craft unions is the Carpenters Union which has severely limited the opportunities of colored craftsmen by organizing segregated Negro locals (in those instances where Negroes are permitted to join) and giving them jurisdiction over areas where there was little or no construction or prospect of construction. In addition, Negro locals are subjected to jurisdictional raids by all-white units, these latter being much better situated in terms of resources and power. This is true both in southern and northern areas where the jurisdiction of the Negro local is usually limited to the Negro ghetto, and therefore, Negro carpenters are barred from employment on the major construction projects. As a consequence, many Negro carpenters have left the trade entirely.

The railroad craft unions as well as the railroad operating brotherhoods remain adamant in their opposition to Negro craftsmen and openly bar apprenticeship opportunities to Negro youth. Almost equally exclusive are the printing trades unions. In a survey made by the National Association for the Advancement of Colored People of the seven major New York City newspapers, we find that with the exclusion of building services and maintenance personnel, less than 1 percent of those employed on the major newspapers are Negro. Virtually all of the Negroes employed on these newspapers are in the white collar jurisdiction of the New York Newspaper Guild.

We estimate that less than one-half of 1 percent of those currently employed in the newspaper crafts outside of the guild's jurisdiction are Negroes. This includes printing pressmen, compositors, photoengravers, stereotypers, paper handlers, mailers, and delivery drivers. As far as apprenticeship training for these crafts are concerned we have been unable to detect a single instance where Negroes have been recently admitted into a training program in the newspaper crafts in the city of New York or in other major cities in the United States. Primarily, these craft unions are motivated by a continuing security consciousness and are opposed to any lessening of restrictions on the number of craftsmen employed in a given trade. Exclusive control is perceived as being directly beneficial to craft unions in the collective bargaining process and the expansion of the supply of artisans is still thought to be essentially detrimental to union power. Thus, potential Negro craftsmen are prominently among those denied opportunities in these fields.

In the recent report entitled "Made in New York: Case Studies in Metropolitan Manufacturing," published by Harvard University, we are told that "Negro and Puerto Rican women who are on the lower rungs of the city's economic ladder, have become important in the New York garment industry, but they work mainly in the more standardized branches and with few exceptions * * * they do not become highly skilled tailor-system workers on dresses or 'cloaks.' As a result, a shortage of skilled sewing machine operators is developing."

A recent study made by the Council for Civic Unity of San Francisco revealed that Negroes are not participating in the electrical, plumbing, and carpentry apprenticeship training programs in that city and that only one Negro served as an apprentice in the metal trades. A report made by the Michigan Fair Employment Practices Commission entitled "A Study of Employment, Training and Placement Patterns in the Michigan Area" indicates the exclusion of Negro youth in the structural steel, sheet metal, lathers, and tile setters apprenticeship programs in Kalamazoo, Grand Rapids, and Muskegon. The Connecticut Commission on Civil Rights has published a study entitled "The Training of Negroes in the Skilled Trades," which concludes that a similar condition exists in virtually the entire State of Connecticut. In a study entitled "Negro Employment Practices in the Chattanooga Area" it was found that there was an absolute ban on apprenticeship opportunities for Negroes in the building trades and other reports indicate that the same condition exists in many other Southern States. A major factor contributing to the permanently depressed status of Negro workers in the South is that in the new industrial centers rapidly developing in the Southern States the technical training programs offered in the segregated Negro vocational schools are extremely limited and frequently were found to be obsolete in terms of modern industrial technology.

In Fort Wayne, Ind., not a single Negro participates in the apprenticeship training programs conducted by either the electricians union, the Plumbers & Steam Fitters or the Mason & Plasterers Unions; in Milwaukee, we are unable to find a single Negro in apprenticeship training and the same holds true for Minneapolis in relation to the building trades, the printing trades and the metal crafts industry. In Newark, N.J., where there are 3,523 apprentices currently participating in approved apprenticeship training programs there are exactly 2 Negroes enrolled; in New Orleans, not a single Negro apprentice is to be found in electrical installation, plumbing, painting and other building trades apprenticeship programs; in Philadelphia, less than 4 percent of the apprenticeship trades are accessible to qualified Negroes; in St. Louis, Mo., there are no Negro apprentices in the following training programs: electrical, plumbing and steamfitting, carpentry, masonry, cement finishers, lathers and painters. There is one Negro apprentice at a nonunion Negro-owned sheetmetal company. It is estimated that there are exactly 14 Negro apprentices in St. Louis. These are: six bakers, one bricklayer, two machinists, one sheetmetal worker and four meat cutters; in Tulsa, Okla., not a single Negro apprentice; in Springfield, Ill., not a single Negro enrolled in any registered apprenticeship training program; in Warren, Ohio, there are no Negro apprentices in the building and construction trades crafts; in Washington, D.C., there are no Negro apprentices in the following crafts: electrical, plumbing and steamfitting, masonry, lathing, and plastering. However, there is one Negro in the carpenters' apprenticeship program. This data is indicative of the national pattern.

In most of these programs the role of the labor union is decisive because the trade union usually determines who is admitted into the training program and, therefore, who is admitted into the union. There appears to be a complete lack of uniformity in local union apprenticeship practices even within a given international union. Thus, the constitution of the International Brotherhood of Electrical Workers (a major offender in this regard), dated July 1956, page 46, section 15, reads: "Each local union has power to adopt its own apprenticeship training or helper rules as the condition of each community may require. But after apprentice or helper has worked 6 months under the sponsorship or jurisdiction of a local union he shall be admitted or initiated into the IBEW through the local union and the local union shall send to the international secretary per capita tax as provided in article X."

Most frequently apprentices are indentured by joint labor-management apprenticeship committees which are established in many crafts and industries where this organizational form provides the most practical method of sponsoring skilled craft training. Joint apprenticeship committees are usually composed of equal numbers of management, labor, and public representatives in any given trade. For all practical purposes, however, joint apprenticeship committees are very frequently controlled by the labor organization and represents the interests of particular craft unions in formal training systems. This appears to be especially true in the building trades where joint apprenticeship committees predominate.

Craft unions also play an important role in the recruitment and selection of apprentices through their relationship to employer indenturing units. These relationships may range from simple acquiescence in management's choice of apprentices, to unilateral selection of apprentices by the craft union as in Cleveland where apprentices are directly indentured to Local 38 of the International Brotherhood of Electrical Workers.

Labor unions also exercise control over apprenticeship manpower through its ability to dispatch apprentices via hiring hall procedures in de facto closed shop situations. In these circumstances, craft unions have the power to either promote or prevent the admission of individuals or of an entire class of persons.

By means of these controls, craft unions are frequently the decisive factor in the recruitment process in many apprenticeship programs and often directly prevent Negro youth from becoming skilled craft workers via the established route of apprenticeship.

A careful analysis of most apprenticeship training programs currently operating in the printing trades, the metal crafts, the construction industry, and in many other skilled craft occupations will clearly indicate the utter lack of a system of objective standard criteria for admission into apprenticeship training. At the present time there is no objective basis for determining admissions. Persons are admitted or not admitted because of nepotism and the caprices of certain union officials acting in collusion with management. The Bureau of Apprenticeship and Training of the U.S. Department of Labor in certifying apprenticeship programs in effect provides the sanction of the U.S. Government for a variety of antisocial practices of which racial discrimination is one important aspect.

On the level of the small shop and local union, the tradition of racial discrimination has now become deeply institutionalized. A form of caste psychology impels many workers to regard their own positions as "white men's job," to which no Negro should aspire. These workers and, often, their union leaders, regard jobs in their industries as a kind of private privilege, to be accorded and denied by them as they see fit. Often, Negroes are not alone in being barred from such unions, which attempt to maintain an artificial labor shortage. This is especially true of trade unions in the building and construction industry and printing trades, which have much of the character of the medieval guild. On the local level, the tradition which sustains discrimination is to be found among skilled workers in big industry as well as among craftsmen, and in the North almost as commonly as in the South.

The discriminatory policies and practices of craft unions described here are in direct contravention of 24 State statutes which prohibit the barring of employment opportunities on the basis of race or color. They appear also to be in opposition to the intent of Executive orders prohibiting discriminatory employment practices in the fulfillment of Federal Government contracts. Clearly, this is in direct violation of the ethic of a democratic trade union movement operating in a free society.

But the record will clearly indicate that the national labor federation and the affiliated old-line craft unions have refused to tackle this problem seriously and they have not to any significant degree eliminated the traditional national pattern of Negro exclusion from trade union controlled apprenticeship training programs in a variety of skilled craft occupations. The repeated protests of Negro workers from all over the country as well as the detailed reports and requests for action made by the NAACP and other civil rights organizations to the AFL–CIO have proved to be a futile exercise. Therefore, it is absolutely essential that the Federal Government, acting through the Department of Labor, assume its proper responsibility in this urgent matter by refusing to subsidize with public funds racial discrimination in apprenticeship training programs. The passage of H.R. 8219 is not to be regarded as a substitute for the vitally needed Federal fair employment practices legislation, but if vigorously and intelligently enforced it could have a very real effect in eliminating discriminatory racial practices in the Nation's apprenticeship training programs.

Recently the NAACP secured the admission of a Negro for the first time into the sheet metal apprenticeship training program in St. Louis, Mo. In an unusual procedure, the association secured certification from the Bureau of Apprenticeship of the U.S. Department of Labor for a nonunion firm owned by a Negro. This occurred after local 36 of the Sheet Metal Workers International Association had repeatedly refused to admit Negro applicants into its apprenticeship training program and had prevented the participation of the Negro-owned company in apprenticeship training programs conducted by the industry. The owner of this company (Kennedy and Sons Sheet Metal Shops), offered to have his employees join local 36 of the Sheet Metal Workers Union but the membership applictions of the Negro workers were refused by the all-white local affiliate of the AFL–CIO.

Recent action by the New York State attorney general, acting at the request of the National Association for the Advancement of Colored People, made possible the admission of the first Negro into the apprenticeship training program operated by the Plumbers Union in the State of New York.

A sustained program of activity by the Oregon Fair Employment Practices Commission and the State apprenticeship council resulted in the admission of Negroes for the first time into various apprenticeship programs conducted by unions affiliated to the Oregon AFL–CIO Building Trades and the Metal Trades Councils. These isolated actions, however, are completely inadequate as they do not eliminate the broad national pattern of Negro exclusion from apprenticeship training programs.

Increasingly, apprenticeship and other forms of technical training become the heart of fair employment practices. The continued exclusion of Negro youth from such programs, especially those controlled by AFL–CIO craft unions in the printing industry, the building and metal trades and in other craft jurisdictions, prevents thousands of young persons from realizing their full human potential and dooms them and their families to a marginal economic existence. It is in this area that the disparity between the public relations pronouncements of the AFL–CIO on civil rights and the day-to-day reality for Negro workers is most sharply outlined.

Federal and State agencies perform a variety of functions directly and indirectly in the operation of apprenticeship training programs. The National Apprentice Training Act (Public Law 308, known as the Fitzgerald Act) was passed in 1937 and established the Apprentice Training Service as a constituent unit of the U.S. Department of Labor. In 1942, an Executive order transferred the Service to the War Manpower Commission. In September 1945 the Apprentice Training Service was returned to the Department of Labor by Executive order and is now called the Bureau of Apprenticeship and Training.

In several instances there are industrywide apprenticeship committees. Among the most important of these are to be found the general committee on apprenticeship for the construction industry consisting of leading representatives of contractor and labor organizations which acts as a coordinating body for apprentice training for all branches of the construction industry and helps to promote the development of national and local apprentice training programs. A number of national employer associations and trade unions have set up apprenticeship committees which meet as joint labor-management committees to develop national trade and apprenticeship standards and to encourage local employer and trade union affiliates to establish training programs in conformity with the national standards.

Federal, State, and local governments can make a decisive contribution to eliminating discriminatory racial practices in the operation of apprenticeship programs by immediately withholding all forms of support from discriminatory apprenticeship training and insisting on nondiscrimination as a basic criteria for certification as an accepted and registered apprenticeship program.

The Bureau of Apprenticeship Training of the U.S. Department of Labor, in giving certification to an apprenticeship program, provides the legal basis for public subsidies to apprenticeship programs. The Federal Government, through grants-in-aid coming from the U.S. Office of Education of the Department of Health, Education, and Welfare, provides funds which subsidize apprenticeship training programs in many States. The Federal Government, therefore, is directly subsidizing discrimination in the skilled trades whenever a trade union or employer excludes Negroes and members of other minority groups from admission into a registered apprenticeship training program.

State governments also provide a variety of public subsidies in the operation of these programs, and municipal and county boards of education in thousands of communities across the country subsidize offending apprenticeship programs by permitting the use of public school buildings, providing instructors, power and materials as well as in a variety of other ways.

As is apparent, Federal, State, and local governments are significantly involved in the operation of apprenticeship training and very much so in terms of providing the essential subsidies without which most of these programs could not operate. It is equally clear that governmental agencies have not, with very few exceptions, exercised their considerable power to assure that apprenticeship training programs are open to all youths regardless of race, creed, color, or national origin.

The National Association for the Advancement of Colored People believes that Federal and State agencies must as a matter of basic policy refuse certification and withhold funds and other forms of subsidization from apprenticeship training programs refusing to admit Negroes or members of other minority groups, that municipal and county boards of education immediately withdraw all forms of support from discriminatory apprenticeship programs including the use of vocational school buildings and other facilities; that management institute fair employment policies and insure their fulfillment by subordinate employees and that the great industrial corporations operating with U.S. Government contracts must begin to comply with Federal Executive orders prohibiting bias in employment.

We further believe that apprenticeship agencies have the responsibility of establishing an atmosphere of equality of opportunity in which integration may be achieved by individual apprenticeship units especially in the matter of recruitment procedures and the establishment of objective standards which will be uniformly applied in accepting or rejecting applicants.

All of the foregoing should take place in the context of full employment and economic growth and should be given the highest priority by the basic institutions of American society, with the understanding that there is an urgent need to make possible the complete realization of the abilities and talents of all of our citizens if the United States is to continue to function as a powerful and free nation in a world where industrial power is decisive.

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The Negro drive for more jobs

What it means to business

Page 52

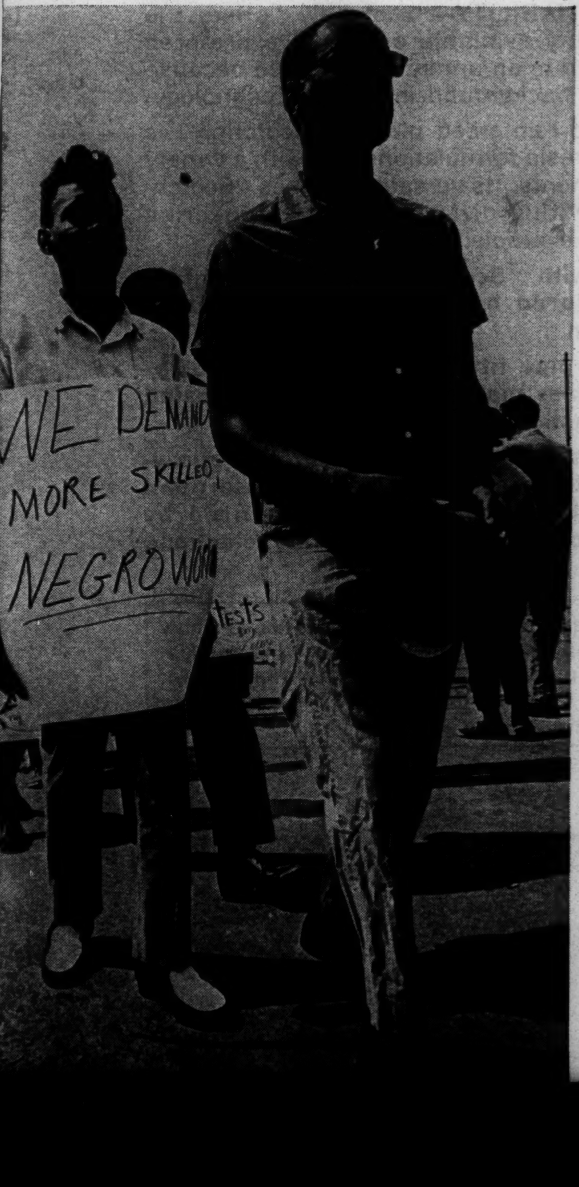
The Negro drive for jobs

Picketing and boycotts make up a national phenomenon of a sort that U. S. businessmen have rarely had to face

The crux of the problem is a vicious circle: inadequate education, inferior opportunity. It's hard to break

Companies all across the country are facing this thorny problem in different degrees and in different ways

The summer of 1963 may well go down as a landmark in the history of American industry. With a forcefulness few businessmen ever expected, Negroes nationwide are pressing, individually and in well-organized groups, for more jobs and better jobs. In its drama and impact, the campaign is comparable to the American worker's drive to unionize at the turn of the century.



At first, the boycotts, picketing, defiant slogans, and rallies looked like the kind of phenomenon that might boil up during a torrid summer, then fade away in the fall. But within the past month, the sporadic outbursts have turned into a drumfire of employment demands.

Expanding storm. The Negroes' insistence on establishing their equality of civil rights has moved well beyond the narrow spheres of lunch counters and restrooms. The drive has shifted rapidly from the dime stores and bus depots of the South to the offices, laboratories, and factories of industrial centers across the country. Social reform may be the Negroes' avowed goal and dominant "mood"—witness the call for a massive civil rights parade in Washington at the end of the month. But the hard core of what the Negro wants—the thing that has the most direct meaning for him and for those who must cope with this demand—is employment.

Upgrading employment

Just recently, the Negro community in many parts of the country has developed a cohesiveness and determination it never had before.

What primarily has accelerated the drive for jobs is the emergence of a group of articulate, dynamic Negro leaders. They differ among themselves in tactics. But most of them share a common goal—that of shaping formless Negro desires for a better lot into a powerful movement to obtain jobs.

Negro leaders insist that the task of raising the Negroes' employment status must start right now and must move at a fast pace. Even the Urban League, the most conservative of the predominantly Negro leadership groups, is calling for a "Marshall Plan" for the Negro.

The League's executive director, Whitney M. Young, Jr., explains that this means, in part: "Discrimination in reverse—special treatment, reparation, special consideration, indemnification, compensatory attention, call it what you will—in the hiring of Negroes by industry."

Young's associate, Mahlon Puryear, outlines the demand further: "When industry first really got going in the U. S., it had to train the men it hired to equip them for their jobs. What we want is a return to that approach by industry. The Negro worker of 1963 is just as much in need of—and just as deserving of—on-the-job training to fit him for decent employment as any white worker was in 1900."

Low on totem pole. It's easy to see why the Negro is pushing so hard now not only for more jobs, but for better ones. The charts (pages 56 and 57) show part of the reason for impatience:

- The Negro generally gets jobs at the lower end of the pay scale—jobs that may be among the first to disappear under the impact of industrial automation.
- Once he loses one of these jobs, it may be a long time before he finds any new employment. On an average last year, one out of every 9 to 10 Negro workers was unemployed—almost double last year's unemployment rate among whites.

The spread of automation is not the only menace for the Negro worker. Any business contraction hits him, because he is so often working in an expendable job and has low seniority in his union.

Among the Negroes with jobs, roughly 17% were in white-collar

Aggressive picketing (left) and parades underscore the Negro's new insistence on better job opportunities. Demands are aimed at unions as well as employers.

work last year. By contrast, almost half—47%—of white workers hold white-collar jobs. The bare figures show the picture even more clearly: White workers in white-collar jobs outnumber Negroes in similar jobs by 29-million to 1-million.

I. The many roots of the trouble

No matter how anxious a company might be to move Negroes into better jobs—whether to comply with fair employment laws, to build up a good public image, or to meet the demands of a socially conscious chief executive—it is likely to find itself in a vise. For the estimates of Negro attainments in higher education (page 56) highlight the most difficult of all the elements in the drive for Negro advancement.

No really firm figures on the number of Negro graduates in the physical and social sciences are kept, but these estimates, made by Negro educators themselves and by professional associations, show a glaring disparity between the proportion of Negroes in the population and of their representation among college graduates.

Even below the level of higher education, there's a great gap between white and non-white attainment. Among adults, some 43% of white men have high school diplomas, but only 22% of non-white men have them. A high school diploma is about the absolute minimum qualification needed for the vast majority of jobs that open up in industry today.

Indeed, in many cases, the worst economic disadvantage that a Negro faces today is not prejudice based on the color of his skin but his lack of preparation for the kinds of job that make up more and more of the work in this country.

Why prepare? One reason is that few men, whatever the color of their skin, will devote years of their lives working their way through college to prepare themselves for jobs they have been conditioned to consider closed to them because of their race.

If the vicious circle begins anywhere, it probably begins here: poor education, leading to low pay, leading to sharply limited opportunity to break out of Negro "Ghetto" housing, leading to little or no inspiration for the next generation, and leading back to poor education in often overcrowded and predominantly Negro schools.

Breaking the circle. Since the Supreme Court decision of 1954 that ruled against segregated public schools, Negroes have tried to break the circle decisively at many different points. Progress, as the record shows, has been slow.

Even for Negroes who do break the circle, better education does not always improve job opportunities in the same way as it does for a white man. Last year, according to Labor Dept. figures, some 11% of white men with a year or more of college were working in low-paid, low-skill jobs. By contrast, 33% of Negroes with similar qualifications were filling lower-end jobs.

Says one Negro leader: "There are more Negroes with B. A. degrees working in the Atlanta Post Office than the total number of white workers there."

Direct attack. Frustrated by their limited success in other efforts at reform—in education, in housing—top Negro leaders today seek to strike hard and directly at the place that counts: the employer's door. By this approach, they hope to produce much faster and much more tangible results than by pressure at any other point.

Moreover, Negro leaders now see job opportunities as the key to all the other aspects of their civil rights fight. With this, many others agree.

Pres. Kennedy in his June 19 civil rights message to Congress said: "Employment opportunities play a major role in determining whether civil rights are meaningful. There is little value in a Negro's obtaining the right to be admitted to hotels and restaurants if he has no cash in his pocket and no job." So now, as never before, the real pressure of civil rights action is directly on the business payroll.

Government's policy

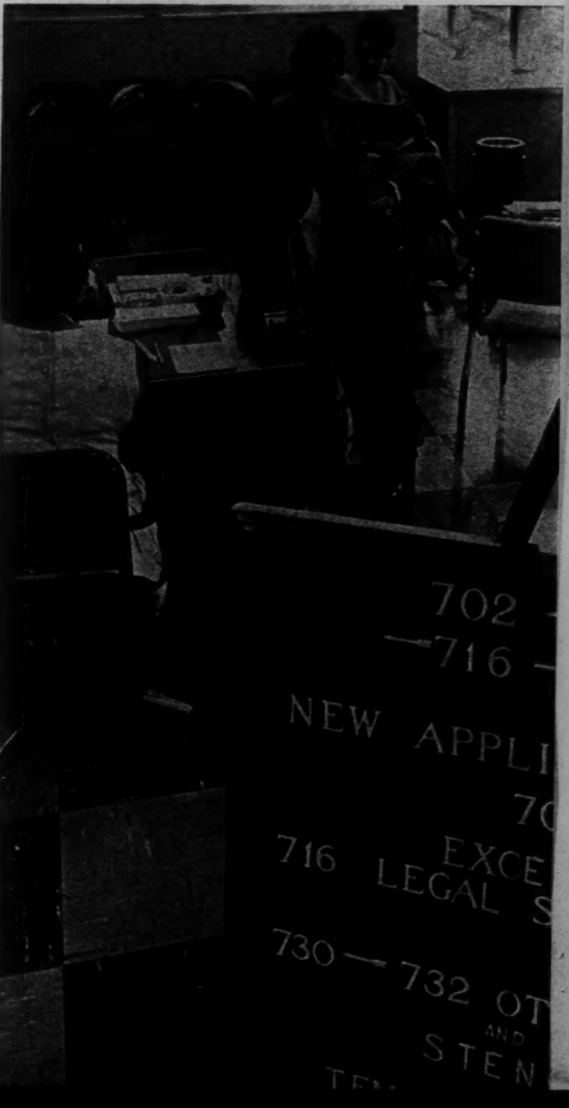
What does this mean to business? There is no single answer. The effects vary from industry to industry, and often from company to company.

There are, first, the federal and state fair employment laws that help Negroes break down job barriers where they exist. The strongest potential weapon probably is the President's Committee on Equal Employment Opportunity (CEEO). This group, set up two and a half years ago as an outgrowth of an earlier agency, watches over companies that hold government contracts of $10,000 or more. It has the right to insist that they hire and promote men without racial discrimination, and the power ultimately to withdraw government contracts from companies that refuse to follow the rules.

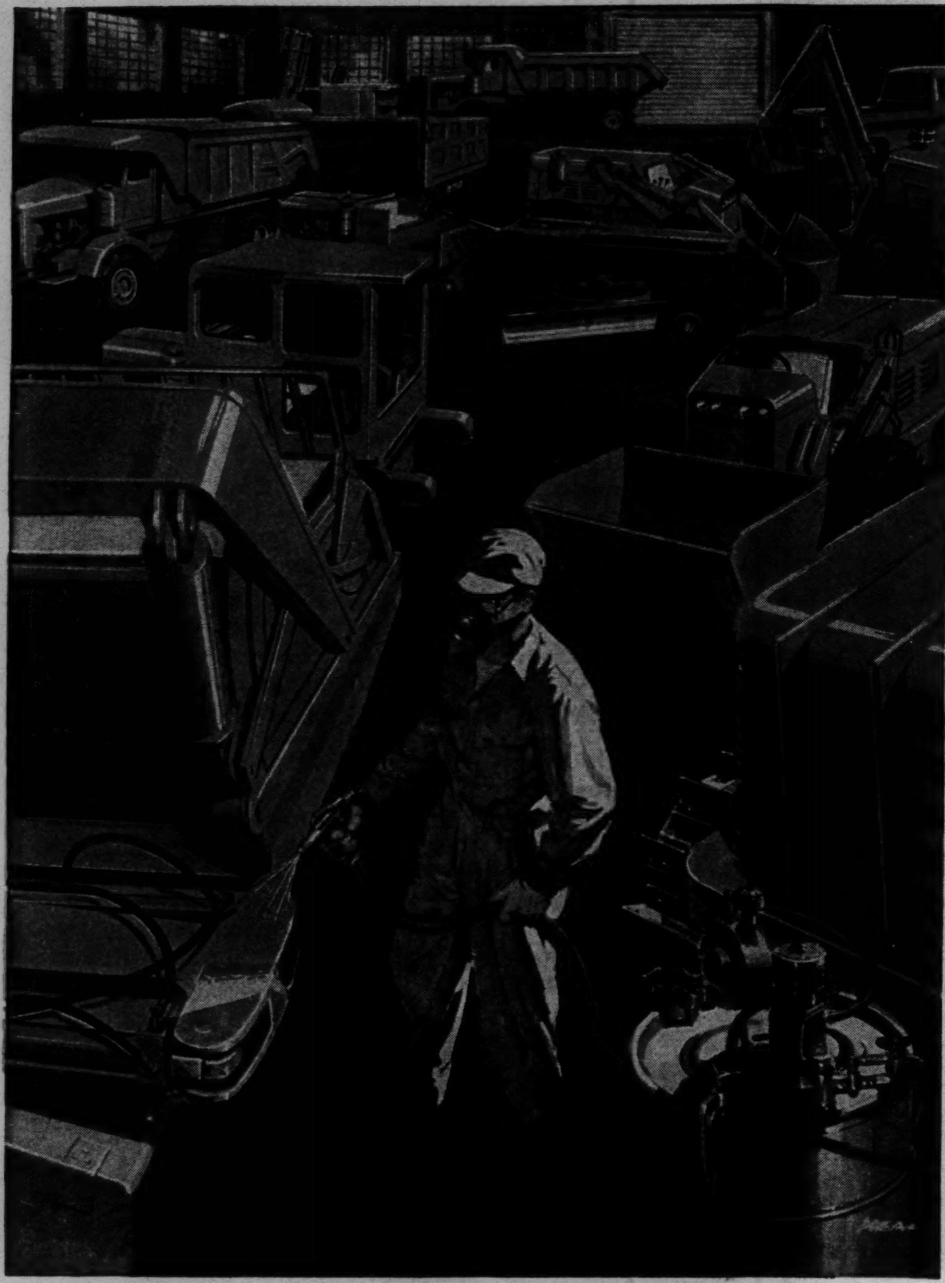
Showing results. It's difficult to assess just how effective the program has been in getting Negroes hired and promoted. There are outstanding cases, such as the integration of Lockheed Aircraft Co.'s Marietta (Ga.) plant, where Negro technicians were fed into an almost all-white force [BW Jun.3'61,p23].

In all, some CEEO staffers claim, 30,000 new jobs have been opened to Negroes and other minority group workers since the committee started work. Others say the figure is too high—and, in fact, is impossible to estimate.

The committee is largely a clearing house for complaints and an agency for the persuasion of business. Day-to-day enforcement of the non-discrimination orders is left up to the government agencies that let the contracts. The Defense Dept. and the General Services Adminis-



Routine channels for white-collar job applications (right) are still used by Negroes, but they feel it's the noise in the street that wins jobs for them.



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tration do most of the government's buying, so they are the two agencies most deeply involved in this work.

Power of persuasion. Ralph Horton, Jr., a one-time classmate of Pres. Kennedy, administers the Defense Dept.'s part of the program among its 15,000 to 20,000 contractors and subcontractors. Says Horton: "We don't go out with a club. We fully realize that we must have the cooperation of industry. We have made no cancellations yet. In fact, the idea of the cancellation of a contract is more in the contractors' minds than in ours."

Horton and his counterpart at GSA, A. Henry Rosenfeld, regard themselves as part bargainers, part salesmen. "We don't tell companies that they have to go out on the street and hire Negroes," says Rosenfeld. "We just ask them to take applications and put everyone on an equal basis."

Some crackdowns. Despite these soft words from the day-to-day enforcement officers, the committee itself has cracked down on a few companies that, it charges, persistently violate the non-discrimination clauses in government contracts. It has yet to withdraw a contract for this reason, but, explains Hobart Taylor, Jr., the committee's vice-chairman:

"We have other weapons we can use. Among other things, we circulate a blacklist among various government departments listing companies that don't hire Negroes. We don't actually say that contracts can't be awarded to these companies, but contract officers get the idea—and so do the companies themselves, eventually." Currently, there are about a dozen companies on the list, Taylor says.

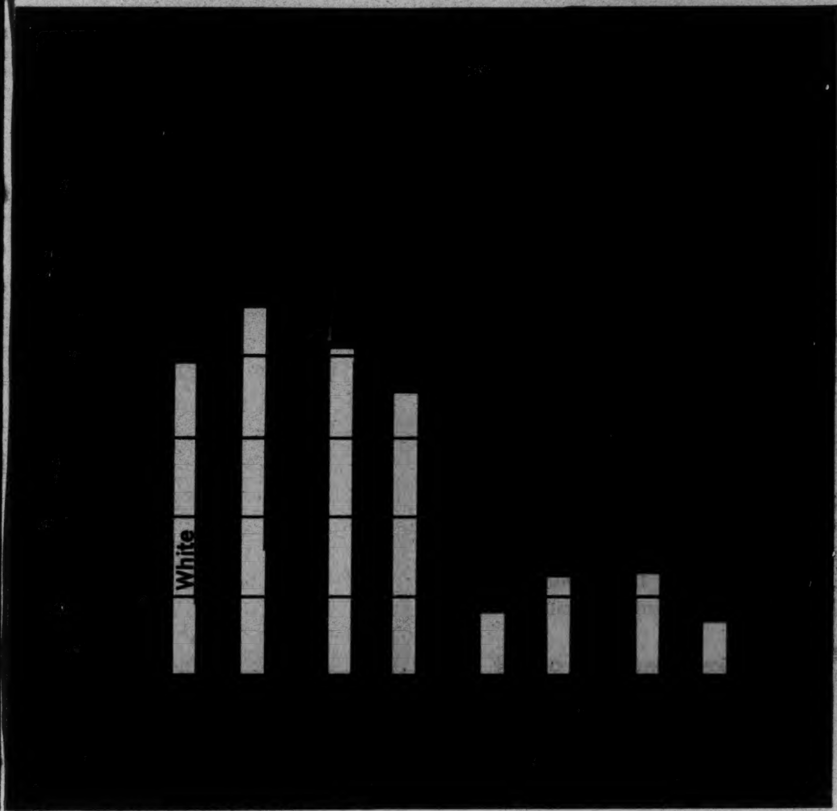
Unions, too, fall within the committee's jurisdiction and, working through the Labor Dept., it has pressured several foot-dragging union leaders into opening their ranks to Negroes.

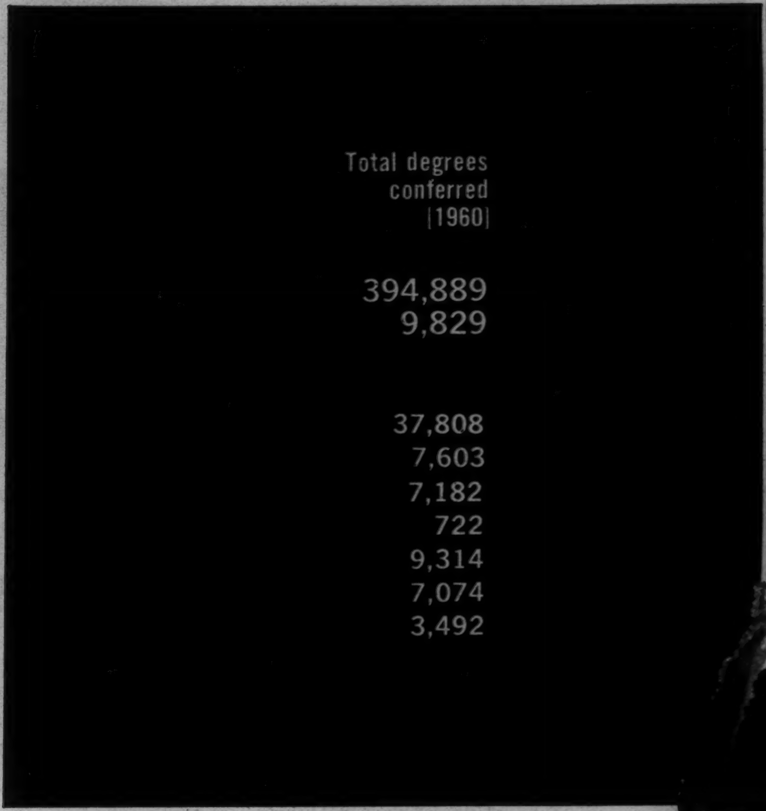
Such Administration efforts have done some good, many Negro leaders agree, though they still complain that enforcement of both federal and state fair employment rules has been weak. At the heart of these rules is the concept of achieving more or less voluntary compliance.

The theory is that the "converted" are more likely to increase job opportunities for Negroes beyond a mere minimum than companies that are pushed hard and penalized. That theory undoubtedly has some firm grounds—but it's by no means the fastest route toward meeting the Negroes' job demands.

It doesn't smack of a domestic

The heart of the Negro job problem





"Marshall Plan" for Negroes, nor of "preferential" treatment. Still, it does rankle some businessmen, who object to further federal encroachment on their operations.

The boycott weapon

Beyond the laws lies direct action, a technique that the activists among the Negro community have learned and put to work only in the last few years.

Their first full-scale effort at direct action took place in Philadelphia more than two years ago. Early in 1961, a group of Negro ministers declared a boycott of Sun Oil Co., with the slogan: "No more Sunoco till your preacher says so!"

Months of buildup. Two months before, a group of six ministers had called on John H. Ashenfelter, Sun Oil's assistant director of personnel relations.

"They were pleasant and businesslike," says Ashenfelter. "They wanted to know our philosophy toward Negroes, how many Negroes were working for us, and what problems, if any, we had in Negro employment. . . ." Some kind of unmentioned disturbance lay behind this, but neither side made any threats.

A month later, the six ministers returned. They had an ultimatum this time: 30 Negroes had to be hired or upgraded by Sun Oil within 30 days or else there would be a boycott.

"We told the ministers that we wouldn't hire except for bona fide job openings," says Ashenfelter. "We agreed with their objectives, except for the time element." But the 30-day ultimatum remained; the Negro ministers were adamant.

Just before the deadline, the six ministers again visited Ashenfelter to find what Sun Oil had done about Negro employment. By then, seven Negroes were among new employees at the Philadelphia headquarters. This wasn't enough for the ministers. The following Sunday, they announced the boycott from their pulpits.

How it worked. The boycott was well publicized in the Negro press. It was not mentioned in the major metropolitan dailies of Philadelphia. The boycott lasted about 10 weeks. One Sunoco station in the Negro neighborhood of Philadelphia had pumped 30,000 gal. of gasoline each month before the boycott; in one month after the boycott began, it sold only 14,000 gal. Several months later, the dealer went out of business.

Around the tenth week of the boycott, Ashenfelter got in touch with the ministers, told them that Sun had complied with virtually all of their demands. Once they had checked employment records, the preachers told their congregations they could buy Sunoco again.

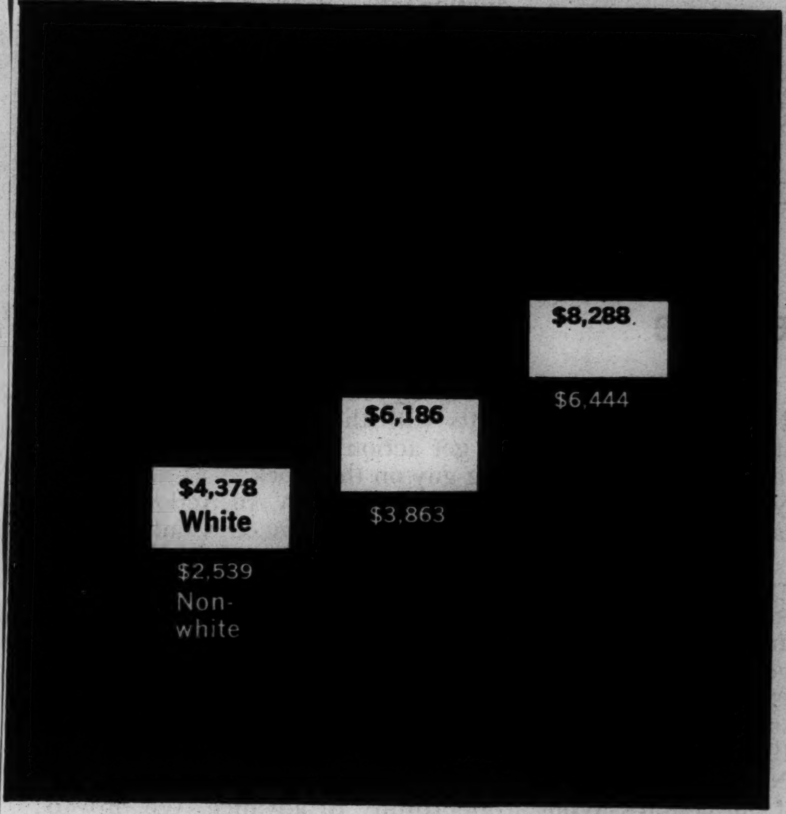
Today, Ashenfelter says: "This is with us to stay. And you have to make a really determined effort to solve the problem. You have to go out and find them."

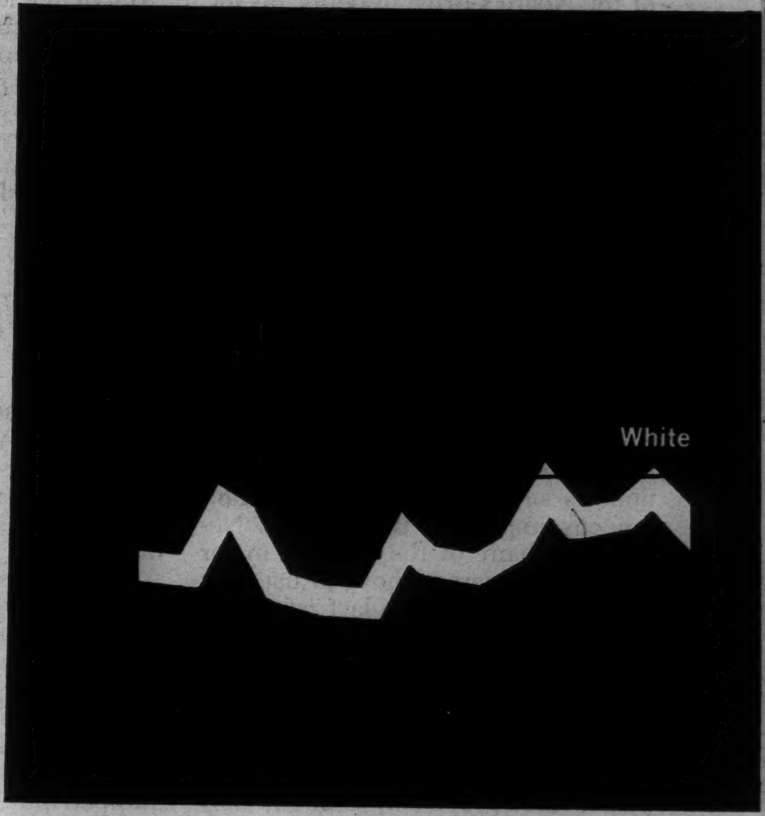
Model for others. Those Philadelphia ministers, the first to strike at a national company, have been in steady demand in scores of other cities. Negro groups in many other parts of the country have called them in for advice on setting up citywide boycotts. They have guided groups from Boston to Atlanta.

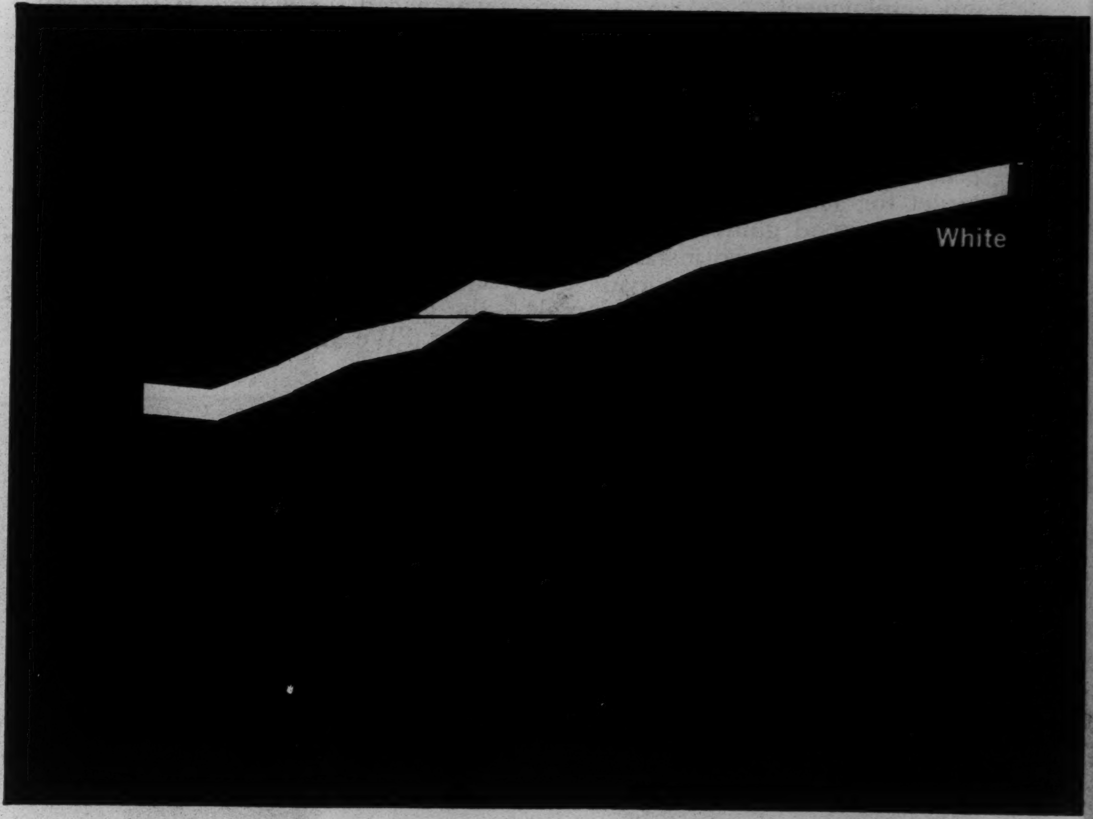
Often, neither the National Assn. for the Advancement of Colored People nor the Congress of Racial Equality is behind a boycott at its beginning. Usually the push comes from groups of Negro ministers, for much of the life of the Negro community revolves around the churches. CORE and NAACP join the pressure after the ministers have begun their work. It is through these agencies that a boycott can become wider, spreading to a state, a region, or to the whole nation.

Bigger targets now

Such pressure gets the fastest results when it's directed against companies such as bakeries, oil market-







ers, or supermarket chains, which deal directly with the consumer. But boycott groups are not hesitating to take on industrial giants that might have thought themselves immune.

Several groups in the Midwest are threatening to set up boycotts of General Motors' products [BW Jul. 20'63,p32]; their threats are based more on GM dealers' attitudes toward Negro employment than on the record of the company, whose chairman, Frederic G. Donner, has pressed the hiring of Negroes.

The threats against GM also illustrate one tactic of the selective buying groups: To get maximum public effect from a boycott, they usually shoot at the biggest possible target. In this way some of the Bell System companies have been threatened with picketing, even though some of them have been pioneers in hiring Negroes. Says one Negro leader: "The phone companies are good targets. They're always sensitive about their public image."

The Urban League stands as something of a go-between in such situations. For years, it has helped many major companies find Negroes with technical training or college educations that fit them for better-paying white-collar jobs.

It has done this for companies that moved toward Negro employment before the pressure began. Now that the pressure is on, the League is busy setting up an inventory of skilled Negroes capable of filling good jobs in industry.

Obviously, it expects to be a lot busier in the next few years. "There are going to be many more selective buying campaigns around the country," says associate director Puryear. "And they won't just be directed at companies that serve consumer markets directly. They'll hit big industrial companies, too."

Business is the target. Out of all

this, it seems certain that for the foreseeable future:

- Business will be the prime target of the Negro's drive to better his lot.
- There will be times of high tension while the drive continues, for few companies have any plan to move with the speed that Negro leaders are demanding.

None among the scores of companies to which Business Week reporters talked in the last few weeks has any intention of giving preference to Negro job applicants. None has any thought of carrying out a "Marshall Plan."

On the other hand, most companies are coming to grips with the employment problem by methods far less drastic. A closer look at several situations reveals that for companies there are many variations on the Negro problem—and many solutions.

II. How companies take Negro pressure

Of all the pressures that a Negro community can use to force more of its members onto industry's payrolls, none is so direct or of such instantaneous impact as the boycott. Negroes in many of the nation's major cities have learned how to use this technique only in the last couple of years.

It can produce some heady results. Because of its impact and its freshness as a weapon in their hands, some Negro groups have lately been launching boycotts against companies that previously thought they had established good records in Negro employment.

Business, with some pained surprise, is finding that a good record on Negro employment is no guarantee against a boycott; indeed, a boycott may hit a company simply because it's the biggest available target for action. And if the recent past is a good guide to the future, there'll be more such instances, and the targets will be companies in consumer goods industries—largely in the food industry.

Direct attack. How does a boycott get started? What can a company do to defend itself against one? What damage can a boycott do? And what can a businessman do to settle the dispute?

The details vary from city to city, from one company to another. But there is a pattern, and it shows up clearly in the boycott launched early this spring against Continental Baking Co.'s business in Boston.

On Mar. 23, 1963, a sizable part of Boston's Negro community stopped buying Continental's Wonder Bread. The immediate reason was a call for a boycott issued by the Boston Action Group—a loose biracial federation of college students, Negro ministers, and other Negro community leaders. This group first turned up on the doorstep of Continental's Boston plant (one of a nationwide chain of 84 bakeries) last December.

Choice of target. They picked Continental, says Noel Day, one of the group's leaders, for several reasons. "We wanted to open job opportunities at levels that weren't open to Negroes before. Continental did employ Negroes, but only in production jobs—dead-end jobs, with no commissions or chances to move up, and jobs that would be the first to be abolished when automation came along.

"Second," says Day, "bread's a good staple item, and housewives can easily switch from one brand to another."

Finally, says another Boston Negro leader: "We understood that Wonder Bread was the biggest-selling brand in the Negro community. That helped make Continental the target, because you have to fashion boycotts with the idea that if you want to get action you have to tackle the big guy on the block."

First encounter. An Action Group committee first faced Continental's New England personnel manager Donald Morrison.

Says Morrison: "They claimed we employed Negroes only in menial, low-paying jobs. We brought out wage scales to prove that Negroes worked in several different job levels, all with union wages. Then the group claimed that these workers had no opportunity to advance. We proved that several of our Negroes have moved up. Finally, the group accused us of not hiring Negroes as driver-salesmen who work on commissions. It's true that we had no Negroes in those jobs, but no qualified Negroes had applied for them, and a few of our Negro production workers who had been offered the jobs had turned them down."

The first encounter ended with no more than a general exhortation to Continental to hire more Negroes.

Specific demands. Two months

Breakaways from the vicious circle

[illegible] some sense of a goal.

Labor relations worker Richard C. Wells at North American Aviation's Rocketdyne Div.

[illegible] White at [illegible] maker H. H. [illegible], Inc.

later, the Action Group reappeared and lodged specific demands. Continental's Boston plant, they said, must hire 12 Negroes within 30 days or face a boycott. Of the 12, there were to be five driver-salesmen, four secretaries, two production workers, and one truck driver.

"We told them," says Morrison, "that we have a low turnover at the plant, that it's not unusual to have no more than 12 openings in a year, much less in a month."

Continental's personnel director Robert Doonan says: "As I recall it, we told the group: 'We've demonstrated that we don't discriminate against anyone, therefore we won't promise a thing.'"

For one more month, nobody made a move. Then, on Mar. 11, the Action Group again faced Morrison at Continental. "We told them," says Morrison, "that we'd hired no more Negroes because there had been no job openings. And they told us that a boycott would soon begin."

Mystery. Continental didn't simply wait for it to hit. Morrison and others went to the local branches of NAACP and the Urban League for advice. The company's most pressing problem by now was to find out just who would direct the threatened boycott, so counter-action might be taken.

Different members of the Action Group had appeared at each of the three meetings. It was something of a mystery to the company just who were the group's leaders, or even whether there were leaders in a confederation so loose.

There was good reason for the Action Group's looseness. Boycotts such as the one it was planning—and ones other similar groups have directed in other cities—are of doubtful legality. For the boycotters, who describe their work by the euphemism of "selective buying," safety from injunctions lies in large numbers, loose organization, and widely diffused responsibility.

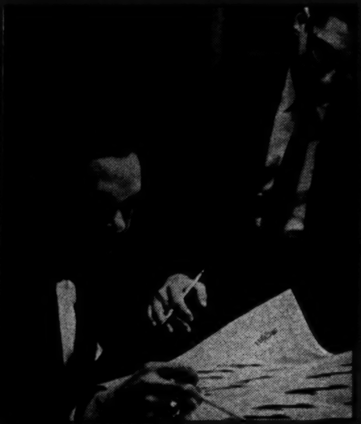
Too late. NAACP and the Urban League did help Continental locate a central group of about a dozen Negro neighborhood ministers. But by then, the boycott had started on Mar. 23.

Grocery stores in Negro neighborhoods had been persuaded not to stock Wonder Bread. Ministers preached the boycott from their pulpits. Some 200 block captains in Negro areas distributed pamphlets.

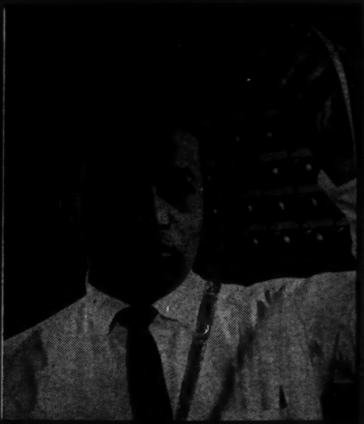
In all, Continental estimates that 32 stores were affected, that it lost about 2% of its weekly gross sales in the Boston area—an estimated $1,000 to $2,000 a week. The Action Group claims the loss to Continental ran closer to $6,000 to $7,000 a week—a claim that's dismissed by the company.

Solution hammered out. By mid-April a solution was brewing. It was not negotiated. It did not involve compromise for either Continental or the Action Group. Though it differs in these details from a "typical" solution, the results still illustrate sharply some of the difficulties that a company faces when hit by a racial boycott.

First, the April schedule called for Continental to introduce a new line of bread to the Boston area. This required hiring nine new driver-salesmen. At the same time, two jobs opened up through the deaths of



Advertising account executive Thomas J. Brown at Marvin & Leonard in Boston.



Systems designer Leonard Massey is technical staffer at Hughes Aircraft Co. in California.

two of the company's veteran driver-salesmen. Continental promptly asked the Urban League to send qualified Negroes to apply for the jobs. The company advertised the job openings in the Negro press; Negro ministers spread word about the jobs. Of the 11 openings, five were filled by Negroes. The Action Group's leaders agreed that Continental had shown good faith, and it called off the boycott.

Lessons learned. Whatever the price of the boycott, both sides learned some lessons. The Action Group, says leader Day, "demonstrated to the people that they could accomplish things, and got a company to understand it has a responsibility to aggressively seek out Negroes."

Continental has taken the lessons of its Boston boycott to heart. Says Doonan: "We've learned how important it is to meet the leaders behind these things. At many of our other 83 plants across the country we're making contact with Negro leaders. We're finding that they're men who understand how industry can play a part in the Negro movement, not by the aggravation of industry but by the cooperative give-and-take of economic opportunities."

In Boston and elsewhere, Continental now advertises job openings in the Negro press. Says Morrison: "From the boycott I learned, to my surprise, that Negroes won't answer a want ad in the regular Boston papers. They have a problem of self-segregation, and advertising in the Negro press is one way of eliminating their 'that-job-isn't-for-me' attitude."

Union side. There have been lessons, too, for the third—and unconsulted—party in all this: the unionized workers at Continental's Boston bakery. Says Joseph Hartnett, business agent for Local 20 of the American Bakery & Confectionary Workers Union: "We felt the boycott was a bit unfair. This company, in particular, wasn't discriminating."

The white salesmen-drivers were the ones most directly hit by the boycott. They lost a slice of their commissions.

Since the settlement, all sides agree, there has been no friction. Nor is there any loss of sales in white communities where Negroes have now taken over as driver-salesmen.

After-effects. "This whole thing," says Doonan reflectively, "could have been very serious for us if it had spread."

For a nationwide company, the seriousness is plain enough. For any

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company, though, a boycott can easily have an impact that lasts well beyond the short period when it's officially "on."

Indeed, as a director of CORE puts it: "The long-run effects of a boycott give us a pretty potent weapon when we're negotiating with a company over more and better jobs for minority groups. It's easy enough to call one, but we know that they're not so easy to call off. People can readily get into the habit of not buying a particular line of goods—and they can keep on doing without them.

"We do what we can to let people know, when a settlement is reached, that a boycott is called off. We send out releases to all the Negro newspapers. But we've got plenty of other things to do, and we can't spend too much time helping a man restore his business. He shouldn't have got himself in a position to be boycotted in the first place."

Back in the 1920s, he points out, the elder Henry Ford lent his influence to the dissemination of the so-called "Protocols of Zion"—a strongly anti-Semitic tract—and many Jewish groups called for a boycott of Ford products. Forty years later, there's still a faint residue of that boycott in some parts of the country.

Against the wall. In Atlanta a few months ago, Negro groups called a boycott of Highland Bakery, Inc., when the company refused to meet their demands for more Negro employment. Highland has since filed a voluntary petition in bankruptcy.

Neither the Negro group nor the bakery's attorney suggests that it was the boycott that pushed Highland to the wall; in fact, says Highland's counsel, the bakery was in financial trouble long before the boycott.

But the question remains: Can a boycott give the death-blow to a company that's in trouble?

Steady pressure

The impact of the Negroes' drive for more and better jobs grows a lot less instantaneous and formidable in many other areas of business—especially for giant corporations with a wide range of products. Nevertheless, the pressure is there, even if it is not discernible as direct action by Negro groups.

In 21 states, mostly the heavily industrialized ones, there are enforceable fair employment practice laws. Through a wide range of manufacturing industry runs the writ of the President's Committee on Equal Employment Opportunity, with its power—as yet unused—to cancel contracts held by companies that refuse to be "color-blind" in their hiring practices. And beyond the law of the land there is, in many major companies, the influence of the top executive.

Executive pressure. There is, for instance, the case of the chairman of one of the nation's major electronics companies who, at a meeting of more than 300 of the company's top engineers last year, looked over the group and commented: "I'm surprised that I see no Negroes present."

That was enough to throw the personnel department into a flurry of activity. By the next meeting of the engineers' group, at least three Negroes were among them.

In many major companies, such influence from the top has for years spurred the hiring of Negroes for jobs beyond the clerical staff and the production line. But even for those who have long engaged in a conscious effort to recruit Negroes for better-paying jobs, there are still some severe problems.

Carbide's experience. Take, for example, the case of Union Carbide Corp., a company that for the last half-dozen years has had a man on its industrial relations staff with the prime duty of keeping watch on the company's employment of Negroes and other minority group members.

"Like most other companies," says Robert M. Mahoney, "we didn't employ more than a handful of Negroes until World War II. Then came the manpower shortages and the fair employment laws. For us, as for most others, the process of change, of upgrading and hiring, really began only then. And since the 1950s, we've been actively seeking qualified Negroes."

As a result, Negroes are now among Union Carbide's engineers and scientists; two Negroes are associate directors of research in the company's divisions; a wide scattering are among its ranks of technical workers. Like many other companies, Carbide dares not say how many of its employees are Negroes: it's against New York State law for it to keep any records by race, even though, as a government contractor, federal law requires it to make a confidential headcount and report the figures to Washington at least once a year.

Growth is the key. "Growth," says Mahoney, "is probably one of the real keys to Negro employment."

[illegible]
Mahon teaches electronics at
RCA Institutes, Inc.

[illegible]
radio at Northeast Airlines.

[illegible]
[illegible] Chicago.

No matter how good a company's intentions might be, he suggests, there's little or nothing it can do to open up more jobs and better jobs for the great bulk of its employees—white or non-white—unless the company is growing.

Carbide, he points out, has increased the number of people on its payroll by about 2% a year for the last decade. It's largely in that period that Negro employees have moved into jobs beyond file clerk and production line worker.

It hasn't happened without problems. "We've had plant managers who resisted hiring qualified Negro workers. They haven't boldly said that they themselves were against it. Instead, they've delayed and shilly-shallied. They've said, in some cases, that their white employees wouldn't like it. And they've been told by headquarters, in at least one case: 'Who the hell is running this plant—you or your employees?' and this," says Mahoney, "according to proper corporate manners, is about as outrageous a thing as you can say to a plant manager."

Recruiting problem. But the greatest problem of all, says Mahoney, has been finding Negroes qualified to compete for the jobs. "We believe we have established a good reputation with the Urban League. As far as I know, there's no reason why a qualified Negro should fail to come here for a job through fear that he'd be rejected because of his color. We've been recruiting in high schools and colleges that are all-Negro or predominantly so. But for the broad range of technical jobs here, we are able to find few qualified Negroes. Probably the real reason is, of course, that out of 36,000 BS engineers graduated each year lately, only a few hundred are Negroes."

At a premium. In the last few months, the problem of finding qualified Negroes for even non-technical jobs has been getting a lot more severe in New York and some other major cities. Hundreds of companies that weren't hiring even a Negro stenographer are now actively seeking them. Says Mahoney: "A year ago we'd see probably five out of every 20 qualified Negro secretaries. Today we see only one out of 20."

Inevitably, a few Negro graduates and technical workers with qualifications have sought to take the speediest advantage of this sudden surge of demand. "A few," says Mahoney, "have come by asking for salaries a good deal higher than those we pay for the jobs for which they'd be qualified. We haven't accepted their bids."

Preferential hiring. There is certainly no intention at Union Carbide—or at most other companies—to try any kind of "compensatory, preferential hiring" of Negroes.

"That sort of thing—quotas, discrimination in reverse—won't work," says Mahoney. "The only thing that will work is hiring qualified people—and making it plain that it's the qualification alone, not the color or anything else, that counts."

It's clear that as long as companies stick to their present determination to hire by qualification alone—and as long as there are proportionately so few Negroes who are technically and academically qualified—it will take a long time before Negroes are spread through industry in anything like their proportion to the whole population. How long? Nobody hazards a guess, beyond saying, "It will get better every year."

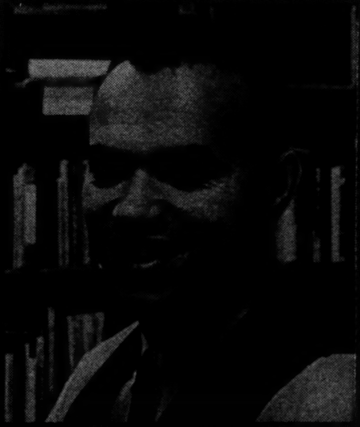
Motorola's case. Motorola, Inc., in Chicago, is a company that seeks much the same kind of engineering talent as Union Carbide. Kenneth Piper, Motorola's vice-president for human relations, says: "We've been going out of our way to seek out Negroes in the technical, professional, and other levels. We're attempting to place Negroes in white-collar jobs where they'll be a credit to their race."

But he adds: "Even though we recruit at Negro colleges, it's very difficult to find qualified ones. I'm sure, though, that many more will be qualifying for jobs here in the next five years."

Five years, some Chicago Negro groups say, is too long to wait. The Chicago Urban League's Exec. Secy. Edwin Barry says: "Motorola has been going almost nowhere in hiring Negroes for white-collar jobs. All Motorola has to do is issue the job orders—it's that simple."

Chicago CORE members and representatives of the American Negro Labor Council claim that, since the company won't negotiate with them over added Negro employment, they're planning to picket some of its operations this week.

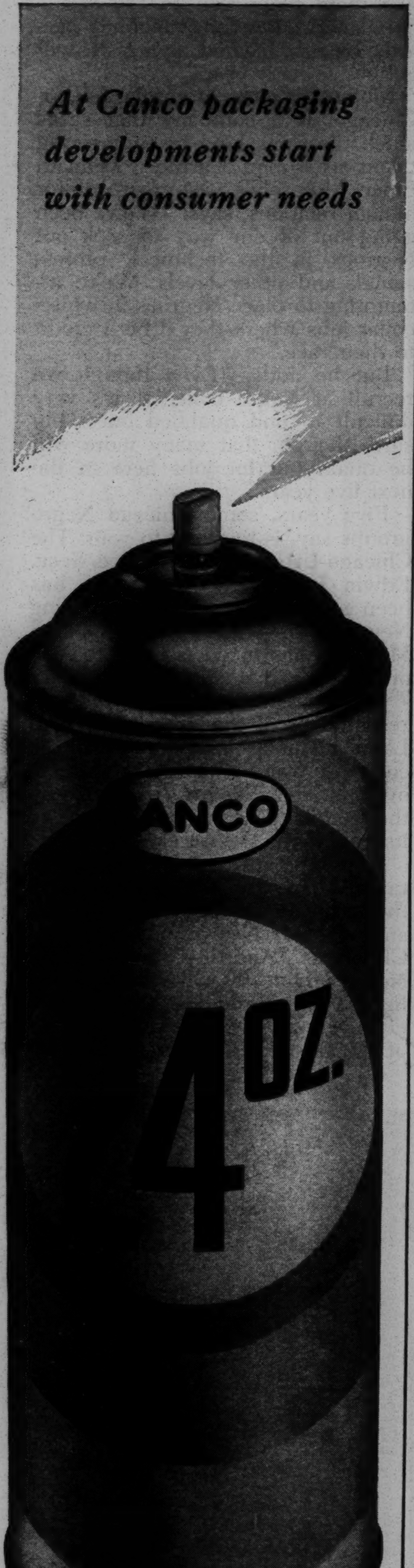
Thus pressure is building up rapidly on Motorola, even though the company, says Piper, will recruit another 25 Negro engineers by Christmas. "And the competition for Negro engineers will make recruiting costly. Normally, we hire 200 engineers a year at a recruiting cost of $1,500 each; I'd guess that the



[illegible] supervises [illegible] for Wayne State University Press.

[illegible] Wade McCree is one of 4,000 Negroes in the legal profession.

Building [illegible] Winston heads a growing Los Angeles construction company.


At Canco packaging developments start with consumer needs
CANCO
4 OZ.

cost of recruiting a Negro engineer would be seven or eight times as much—first, because they're hard to find at any time, and second because there's such strong competition for them."

White-collar jobs

Large employers of clerical workers don't have quite the same problems as companies that are being pushed—by law, by top management, by the need for a good public image, and by the energy of Negro groups—to find technically qualified Negroes. The qualifications they seek in their employees are not so high, their turn-over is usually faster, so there are more openings, more frequently, for less demanding jobs.

Picketing banks. But even here, largely in banking and insurance, the pressure is on. Pickets from New York's CORE not long ago surrounded a Long Island (N. Y.) bank demanding more jobs for Negroes. Similar demonstrations are brewing, say CORE workers, for banks in St. Louis and elsewhere in the Midwest.

"We've found that we can no longer wait for Negroes to apply for jobs," says Chase Manhattan Bank's personnel director, Carl Haugen. "We have to go and seek them out at the high schools and colleges, and let placement people know that we want to see all qualified candidates."

Banking years ago gained a reputation for being a "lily-white" business; inevitably the fear of being rejected keeps Negroes from applying for jobs.

Ironic move. Some Negroes who did apply had some disheartening experiences. There is the case of one Negro, a Harvard Business School graduate who ranked high in his class and had specialized in banking. Applications to the major New York City banks got him nowhere. He finally went to work for a Negro bank in Atlanta, and rose in a couple of years to be chief cashier.

Not long ago one of the New York City banks that had turned him down several years before offered him the job of manager of its Harlem branch. Negro leaders in Harlem had insisted that the branch manager be a Negro. He took the job, naturally—but he fully realizes the irony of it.

Today, the Chase, like some other New York banks, has a Negro as manager of its Harlem branch. Several more Negroes participate in its management development program, which will eventually fit them for jobs as bank officers. Some of its tellers and many more of its clerks

Long after other aerosol cans are empty...
CANCO
4 OZ.

and data processing technicians also are Negroes.

Maintaining standards. But Haugen insists that the Chase has no thought of giving Negro job candidates any kind of "compensatory" or "preferential" treatment. "If the standard for a stenographer's job is 45 words a minute, we can't possibly take on and pay the regular starting scale to people—white or non-white—who cannot meet that standard. A step like that would cause untold friction."

Banks and insurance companies, however, do recruit some people who can't meet the standards for some of their lowly jobs, then train them as file clerks and stenographers. How much of it they do depends on the severity of the perennial shortage of clerical workers.

Need for education. But companies that pay their taxes are not always willing to pick up the job that the schools should be doing. So the problem remains of finding qualified people. And when you bring the problem down to that of finding qualified Negroes, it gets still more difficult.

A New York City Negro leader explains one aspect of it as a pressing need for better teachers, especially in the crowded schools of Negro neighborhoods.

Says he: "In New York City last year three junior high schools in Harlem graduated 1,550 students, and on the basis of a city testing and referral program, only 25 of those youngsters found their way into the so-called special high schools in New York. The great bulk of the others moved into a curriculum that will give them, at the end of the 12th year of their schooling, a certificate of attendance that will just about qualify them to do civil service work in the city, or to take laborers' and helpers' jobs."

Personal referral. Chase Manhattan's Haugen explains another element: "Between 26% and 30% of the new employees we hire each year come from recommendations and referrals from people already on our staff. It's the best single source we have for finding new people. Historically, we've had trouble getting qualified Negroes, so we have the obvious result: Through that most productive single source of recruitment, the vast majority recommended to us are going to be white."

Against unions, too

The Negro's employment drive by no means starts and ends with the persuasion of corporate management. The drive is directed against

File Oct 28

Panel

Speaking

Wash

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OCT 2 1 1967

International Union of Operating Engineers
1125 SEVENTEENTH STREET NORTHWEST ★ WASHINGTON 6, D. C.
AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

DISTRICT 7-8560 OFFICE OF DIRECTOR OF ORGANIZATION, RESEARCH AND EDUCATION

October 18, 1963

Mr. Norman Hill
Director, Program Department
Congress of Racial Equality
38 Park Row
New York 38, New York

On Calendar

Dear Mr. Hill:

Thanks very much for your letter of confirmation on the October 28th date here in Washington. I am enclosing a copy of the announcement of the meeting, and apologize for not having your proper title listed - at the time they printed these I wasn't sure.

Looking forward to seeing you at 11:30 here in my office, I am

Very truly yours,

Reese Hammond

REESE HAMMOND
DIRECTOR

Encl
RH/met

APPRENTICESHIP AND ON-THE-JOB TRAINING DIVISION

WASHINGTON, D. C. CHAPTER OF THE AMERICAN SOCIETY OF TRAINING DIRECTORS

October 17, 1963

WHAT: First Luncheon Meeting of the 1963-1964 Season

WHEN: MONDAY, OCTOBER 28, 1963

WHERE: Arnold's Hofbrau Restaurant
1724 Pennsylvania Avenue, N. W., 2nd Floor

PROGRAM: Open Bar - 11:45 a.m.
Lunch - 12:06 p.m.
(Please make reservation)

PANEL PRESENTATION:
Preparation for Entrance of Minority Groups into Apprenticeship and On-The-Job Training Programs - WHOSE RESPONSIBILITY?

Panel Members:
Norman Hill, Representative, C. O. R. E., New York, New York
Neil MacArthur, Assistant Director, Youth Employment Program, National Institute of Labor Education, Washington, D. C.
Francis A. Gregory, Assistant Director, Office of Manpower Development, Office of Manpower, Automation and Training, U. S. Department of Labor

Please call 961-5277 and make your reservation NOW! NOT later than Friday, Noon, October 25, 1963. This is imperative so that adequate luncheon reservations can be made.

NEXT MEETING DATE: Monday, November 25, 1963.
PANEL PRESENTATION - A Critical Look at BAT.

CHAIRMAN
Buck Baker
National Electrical
Joint Apprenticeship
& Training Committee

VICE-CHAIRMAN
Reese Hammond
International Union
of
Operating Engineers

SECRETARIES
Elliott French—Glenn M. Mitchell
Bureau of Apprenticeship
and Training
U. S. Department of Labor

October 15, 1963

Mr. Reese Hammond, Director
International Union of Operating Enginmers
1125 Seventeenth Street Northwest
Washington 6, D. C.

Dear Mr. Hammond:

In answer to your letter of October 11 to Jim Farmer, I would be very pleased to participate in your panel discussion on the 28th.

I will see you at your office around 11:30.

Sincerely,

Norman Hill
Director
PROGRAM DEPAREMENT

NH/ss

Norman

OCT 14 1963

10/28

International Union of Operating Engineers

1125 SEVENTEENTH STREET NORTHWEST ★ WASHINGTON 6, D. C.

AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

DISTRICT 7-8560 ★ OFFICE OF DIRECTOR OF ORGANIZATION, RESEARCH AND EDUCATION

October 11, 1963

Mr. James Farmer, Director
Congress of Racial Equality
38 Park Row
New York 38, New York

Dear Jim:

Confirming our telephone conversation of yesterday, I would like to request that you have one of your guys (Norman Hill, I understand) participate in a panel discussion to be held on "Preparation for Entrance of Minority Groups into Apprenticeship and On-the-Job Training Programs - Whose Responsibility?"

The meeting is a luncheon affair, to be held on Monday, October 28, at Arnold's Hofbrau, 1724 Pennsylvania Avenue, N. W., Washington, D. C., under the auspices of the Apprenticeship and On-the-Job Training Division of the American Society of Training Directors.

If possible, Mr. Hill might wish to meet me at my office sometime Monday morning so that I can brief him a little on the meeting regarding the other panel members, etc.

I have hopes that this kind of frank and open discussion will contribute towards a sadly lacking dialogue between two important sections of our community.

I hope this finds you well (ulcer under control), and fit for the continuing efforts you are leading as well.

Best wishes to the family, and good fortune in your work.

With personal regards,

Very truly yours,

Reese

Reese Hammond
Director

RH:aml

P. S. I'm enclosing a notice outlining the meetings scheduled for 1963-64 so that you may have some idea of what this group does.

APPRENTICESHIP AND ON-THE-JOB TRAINING DIVISION

WASHINGTON, D. C. CHAPTER OF THE AMERICAN SOCIETY OF TRAINING DIRECTORS

September 25, 1963

Copy to
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Seth

Dear Member:

Our regularly scheduled luncheon meetings for 1963-1964 will begin October 28, 1963.

The dates and topics selected are:

Monday, October 28, 1963	Preparation for Entrance of Minority Groups into Apprenticeship and On-the-Job Training Programs - WHOSE RESPONSIBILITY?
Monday, November 25, 1963	Panel Presentation - A Critical Look at BAT.
Monday, January 27, 1964	Manpower Projections, Development and Use.
Monday, February 24, 1964	Journeyman Training Needs Determining and Activation.
Monday, March 31, 1964	Journeymen - The Best Instructors! On-the-Job? Related?
Monday, April 28, 1964	Compulsory Apprenticeship - Government Contracts
Monday, May 26, 1964	Organization of Related Instruction Phase of Apprenticeship Programs. Report of Nomination Committee.
Monday, June 30, 1964	Economic Value of Craftsmanship Election of Officers for 1964-65 Season

Please mark your appointment book NOW so you can be with us for each subject presentation.

CHAIRMAN
Buck Baker
National Electrical
Joint Apprenticeship
& Training Committee

VICE-CHAIRMAN
Reese Hammond
International Union
of
Operating Engineers

SECRETARIES
Elliott French—Glenn M. Mitchell
Bureau of Apprenticeship
and Training
U. S. Department of Labor

pending

May 25, 1964

Mr. Ahern, Commerce
U.S. Dept. of Commerce
Atlanta Field Office
400 Home Savings Building
75 Forsyth Street, N.W.
Atlanta 3, Georgia

Dear Mr. Ahern:

The Congress of Racial Equality hes recieved the press release dated 3/9/64 # CD 64-30, " Southern Firms do Nearly $5Billion ' Business with U.S. Government in Contract Awards for Military P Purposes in 1963: Five Percent Gain Comes." It would be very useful if we could have lists of the firms, or major firms, which do recieve the bids. I have been checking the "Commerce Business Daily" for this information, however the press release implies that a tabulation of one form or another has been made. Can you, or the Department of Defense refer me to this compilation?

Thank you.

Sincerely yours,

(Miss) Jo Adler
Program Dept.

Ahern - Commerce
Tel. JA. 2-4121
Extension 6000

U. S. DEPARTMENT OF COMMERCE
Atlanta Field Office
400 Home Savings Building
75 Forsyth Street, N. W.
Atlanta 3, Georgia

3-9-64

CD 64-30

For Release
Upon Receipt

SOUTHERN FIRMS DO NEARLY $5 BILLION BUSINESS WITH U. S. GOVERNMENT IN CONTRACT AWARDS FOR MILITARY PURPOSES IN 1963; FIVE PERCENT GAIN COMES

Business firms in the South last year sold goods and services to the United States government for military purposes valued at nearly $5 billion, according to the Atlanta field office of the U. S. Department of Commerce.

Of a total of $4,940,638,000 spent, Arkansas received $38,280,000, Louisiana, $183,047,000, Oklahoma, $120,274,000, Texas, $1,247,946,000, Delaware, $55,605,000, Maryland, $540,256,000, Virginia, $450,448,000, West Virginia, $130,334,000, Kentucky, $49,652,000, District of Columbia, $195,128,000, Alabama, $206,445,000, Florida, $673,862,000, Georgia, $324,587,000, Mississippi, $213,529,000, North Carolina, $277,892,000, South Carolina, $54,229,000, and Tennessee, $179,124,000.

Value of the contracts awarded in the South in 1963 was 5 percent greater than in 1962, with eight southern States sharing with only 20 in the nation in increased expenditures last year over the previous year.

In Texas, the rise was 16 percent, Delaware, 3 percent, Virginia, and Kentucky, 4 percent, Alabama, 27 percent, Florida, 25 percent, North Carolina, 16 percent, and in Mississippi the increase of 124 percent in 1963 over 1962 was the nation's second greatest rate.

Texas, Florida and Maryland were among the nation's fifteen greatest recipients of government contracts, Hugh S. Ahern, Commerce Department acting field director, said an analysis of data compiled by the U. S. Department of Defense showed, with Texas standing fifth from the leader, California, Florida, eleventh, and Maryland, thirteenth.

Last year's defense purchases in the 16 southern States and District of Columbia brought to an estimated total of $53,391,223,000 the cumulative value of such buying in the region since the present purchase program was begun with outbreak of the Korean conflict in 1950. This was 17.6 percent of the national total of $303,376,603,000 left with business firms in the nation in the some thirteen and one-half years of defense activity.

Arkansas firms sold $580,561,000 worth of goods and services, Louisiana, $2,452,080,000, Oklahoma, $2,206,765,000, Texas, $14,153,551,000, Delaware, $929,760,000, Maryland, $7,170,736,000, Virginia, $4,328,143,000, West Virginia, $674,247,000, Kentucky, $687,540,000, District of Columbia, $2,285,187,000, Alabama, $2,052,779,000, Florida, $4,494,157,000, Georgia, $4,028,493,000, Mississippi, $1,142,676,000, North Carolina, $3,394,368,000, South Carolina, $846,625,000, and Tennessee, $1,963,555,000.

The approximately 17.6 percent of the nation's total in cumulative awards going to southern firms since 1950 was somewhat less than the 30.8 percent received in the Northeast, 26.9 percent in the West, and 24.6 percent in the North Central States, the Commerce Department said.

Also, the study of figures compiled by the Department of Defense in Washington from quarter to quarter during the past 13 1/2 years still credited eleven States in the United States with doing 72 percent of the contract award business. They are California, New York, Ohio, New Jersey, Connecticut, Texas, Michigan, Washington, Pennsylvania, Massachusetts and Illinois where contracts since 1950 have totalled approximately $217,916,332,000. Of that amount, California alone received $59,619,297,000 worth of contracts, or nearly 20 percent of the value of all in the United States.

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PURCHASES BY UNITED STATES GOVERNMENT OF GOODS AND SERVICES FOR MILITARY PURPOSES IN ALL STATES IN 1963 AND 1962 AND RATES OF CHANGE WITH RANK

STATE	1963	1962	RANKING		RATES OF CHANGE	RANK
	(Thousands of Dollars)		1963	1962	1963-1962 (Percent)	
California	5,775,893	5,978,348	1	1	- 3.4	—
New York	2,483,456	2,527,029	2	2	- 1.7	—
Ohio	1,330,438	1,272,870	3	3	+ 4.5	15
Washington	1,283,851	1,117,817	4	7	+ 14.8	12
Texas	1,247,946	1,073,832	5	8	+ 16.2	9
Massachusetts	1,122,047	1,172,431	6	5	- 4.3	—
Connecticut	1,099,645	1,158,871	7	6	- 5.1	—
New Jersey	1,073,830	1,218,024	8	4	- 11.8	—
Missouri	927,559	553,550	9	11	+ 67.6	3
Pennsylvania	760,070	959,800	10	9	- 20.8	—
Florida	673,862	540,759	11	13	+ 24.6	7
Michigan	613,078	656,509	12	10	- 6.6	—
Maryland	540,256	551,042	13	12	- 1.9	—
Indiana	524,412	516,447	14	14	+ 1.5	19
Illinois	499,441	494,015	15	15	+ 1.1	20
Virginia	450,448	433,479	16	20	+ 3.9	17
Colorado	401,807	483,061	17	16	- 16.8	—
Utah	370,224	438,498	18	18	- 15.6	—
Georgia	324,587	435,468	19	19	- 25.5	—
Kansas	300,904	453,911	20	17	- 33.7	—
North Carolina	277,892	239,265	21	23	+ 16.1	10
Minnesota	271,985	295,413	22	21	- 7.9	—
Arizona	240,696	208,066	23	26	+ 15.7	11
Mississippi	213,529	95,275	24	33	+124.1	2
Alabama	206,445	162,652	25	29	+ 26.9	6
Wisconsin	196,132	232,460	26	24	- 15.6	—
Dist. of Col.	195,128	231,625	27	25	- 15.7	—
Louisiana	183,047	260,036	28	22	- 29.6	—
Tennessee	179,124	192,199	29	27	- 6.8	—
West Virginia	130,334	166,668	30	28	- 21.8	—
Iowa	130,279	136,205	31	30	- 4.3	—
Oklahoma	120,274	125,065	32	31	- 3.8	—
North Dakota	99,159	41,187	33	44	+140.7	1
New Mexico	63,758	65,638	34	37	- 2.9	—
New Hampshire	62,510	58,068	35	39	+ 7.6	13
South Dakota	60,686	81,148	36	34	- 25.2	—
Maine	57,951	72,400	37	35	- 19.9	—
Delaware	55,605	53,931	38	41	+ 3.1	18
South Carolina	54,229	69,645	39	36	- 22.1	—
Kentucky	49,652	47,695	40	42	+ 4.1	16
Montana	47,110	55,063	41	40	- 14.4	—
Oregon	39,522	32,385	42	46	+ 22.0	8
Arkansas	38,280	44,232	43	43	- 13.4	—
Rhode Island	38,265	60,842	44	38	- 37.1	—
N ebraska	37,952	35,565	45	45	+ 6.7	14
Wyoming	30,473	114,187	46	32	- 73.3	—
Vermont	13,181	9,744	47	48	+ 35.3	4
Nevada	12,070	9,479	48	49	+ 27.3	5
Idaho	7,445	24,126	49	47	- 69.1	=
SOUTH	4,940,638	4,722,868	—	—	+ 4.6	—
U. S.	25,080,034	25,938,994	—	—	- 3.3	—

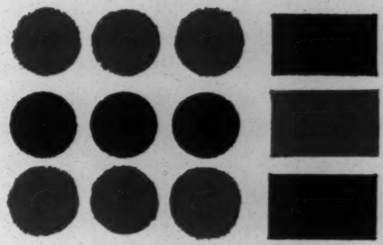
Source: U. S. Department of Defense, Washington, D. C.

CUMULATIVE VALUE OF CONTRACTS AWARDED BY UNITED STATES GOVERNMENT FOR GOODS AND SERVICES FOR MILITARY PURPOSES FROM 1950 THROUGH 1963, INCLUSIVE, AND PERCENTAGE OF U. S. TOTAL WITH RANK

STATE	CUMULATIVE VALUE 1950-1963 (Thousands of Dollars)	PERCENTAGE OF U. S. TOTAL	RANK
California	59,619,297	19.6	1
New York	38,520,137	12.7	2
Ohio	16,646,345	5.5	3
New Jersey	15,107,293	5.0	4
Connecticut	14,391,230	4.7	5
Texas	14,153,551	4.7	6
Michigan	13,646,227	4.5	7
Washington	12,924,108	4.3	8
Pennsylvania	11,617,097	3.8	9
Massachusetts	10,989,784	3.6	10
Illinois	10,301,263	3.4	11
Indiana	8,321,543	2.7	12
Kansas	7,755,691	2.5	13
Missouri	7,506,442	2.5	14
Maryland	7,170,736	2.4	15
Florida	4,494,157	1.5	16
Virginia	4,328,143	1.4	17
Georgia	4,028,493	1.3	18
Wisconsin	3,674,254	1.2	19
North Carolina	3,394,368	1.1	20
Minnesota	2,988,313	1.0	21
Colorado	2,975,792	1.0	22
Louisiana	2,452,080	0.8	23
Dist. of Col.	2,285,187	0.7	24
Oklahoma	2,206,765	0.7	25
Alabama	2,052,779	0.7	26
Iowa	2,001,760	0.6	27
Arizona	1,995,073	0.6	28
Tennessee	1,963,555	0.6	29
Utah	1,898,750	0.6	30
Maine	1,163,421	0.4	31
Mississippi	1,142,676	0.4	32
Delaware	929,760	0.3	33
South Carolina	846,625	0.3	34
Rhode Island	821,233	0.3	35
Nebraska	811,250	0.3	36
New Mexico	700,020	0.2	37
New Hampshire	699,115	0.2	38
Kentucky	687,540	0.2	39
West Virginia	674,247	0.2	40
Arkansas	580,561	0.2	41
Oregon	580,153	0.2	42
North Dakota	520,272	0.2	43
South Dakota	392,636	0.1	44
Montana	380,205	0.1	45
Wyoming	329,806	0.1	46
Vermont	265,070	0.08	47
Idaho	196,448	0.06	48
Nevada	156,835	0.05	49
SOUTH	53,391,223	17.6	--
U. S.	303,376,603	100.0	--

Source: U. S. Department of Defense, Washington, D. C.

Automation: The Impact On Jobs and People



by Robert B. Cooney

The leading edge of radical technological change is now slicing its way through America's offices, factories and stores, undercutting familiar ways of working and living. As the changes intensify, there may follow social and political repercussions unless imaginative programs are devised to help people adjust to new roles.

The computer—the symbol of the radical change—is inspiring a revolution of attitude and practice which will hurt first those least able to adjust: the less skilled, the less educated, the Negro and other minority groups, the people moving from rural to urban areas. These dispossessed will be joined in the years ahead by those who now feel secure in a skill, for if a job involves routine then a computer-guided machine can do it better and faster.

This is the pace of change: workers automated off their assembly line are now being retrained as draftsmen at the same time a company has marketed a low-priced tape-controlled, computer-fed automatic drafting machine. Before they have learned a second skill, it is already potentially obsolete.

A national computer congress held in Washington, D. C., in mid-April attracted some 5,000 computer professionals and unveiled the latest in computers. A prominent expert warned that computers and automation are moving in on skilled technicians and middle management. He said all "routine, uncreative" jobs can be programmed through and performed by computers. Beyond this, exhibitors showed that computers can handle routine creative jobs like producing animated movies, designing bridges and buildings and performing medical diagnoses once done by the family doctor.

The computer is the symbol. But the technological change underway involves many things: greater mechanization; new processes, materials, techniques and markets; reorganized plants; changed workforce skills and so on. In short, increased productivity—more output per manhour.

If these changes ripple rapidly enough through the nation's workplaces, the "moderately faster" rate of productivity foreseen for the remainder of the 1960s could climb more sharply. The result would be higher unemployment unless production and sales at least keep pace.

Unemployment long has been called the nation's top domestic problem. Over 4 million are jobless; the

ROBERT B. COONEY is Assistant Editor of the AFL-CIO American Federationist.

unemployment rate has held above 5 percent for over six years; all national policies so far applied have failed to make a real dent in unemployment.

And it is mainly unemployment which underlies and aggravates the nation's troubles, be it civil rights demonstrations, political extremism, rising welfare costs or juvenile delinquency. Decent jobs at good pay are desperately needed if these problems are to be resolved. If the pace of automation quickens, these problems can worsen.

Rapid economic growth is the key to the nation's problems, in the view of economists and national leaders. The economic growth rate must be high enough to create jobs for the 1.3 million new jobseekers entering the labor force each year, to dent unemployment and to provide job openings for those displaced by the new technology.

To scout ahead and identify the nature and scope of technological trends and so help those responsible for manpower policies plan for change, the government has issued a pioneering report entitled, "Technological Trends in 36 Major American Industries." The study was prepared by the Labor Department for President Johnson's Advisory Committee on Labor-Management Policy. In issuing the report, Secretary of Labor W. Willard Wirtz and Secretary of Commerce Luther Hodges—co-chairmen of the President's committee—made this comment:

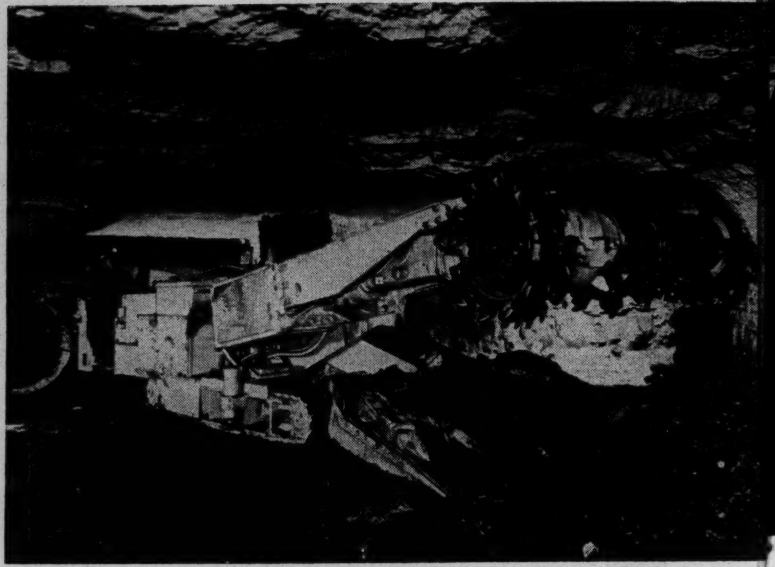
"The first industrial revolution was bought to a great extent with the sacrifice of human values. Our society today will not accept the proposition that the cost of progress must be paid in the broken lives of workers who are bypassed by technology."

Looking back, America has seen technology bring miracles of production in agriculture which are the envy of other nations—but which forced millions out of farming and left them ill-prepared for city life. The nation has seen technological advances which have made the American coalminer the world's most productive—and left many miners and their families and their region in poverty. The nation has seen a pioneering textile industry turned into a decaying shell by migrating management. And it has seen meatpacking decentralize out of Chicago, once famous as "hog butcher to the world," leaving thousands jobless.

The changes ahead sketched briefly for each industry by the Labor Department report covered only those changes already introduced and on the threshold of widespread adoption. All are seen to have an important potential impact on jobs.

The technological changes ahead mean:

- In soft coal, an increased use of continuous mining machinery and such cost-slashing mine-to-market advances as unit trains and slurry pipelines;
- In iron and steel, wider use of the oxygen injection process;
- In air transport, wider use of jet cargo liners and compact passenger jets;
- In trucking, engines twice as powerful as those now in use and the spread from west to east of "double bottoms"—two 40-foot trailers linked behind one tractor;
- In oil and gas, wider use of computers for data processing and for production, storage and pipelining of oil, with one-third of the oil industry already computerized;
- In cement, electronic control of production, with one plant now using a computer to control almost the entire process;
- In aerospace, firms using laborsaving, numerically-controlled tools are expected to expand such tools from 400 in 1962 to 1,600 by 1970 and make wider use of tape-controlled drafting, welding and inspection techniques.



Continuous miner rips down coal; built-in arms and conveyor belt scoop it up and carry it to shuttle cars.

The Labor Department report did not discuss except in passing those inventions and discoveries still in the drawing board stage nor did it deal with innovations still prohibitive in cost.

But such expected breakthroughs ahead would mean:

- In retail trade, automatic check-out counters for supermarkets to total and bag groceries mechanically;
- In coal, long wall mining by remote control which would boost output greatly and wipe out more jobs proportionately than did continuous mining in the 1950s;
- In aluminum, new processes which aim at skipping a 75-year-old reduction process and which would, when perfected, bring capital savings of up to 50 percent.

These examples make it clear that not only computers and automation but a variety of other changes will be contributing to increased productivity.

Experts point out that neither rising productivity nor the sizable increase in the workforce each year need swell unemployment if the economy grows fast enough. These experts estimate an economic growth rate of about 4.5 percent a year is necessary in the

Automatic railroad yard system. Sensing devices feed data on cars to computer; it supplies retarders with exit speeds.

Automated assembly line moves engine blocks into giant broach for machining.

1960s just to hold unemployment where it is now, given the net gain of 13 million to the labor force and assuming productivity continues to rise at its postwar rate of about 3 percent a year. The 4.5 percent growth rate viewed as necessary now is significantly greater than the 3 percent per year achieved during the 1950s.

But the growth rate must exceed even 4.5 percent to cut into unemployment. Even though the annual growth rate moved up to 3.8 percent in 1962, it is recalled, unemployment grew, too.

Experts in the field of computer development and application and those who work with such systems generally expect the rate of productivity in the non-farm sector to move upward from the 1960-63 annual rate of 3.2 percent. Most of the best-informed people in the field foresee "a moderately faster rate" for most of the next decade.

An authoritative survey of informed people in the computer field has produced these findings:

- Impact on jobs. Automated equipment is seen to have a very pronounced capacity to cut labor needs, even though it may be purchased to reduce waste and increase accuracy. From what is now known, it is possible to conceive of automating a wide range of human activities. How automation affects productivity will turn on the rate at which its uses can be extended and improved and the rate at which it is accepted and its cost made feasible.
- Applying automation. Barriers to automation are rapidly being reduced. The shortage of personnel trained to understand the capabilities of automation is disappearing. More and more trained people from universities seek jobs in consulting and operations research work where the main job is to systematically survey operations to see where savings can be achieved with new techniques and equipment. A news story described one effect: a firm systematizing data on its processes for a computer found this so boosted efficiency it did not yet need one.

Computer centers and less costly equipment also are making the new technology available to smaller businesses, thus tapping a new market. Small firms also are benefiting from the flexibility made possible through tape control devices, standardization and other devices; the big firm making large quantities of a standard product no longer is the sole market.

- Research. Spending for research and development has been shooting upward—from $5 billion annually in 1953-54 to $10 billion a year in 1957-58 to $16 billion annually in 1962-63. Though much of this is for the military, out of it has come such advances as tape-controlled machine tools, molecular electronics, etc. The research of the 1950s is now bearing fruit.
- Investment. A McGraw-Hill survey shows a sharp upswing in the proportion of investment allocated to buying automated equipment—11 percent in 1955, 12 percent in 1959, 19 percent in 1963. The rate should be speeded by the 1962 investment tax credit.

These developments set the stage for radical changes in the economy. The best-informed people in the field, assuming the steady spread of automation, speculate that productivity could rise "at a still more rapid rate" in the 1970s and make the need even more urgent for bold programs.

But the overall productivity rate is similar to the case of the man who drowned trying to walk across a stream with an average depth of three feet. As experts warn, the overall rate conceals critical changes within industries. They note that non-farm productivity rose by 21 percent from 1950 to 1960. But, in soft coal, productivity shot up by 51.6 percent in the same decade while output slipped only 5.6 percent. The result: mining jobs plummeted by 440,000 or 36 percent.

Thus the point is made by experts that, even on assumptions that total national output will go up by 50 percent from 1960-70 and unemployment will be lowered to 3 percent, automation will lead the way to jobs cuts in many industries.

Following is the outlook for 1970 of current trends

Highlights of Job Trends in Selected Industries *

Industry	Employment		1970 Outlook
	1962 (Thousands)	Average annual percent change 1957-62	
A. Employment may expand by 1970			+
Air transportation	180	3.9%	Growth of jet freight and passenger services may result in moderate employment gain.
Aluminum	72	2.0%	New uses may result in output and employment gains.
Banking	656	3.8%	Substantial job gains are likely but growth may be slowed by electronic data processing.
Cement	40	–1.7%	Employment gains depend on volume of construction.
Contract construction	2,909	–0.1%	Employment is expected to expand if economy maintains growth.
Concrete products	164	[1] 4.1%	Employment increase is likely to continue if construction activity rises.
Electronics manufacturing	[2] 778	[3] 8.4%	Employment may continue to increase but at a slower rate than recently.
Gas utility and pipeline	204	0.3%	Despite automation, greater output and construction may bring slow rise in jobs.
Insurance	759	2.4%	Rising sales despite computerization will result in slow employment growth.
Printing and publishing	925	1.2%	Output is expected to increase but more efficient processes may slow employment growth.
Synthetic materials	136	1.2%	Anticipated substantial growth in output will bring some employment expansion.
Trade, retail	8,521	1.3%	Increased efficiency may offset growth in consumer expenditures and a rise in employment is expected.
Trade, wholesale	3,061	1.1%	Expanded merchandise volume may be expected to offset increased efficiency in materials handling, resulting in continued increase in employment.
Trucking	880	[4] 3.1%	Laborsaving innovations, interindustry competition expected to slow down job growth.
B. Trend in employment by 1970 is uncertain			?
Electric power	247	–0.9%	Despite output gains, greater efficiency may result in stable or declining employment.
Federal Government	2,340	1.1%	Management economies and increased use of computers may stabilize employment.
Glass containers	60	2.0%	Larger and faster equipment may increase productivity and retard employment growth.
Iron and steel	592	–3.8%	Wide range of technological improvements is expected to hold down increases in employment despite an expected growth in output.
Motor vehicles and equipment	692	–2.1%	Improved materials handling and other laborsaving equipment are likely to offset growing demand for motor vehicles with ultimate result on employment uncertain.
Pulp and paper	225	–0.1%	Laborsavings in materials handling and pulping may reduce rate of employment growth.
Tobacco, cigarettes	41	1.4%	Relative stability in employment may not continue because of possible consumer reaction to medical findings.
C. Employment may decline by 1970			–
Aerospace	635	–6.6%	Changes in defense and space programs point to lower employment levels.
Bakery products	294	–0.6%	Because of slow growth of consumption and greater use of faster equipment, production worker employment is expected to decline.
Bituminous coal	140	–9.5%	Further mechanization of underground mining is expected to reduce labor requirements despite expected output growth.
Crude oil and natural gas	299	–2.7%	Improved methods may more than offset some increase in activity resulting in a decline in employment.
Dairy products	275	–1.6%	Improved equipment and faster pasteurization may result in a continued decline in employment despite a slow growth in output.
Footwear	241	–0.2%	New techniques and materials may reduce labor requirements.
Foundries, iron and steel	193	–3.2%	Greater mechanization of materials handling and further diffusion of other improvements may result in some decline in unskilled workers.
Foundries, nonferrous	72	–1.7%	Laborsaving equipment may slow down increase in employment.
Lumber and wood products	589	–2.2%	Continued employment decline expected alongside improvements in logging and sawmill equipment.
Malt liquors	66	–3.1%	More processing innovations expected to continue high rate of productivity advance and with output increasing slowly employment may decline.
Meat products	313	–1.3%	With laborsavings improvements, employment decline may continue since output increases slowly.
Petroleum refining	123	–4.4%	Decline in employment may continue with greater automation, despite anticipated increases in output.
Railroads	700	–6.6%	Advancing technology is expected to contribute to further decline in employment, despite improved outlook for traffic.
Telephone communication	688	–2.2%	Employment may continue to decline despite growing variety and volume of communication services.
Textile mill products	903	–1.7%	Modernization is expected to result in continued employment decline.
Tires and tubes	86	–2.2%	Modernization may offset output increase with reduced employment.
Tobacco, cigars	22	–7.6%	Changes in consumer preference may offset employment decline.
Waterborne transportation	121	–2.9%	Automation of old and building of new vessels will determine employment.

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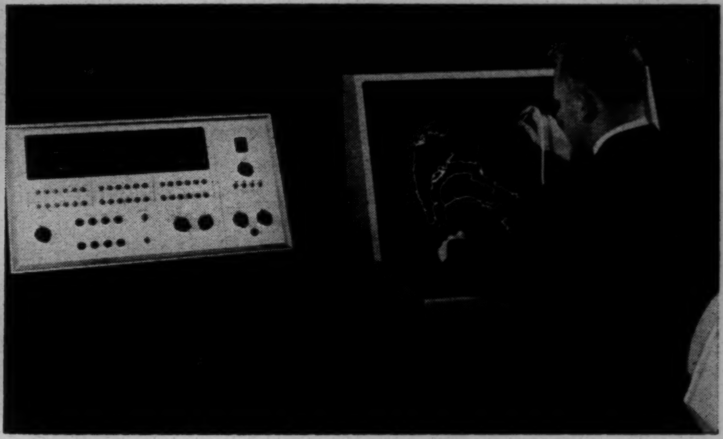
[1] Percent change, 1958-62.
[2] Data for 1961.
[3] Percent change, 1958-61.
[4] Percent change, 1958-62.

*Based on listing in U.S. Dept. of Labor report, "Technological Trends in 36 Major Industries," Pg. 5. Industry subdivisions make total of 39 industries here.



Advanced computers. Master system at left, for research in command and control technology, can be shared by 24 users simultaneously; display console below flashes computer-generated data onto film-projected maps.

in a few selected industries, quoted from the Labor Department report:

Steel

Outlook: "Advances in all departments of iron and steelmaking, including the introduction of new processes such as basic oxygen in steelmaking, indicate a steady increase in output per man-hour.

"Although a rising level of steel output is projected for the next 10 years, improvements in speed and efficiency from new methods and processes not yet widespread in the industry indicate that little if any increase is to be expected in the employment of production workers. Some rise may take place in the number of clerical, professional and technical personnel."

Electronics

Outlook: "Impending rapid development and use of microelectronic circuits and mechanization of production processes may have extensive impact on labor requirements and the structure of the industry. Research and development on a large scale may yield new products for industrial automation, communication and space and defense applications.

"Employment is expected to increase about 39 percent—from about 778,000 in 1961 to over 1 million in 1970."

Construction

Outlook: "Major advances include larger, more powerful equipment, improvements in materials handling, prefabrication of building components and changes in architectural design that will probably reduce labor requirements per unit.

"Employment is expected to increase substantially consequent upon an anticipated increase in new construction between 1960 and 1970, reflecting new family formation, suburbanization and government construction activities. Because construction activity fluctuates closely with general business conditions, construction employment may not reach the projected volume if a high level of economic activity is not realized."

Telephones

Outlook: "New developments—including pre-assembled equipment, electronic switching and computers—are likely to have significant impact on installation, construction, maintenance and clerical

A Commission on Automation

". . . In retrospect, it is evident that the nation did not prepare for or meet as well as it could have the human and regional dislocations stemming, for example, from the revolution in farm technology, the decline in mining employment or the transportation trends curtailing railroad employment.

"These were foreseeable developments. Informed experts were reasonably aware of their onrush. If there had been the kind of national commission which is now proposed, it could have helped the nation foresee more clearly the significance of the enforced migration from agriculture to urban areas, the extent of dislocation in mining regions and the scope of the problems in our rail industries.

"Forearmed with this knowledge, the nation could have mapped a course of more constructive, less painful adjustment than has actually evolved. . . ."

—Secretary of Labor W. Willard Wirtz, testifying before a House Labor subcommittee on President Johnson's proposed National Commission on Automation and Technological Progress, April 14, 1964.

workers. Total employment may continue to fall, although volume and variety of communication service are increasing."

In terms of the broad impact of automation on skills and people, experts see it this way. Automation does not require much higher skills from workers, who often can be trained to operate such equipment. But as such equipment becomes more sophisticated, it will thin out the ranks of even the more skilled employes. As automation devours routine blue-collar jobs, these workers will be thrown into the intensified competition for generally lower-paying jobs in the white-collar and service fields. As automation eats its way up the skill ladder, the job-changing it causes will be a matter of survival of the best-educated and best-skilled.

In the absence of bold programs, the broader consequences are all but written on the wall. In addition to the problems which can be put in numerical terms, there is this dimension: During the 1960s, some 1.4 million farm jobs will be wiped out and 7.5 million high school drop-outs—2.3 million before the 8th grade—will be seeking work. These are the people most ill-equipped and most vulnerable in an age of automation. And the Negro jobless rate, for example, is already double that of the white worker. In addition, many now seemingly secure in their skills will be wrenched out of their chosen work and forced into different work and probably lower living standards.

To ease the impact of technological change, labor and management have devised a variety of methods of adjustment.

Collective bargaining agreements usually call for advance notice of a layoff or shutdown, but often this is no longer than a week. Automation is inspiring provisions requiring several months' notice.

Other approaches include the avoidance of layoffs through attrition, early retirement, work-spreading, retraining, transfer and relocation.

Cushioning actual layoffs are such devices as severance pay, vesting of pension rights, aid in retraining and placement elsewhere, supplemental jobless benefits.

To help towards new employment, approaches now being applied include compilation of worker profiles, systematic industry surveys, more effective education and training programs, elimination of racial discrimination.

Meet a Blue-Collar Computer

"Already a fixture in the business office, the highly-talented computer now is busy carving out a spot for itself on the production line.

"In McLouth Steel Corp.'s hot strip mill near Detroit, for example, a glowing 20-foot steel slab whips through a series of six massive rollers at a speed of 3,000 feet a minute, roars through a steaming water bath and emerges as a gleaming ribbon of sheet steel ready for use by the auto industry—all under the guidance of a computer. The exacting process, which requires up to 190 separate readings and adjustments, has been under computer control for a brief 18 months but that's already long enough for plant officials to call the operation a big success.

". . . General Electric Co., which made the McLouth computer, estimates industry volume for such equipment rose to $21 million last year, a 17 percent increase from 1962; it sees a 50 percent increase this year (1964) 'and every year for the next few years.' E. M. Grabbe, director of international computer operations for Bunker-Ramo Corp., another computer maker, estimates 400 factory computer systems now have either been installed or are on order and he predicts the total will swell 10 times to 4,000 by 1970 . . ."

—Page 1 story, Wall Street Journal, April 10, 1964.

American Trucking Associations Photo

Simply linking truck trailers boosts productivity.

Considered among the most ambitious private programs aimed at cushioning the effect of technological change are the labor-management arrangements in west coast longshoring, the Armour plan and Kaiser Steel.

Experts welcome such private programs. But they warn of the limitations, especially since only a fraction of the workforce can be so protected. The worker without a union, for example, is virtually helpless.

The urgent need, they stress, is for vigorous private and public employment policies to help equip workers with the education, skill and mobility needed to meet the fastchanging patterns of work and opportunity.

The new technology can help end monotonous, deadening and dangerous work; it can help end want. It can also destroy. It will take man's best efforts to tame and control technology for the benefit of all. But there must be rapid economic growth to provide jobs and a favorable setting.

A maker of automated equipment, alarmed at the job-destroying potential of his product, once relied on Dickens' description of the French Revolution to point up the paradox of the automation revolution: "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness . . . it was the spring of hope, it was the winter of despair. . . ." It is a time, he said, for boldness and innovation.

SEPARATION RECORD

The following nonmanuscript items were removed from the C.O.R.E papers and have been sent to the division and section indicated, either to be retained or disposed of there. Any items Manuscripts wishes returned are clearly marked.

BOOKS (Library)

Attracting Industry by Business Week

PAMPHLETS (Library)

The Economic Situation of Negroes in the U.S. (2)
Working Papers for NYACK Conference on Unemployment, Social Change - June 1963

NEWSPAPERS (Library - Newspaper Section)

GOVERNMENT PUBLICATIONS (Library - Government Publications Section)

The First Two Years: Problems of Small Firm - SMA
Business Cycle Developments - March 1964

BROADSIDES, CIRCULARS, AND PRINTED ADS (Library)

PHOTOGRAPHS AND PRINTS (Museum - Iconographic Section)

ARTIFACTS (Museum)

OTHER

SEPARATION RECORD

The following nonmanuscript items were removed from the C. O. R. E papers and have been sent to the division and section indicated, either to be retained or disposed of there. Any items Manuscripts wishes returned are clearly marked.

BOOKS (Library)

PAMPHLETS (Library)

Labor Looks at the Nation's Economy - 1963

Apprentices, Skilled Craftsmen and the Negro

The Negro's Role in the Marketing Revolution

NEWSPAPERS (Library - Newspaper Section)

GOVERNMENT PUBLICATIONS (Library - Government Publications Section)

BROADSIDES, CIRCULARS, AND PRINTED ADS (Library)

PHOTOGRAPHS AND PRINTS (Museum - Iconographic Section)

ARTIFACTS (Museum)

OTHER

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DATA ON NEGROES IN TRADES SCORED

Rights Leaders Say Report Falsely Absolves Unions

By DAMON STETSON

A civil rights leader charged yesterday that the report of the referral committee of the building industry here was "self-serving rationalizations and half truths."

The report said that only 849 of 3,121 Negro and Puerto Rican applicants for apprenticeships or journeyman status in the building trades had met minimum standards.

In a statement, the Rev. Richard A. Hildebrand, chairman of the Joint Committee for Equal Opportunity, called the report "an obvious and transparent attempt to blame the Negro community for the broad pattern of racial discrimination that characterizes the A.F.L.-C.I.O. building trades unions in this city."

The referral committee was set up last summer in the midst of picketing and sit-in demonstrations at construction projects at which, civil rights leaders charged, unions were discriminating against Negroes and Puerto Ricans.

Applications Taken

Applications for membership in building trades unions were taken by city officials and by a group of Brooklyn ministers. The applications were sent to the referral committee for screening.

Mr. Hildebrand, who is also president of the New York branch of the National Association for the Advancement of Colored People, said that the report confirmed charges of civil rights groups that some

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Johnson Signs Retraining B With 34 Pens and a Flow of

By TOM WICKER

Special to The New York Times

WASHINGTON, Dec. 19 — President Johnson unveiled the Johnson wit today as he signed a bill extending the program of retraining for unemployed workers.

He also set an unchallenged weekly record for giving away the pens he used. Thirty-four pens were required for his signature, each of which went to a member of Congress or of his staff.

That brought Mr. Johnson to a total of 169 pens used and given away this week — easily the record for any President, White House sources said. The President has signed — in public ceremonies—a college aid bill, a vocational educational bill and the manpower act.

The latter made more money available for retraining and made more jobless workers eligible. Started in 1962, the program was aimed then at retraining 400,000 workers within three years; under the new bill, it is hoped that 93,000 more will be aided.

In addition, the eligibility age was lowered from 19 to 17 years provided the youths to be trained have been out of school for a year.

The new measure also permits up to 20 hours of basic education in reading and writing, as well as job training.

It provides that the Federal Government will finance the program completely for one more year. The states participating must begin to match the retraining program in the fiscal year ending June 30, 1966.

Mr. Johnson called the bill a major step in achieving "a manpower revolution that may have more far-reachin than the industrial r of the last century."

The President singled ator Joseph S. Clark, D of Pennsylvania, who always an admirer in t when Mr. Johnson was majority leader, for pa praise for his contribut passage of the bill.

Then, handing to S Clark the second pen used in signing his nam Johnson said: "You're t Lyndon."

That brought a chuckl the members of Congres others assembled in the C room to watch the procee Thus encouraged, Mr. Jo ept up a monologue a switched from pen to pen

"You find out when y getting along with the Spe you get these signing cer nies more often," he said, some satisfaction. "I believ may think a bill a day will k the President away."

A few pens later, he spo up again, apparently to Speak John W. McCormack, who w hovering near:

"Mr. Speaker, I had a little press conference yesterday and some of my friends were off having lunch. They weren't here. I thought I'd catch you in that shape when I went to the Capitol. But you're always there. You're always watching."

Mr. McCormack, beaming, accepted a pen.

Among those present were Senators Pat McNamara of Michigan and Jennings Randolph of West Virginia, and Representative Dominick V. Daniels of New Jersey, all Democrats.

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building trades unions had no Negroes.

Miss Vera Rony, executive secretary of the Workers Defense League, a member organization of the Joint Committee, noted that the committee had said it had not received large numbers of applications from Negroes.

She said Negroes would not apply for such opportunities in large numbers until the Negro community had faith that Negroes could actually get into the building trades. She reported that test cases undertaken by the league had indicated that Negroes were treated differently from whites by building trades unions.

Morris Doswell, president of the Greater New York Chapter of the Negro American Labor Council, said he was disappointed to read that Peter Brennan, president of the New York Building Trades Council, felt there was no need to continue the life of the referral committee. He expressed doubt that the building trades would accept Negroes unless forced to do so by outside pressures.

CONNECTICUT PLANS NEW DISTRICT STUDY

Special to The New York Times

HARTFORD, Dec. 19—Connecticut's redistricting and reapportionment case, which was argued before a three-judge Federal panel last October, will have to start all over again.

The chief judge of the panel, Circuit Judge Charles E. Clark, died last Friday. A new chief judge of the panel was appointed today by J. Edward Lumbard of New York, Chief Judge of the United States Court of Appeals for the Second Circuit, which covers New York, Connecticut and Vermont.

The panel's new chief judge is J. Joseph Smith, an Appeals Court judge whose headquarters is here.

The two other judges on the panel are District Court Judges Robert Anderson and William Timbers, both of Connecticut.

The redistricting and reapportionment case was brought by a group of Connecticut citizens with the support of the Connecticut League of Women Voters.

The plaintiffs are seeking to have the State Senate redistricted and the State House of Representatives reapportioned because, they say, the two chambers are illegally set up under terms of the equal-protection clause of the Unites States Constitution.

CITY LOSES TACTIC IN FIGHT ON BIAS

Continued From Page 1, Col. 4

Controller the power to select companies with which to do business.

Despite the Corporation Counsel's ruling, Manhattan Borough President Edward R. Dudley opposed the change in policy. He envisioned a situation in which, for lack of a city antidiscrimination investment policy, a future Negro Controller might be compelled to put city pension funds in the securities of "some discriminating business in Mississippi."

"This city has always been in the forefront of antidiscrimination practices and should continue," Mr. Dudley declared.

Controller Beame administers a total portfolio of $3.4 billion in city pension funds.

Authority over $1.8 billion of these funds is exercised by the Board of Estimate as the board of trustees of the New York City Employes Retirement System, the largest of the city's pension funds.

Southern Utilities Target

A prime purpose of the now-abandoned investment plan as devised by Mr. Screvane was to prevent the use of pension money to buy bonds issued by public utility corporations in the South.

The city had 18 pension plans covering 216,000 employes. The pension-money total of $3.4 billion is invested in Government bonds, corporate bonds and insured mortgages. The principal pension plans are the Employes Retirement System, the Teachers Retirement System, the Board of Education Retirement System, the Police Pension Fund and the Fire Department Pension Fund.

In another action the Board of Estimate, after many weeks of bitter controversy, approved an appropriation of $663,900 to be used by the Office of Civil Defense to establish 11 new positions in the nuclear fallout shelter program and provide for the transportation of $30 million shelter survival supplies.

The jobs will be one position of supervising shelter inspector at $9,000 a year and 10 positions of shelter inspector at $6,050.

City Councilman Theodore S. Weiss, Manhattan Democrat, attempted to renew his opposition to the appropriation, but was ruled out of order by Mr. Screvane because the public hearing had been closed last Nov. 21.

The required funds are to be provided from the Civil Defense Budget. The fallout shelter supplies, according to Robert E. Condon, director of the Office of Civil Defense, "will not be stocked in a facility which does not have security provisions for protection."

The shelter inspectors, Mr. Condon told the board, will handle the stocking of the designated fallout shelters with food and water containers, sanitary and medical kits and other equipment to be furnished free by the Federal Government.

There are to be shelters in 25,000 city buildings. Of yesterday's appropriation, $595,000 will be used for hiring private truckers to transport the shelter survival supplies from the Brooklyn Army Terminal to the fallout shelters.

Colleagues in Both Parties Praise Dirksen in Senate

WASHINGTON, Dec. 19 (UPI) — Senator Margaret Chase Smith, Republican of Maine, touched off a brief round of tributes in the Senate today to the Republican leader, Everett McKinley Dirksen of Illinois.

"Americans are fortunate to have him as the minority leader," she said, because of his "great wisdom and patience." She said that Mr. Dirksen, who was not on the floor at the time, was "proud to be a Republican but more proud to be an American first."

The Democratic leader, Mike Mansfield of Montana, endorsed Mrs. Smith's remarks. "I could not have a better partner" or "a more tolerant and understanding man than Everett Dirksen," he said.

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